

## MOORE v. DULANY.

{1 Cranch, C. C. 341.}<sup>1</sup>

Circuit Court, District of Columbia. July Term, 1806.

## TRIAL—PRODUCTION OF DEPOSITIONS—PRIVATE AGREEMENT BETWEEN COUNSEL.

The court will not compel the opposite party to produce depositions taken by consent, nor enforce the private agreements of counsel, but will see that parties are not entrapped by such agreements.

Assault and battery.

Mr. Youngs, for defendant, stated to the court that the plaintiff had, by consent of defendant's counsel, taken the deposition of Mrs. Hodge and Mrs. May, and he now called upon the plaintiff to produce them, and prayed the court to compel the plaintiff to produce them. But THE COURT refused, there being no consent entered on record, and the court cannot undertake to enforce the private agreements of counsel, they must depend upon the honor of each other. The court will not suffer a party to be entrapped by such agreements. Verdict for the plaintiff, one cent.

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

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