

MURRAY v. DOWLING.

{1 Cranch. C. C. 151.}¹

Circuit Court, District of Columbia. Dec. Term, 1803.

WITNESS—PRIVILEGED
COMMUNICATIONS—ATTORNEY.

An attorney at law cannot be compelled to disclose any fact the knowledge of which has been communicated to him by his client.

Replevin. Avowry for rent-arrear—plea in bar, no rent-arrear—general replication and issue.

Mr. Peacock requested a postponement of the trial on account of the absence of the person who had possession of the original lease.

Mr. Hewitt, for the plaintiff, pressed the trial.

Mr. Peacock waived his application for a postponement, and offered ready.

On the trial Mr. Peacock being sworn as a witness, Mr. Hewitt asked him whether there was a lease in writing. Mr. Peacock stated that his knowledge upon that subject was derived from his client, in his capacity as counsel, and prayed the opinion of the court whether he was bound to answer.

THE COURT was of opinion he ought not to be compelled to answer, and sustained the objection.

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