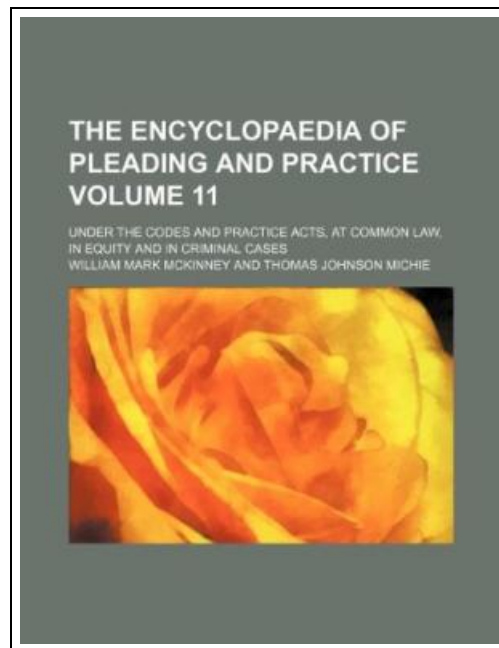


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Rarebooksclub.com, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1898 Excerpt: . to such legal defense, so as to make it triable by jury as of right. Installment Bldg., etc., Co. v. Wentworth, 1 Wash. 467. See infra, IX. 12. Damages; supra, VI. Cross-complaint and Counterclaim; and supra, V. Legal and Equitable Issues in the Same Action or Suit. In Wisconsin, by Rev. Stat. (Sanb. B. Annot. Stat. 1889), 3323, either party to an action to foreclose a mechanic's lien has the right to demand a jury. But this does not prevent the court on its own motion ordering a jury to try any issue of fact. Illuse v. Washburn, 59 Wis. 414. 2. Ryder v. Bentham, 1 Ves. 543; Agar v. Regents Canal Co., Cooper 77; Thompson v. Paterson, 9 N. J. Eq. 624. See also article Injunctions, vol. 10, p. 887 et seq. Defendant Denying Plaintiff's Right or Betting Up Title in Himself--Where the complainant seeks protection in the enjoyment of a natural watercourse upon damages caused by his delay. Under N. Y. Code Civ. Pro., 970, as amended by the Act of 1891, the plaintiff was held entitled to have the question of damages for delay submitted to a jury, unless the defendants, before the settlement of an order in the case, which must be done on three days notice, stipulated to abandon their claim for damages by reason of the delay, in which event the motion should be altogether denied. Riggs v. Shannon, 27 Abb. N. Cas. (N. Y.-C. Pl.) 456. garded...

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