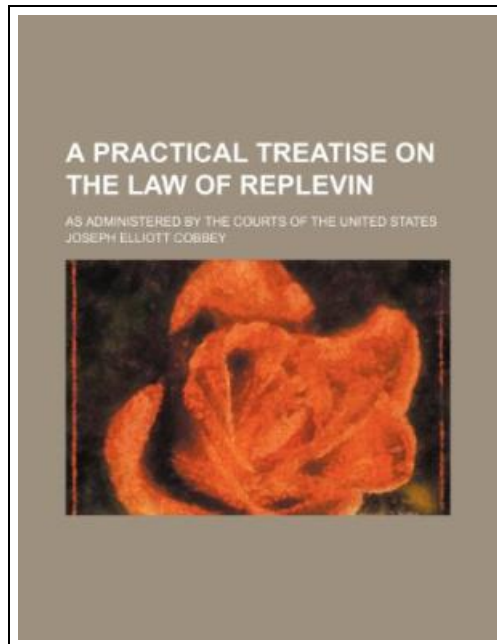


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Not Avail, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1890 Excerpt: .is a bar to a subsequent action in replevin by this claimant against the sheriff for the recovery of the possession of the property. In replevin against an officer it is a good defense that the claimant had instituted proceedings for trial of right of property attached, as provided by statute in such cases, and on that trial the jury found against him and judgment rendered accordingly. In Indiana a different rule is followed by statute.5 809. The pendency of another action involving the same question is a good defense. So is a judgment on the 1 *Dodd v. Thomas*, 69 Mo. 364. *Hexter v. Schneider*, 14 Ore. 184 (12 P. 668); *Rowe r. Bowen*, 28 El. 110; *Fisher v. Gordon*, 8 Mo. 386; *Bagley v. Bolis*, 8 Johns. 185; *Crocker on Sheriffs*, 446. *Capital Lumber Company v. Hall*, 9 Ore. 93; *Remdell v. Swackhammer*, 8 Ore. 502; *Schroeder v. Clark*, 18 Mo. 184; *Patty r. Mansfield*, 8 Ohio, 370. See *Schell v. Husenatine*, 15 Neb. 9. *Bray v. Seaman*, 13 Neb. 518 (14 N. W. 474). *Chinn v. Russell*, 2 Blackf. (Ind.) 172. same issue in another action. The pendency of another action in replevin for same property between same parties is a good defense.1 A former adjudication is a good defense.1 The pendency of a second suit in replevin may be pleaded in bar or abatement of the first replevin.3 It is a good defense by a sheriff to an action of replevin...



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