

Case No. 17,994. WOODS ET AL. V. YOUNG ET AL.
[1 Cranch, C. C. 346.]¹

Circuit Court, District of Columbia.

July Term, 1806.²

CONTINUANCE—ABSENT WITNESS.

The court will not continue a cause for the absence of a witness, who has been summoned, if no attachment has been moved for, if the witness resides within one hundred miles of this place, although he resides out of this district.

[Cited in *Park v. Willis*, Case No. 10,710; *Lewis v. Mandeville*, Id. 8,326.]

THE COURT refused a continuance, because the plaintiff had not taken or moved for an attachment against his witness, John Wood, who lived at Port Tobacco, out of the District of Columbia, and within one hundred miles of this place; not having decided yet that an attachment will not lie for a witness who resides out of the district, and within one hundred miles. See *Voss v. Luke* [Case No. 17,014]; *Park v. Willis* [Id. 10,716], November term, 1806.

[The judgment of the court was affirmed on appeal to the supreme court 4 Cranch, 237.]

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

² [Affirmed in 4 Cranch (8 U. S.) 237.]