

## MEADE v. ROBERTS.

[1 Cranch, C. C. 72.]<sup>1</sup>

Circuit Court, District of Columbia.

March Term, 1802.

PRACTICE—CALLING DOCKET—OFFER TO  
APPEAR—AFFIDAVIT—BAIL.

Upon calling the appearance docket, if the defendant offers to appear, the court will not give the plaintiff's attorney time to procure an affidavit to hold the defendant to special bail.

Motion to appear without special bail, there being no cause of action filed.

Mr. Woodward, for plaintiff, produced an account, but no affidavit. THE COURT decided it to be insufficient to hold to bail.

Mr. Woodward requested time to get an affidavit.

THE COURT were of opinion that the defendant had a right now to appear, and they could not amerce the marshal when an appearance was offered, unless there appeared to be a good cause of action.

MARSHALL, Circuit Justice, absent

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]

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