

Case No. 3,394. CRITTENDEN v. STROTHER.

[2 Cranch, C. C. 464.]¹

Circuit Court, District of Columbia.

April Term, 1824.

WITNESS—PRIVILEGE OF ATTORNEY.

If the plaintiff examines his attorney as a witness, he waives his privilege, and upon cross-examination the attorney is bound to answer generally.

{Action of} debt {by Robert Crittenden against Pendleton Strother} on bond. Plea: Gaming debt.

Mr. Hall, the plaintiff's attorney, offered himself as a witness, and testified in behalf of the plaintiff. Upon his cross-examination he objected to answer a question, claiming the privilege of his client.

THE COURT said, that when his client examined him as a witness in his favor, he must be considered as waiving his privilege.

Verdict for defendant.

¹ [Reported by Hon. William Cranch, Chief Judge.]