

2FED.CAS.—47

Case No. 937.

BANK OF THE UNITED STATES v. SWANN.

{2 Cranch, C. C. 368.}¹

Circuit Court, District of Columbia.

Nov. Term, 1822.

NEGOTIABLE INSTRUMENTS—DISHONOR—TIME OF NOTICE TO INDORSER.

Notice to the indorser, put into the postoffice at Washington, for the defendant in Alexandria, on the day after the last day of grace, after the closing of the mail of that day, is too late.

{See *Seventh Ward Bank v. Hanrick*, Case No. 12,678; *Fullerton v. Bank of U. S.*, 1 Pet (26 U. S.) 604; *Lenox v. Roberts*, 2 Wheat (15 U. S.) 373; *Bank of Alexandria v. Swann*, 9 Pet. (34 U. S.) 33.]

At law. Assumpsit against [Thomas Swann] the indorser of a promissory note due 11th-14th December, 1819.

The notice to the indorser, who lived in Alexandria, was put into the postoffice at Washington, on the 15th of December, after the mail of that day for Alexandria had been closed.

THE COURT (THRUSTON, Circuit Judge, absent) said it was too late. Non-pros.

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