

1254  
Case No. 12,083.

ROTCHFORD v. MEADE.

{3 Cranch, C. C. 650.}<sup>1</sup>

Circuit Court, District of Columbia. Nov., 1829.

REPLEVIN—COGNIZANCE—JOINDER OF COUNTS.

In replevin, several counts cannot be joined in the cognizance.

1255  
The defendant made cognizance in three counts: 1st. As bailiff of Scholfield, attorney of Harper; 2d. As bailiff of Harper; and, 3d. As bailiff of Scholfield, upon his own seizin. The plaintiff demurred specially to the cognizance, for duplicity. The Virginia statute only gives to plaintiffs in replevin the right to plead double; not to the defendants.

THE COURT (nem. con.) was of opinion that several counts cannot be joined, in cognizance in replevin; and especially claims in different rights, which could not be joined in a declaration.

Judgment for the plaintiff on the demurrer.

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

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