

STETTINIUS V. ORME.

{4 Cranch, C. C. 342.}¹

Circuit Court, District of Columbia. Nov. Term, 1833.

BAIL IN CIVIL CASE—AFFIDAVIT—SLANDER.

It is not a valid objection, to an affidavit to hold to bail in slander, that the plaintiff therein states that he is credibly informed and verily believes that the defendant spoke the words; the affidavit being positive that the plaintiff had sustained damage thereby to the amount of \$5,000.

{This was an action for slander, by Samuel Stettinius against W. C. Orme.} Affidavit filed with the declaration before the writ was issued.

Mr. Wallach moved for leave to appear without bail, because the affidavit was not positive that the defendant spoke the words charged.

But the affidavit was deemed sufficient by THE COURT (THRUSTON, Circuit Judge, absent), although it only stated that the plaintiff was credibly informed and verily believed that the defendant spoke the words; the affidavit being positive that the plaintiff had sustained damage by the speaking of the words to the amount of \$5,000.

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