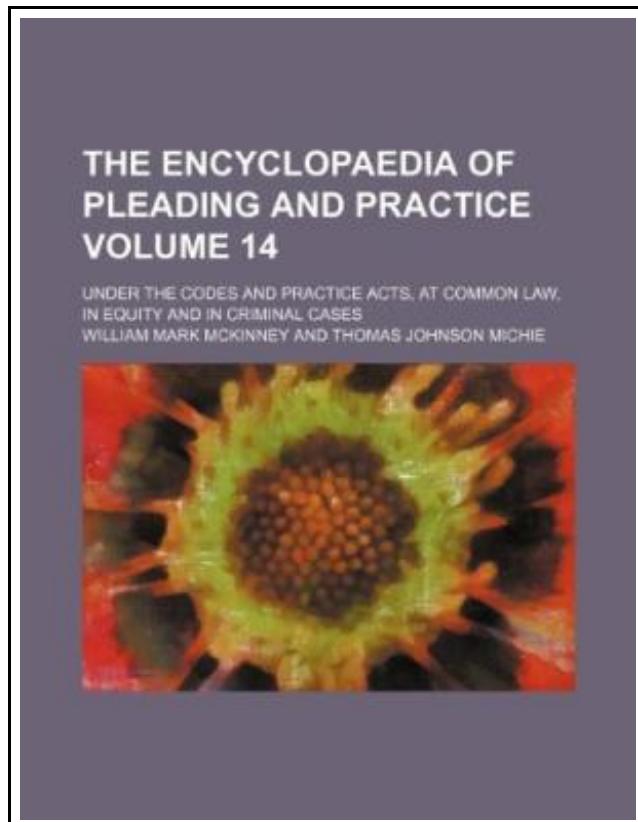


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Rarebooksclub.com, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1899 Excerpt: . 2. Ohio Valley Nat. Bank v. Rousheim, (Cine. Super. Ct.) 31 Ohio Wkly. L. Bui. 99. S. Lamkin v. Nye, 43 Miss. 241. 4. De Proux v. Sargent, 70 Me. 266. 5. Wilmington Bank v. Houston, 1 Harr. (Del.) 225. 6. Mardis v. Terrell, Walk. (Miss.) 327. But see Gaines v. Craig, 24 Ark. 477, where it was said: The court below properly struck out the sealed agreement for another reason. Covenant would be the proper form of action upon it, while debt or assumpsit only could be brought upon the note, and it would be such a disregard of the rules of pleading as the statute hardly contemplated to permit them to be joined in one suit. See Gatton v. Walker, 9 Ark. 199. 7. California.--Eastman v. Turman, 24 Cal. 379. Indiana.--Jaseph v. Peoples Sav. Bank, (Ind. 1889) 22 N. E. Rep. 980; Pate v. Aurora First Nat. Bank, 63 Ind. 254. Ohio.--Howlett v. Martin, 3 Wkly. L. Gaz. (Ohio) 266, 3 Ohio Dec. (Reprint) 113; Turner v. Frost, 3 West. L. M. (Ohio) 213, 2 Ohio Dec. (Reprint) 477; Burdell v. Reeder, 2 Cine. Super. Ct. Rep. 94; King v. Safford, 19 Ohio St. 587. Contra.--Doan v. Holly, 26 Mo. 188, where the parties to both suits are not the same. Foreclosure and Attachment.-- The action upon the note and for foreclosure of the mortgage was properly joined. The plaintiff was not required to bring two actions. Having the right to join the...

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