

Case No. 6,736.

HOUSE v. CASH.

[2 Cranch, C. C. 73.]<sup>1</sup>

Circuit Court, District of Columbia.

April Term, 1813.

DEPOSITIONS—ADMISSIBILITY OF—TIME OF TAKING.

When notice is given that a deposition will be taken between certain hours, it is not necessary to wait till the last hour.

Mr. Taylor, for defendant, objected to a deposition, because the defendant attended at three o'clock, and the deposition had been taken before that hour; the notice being that it would be taken between the hours of 11 A. M. and 5 P. M. He contended that the plaintiff was bound to keep open the examination during the whole time.

But THE COURT (THRUSTON, Circuit Judge,) overruled the objection.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]