

THE HEKTOGRAPH CO. V. FOURL AND
ANOTHER.

Circuit Court, S. D. New York. August 9, 1881.

ATTORNEY AT LAW—LIEN OF.

Where the attorneys for a party withdraw from the case of their own motion, the new attorneys were substituted without prejudice to the existing lien of the original attorneys; but the former attorneys are not entitled to any lien on ultimate recoveries.

BLATCHFORD, C. J. In this and the nine other cases I think the new attorneys must be substituted, without prejudice, of course, to any existing lien of the former attorneys on papers, but without the imposition or creation of any lien on any future recoveries in favor of the former attorneys in respect to their first services. Whatever might be done in a case where the client, without any reason but his wish, desired to displace his attorneys, I think that as, in this case, the attorneys withdrew of their own motion, and no special reasons are shown for impressing a lien in their favor on any ultimate recoveries, no such lien should be created as a condition of the substitution.

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