

Case No. 8,249.

LENOX ET AL. V. WRIGHT.

{2 Cranch, C. C. 45.}<sup>1</sup>

Circuit Court, District of Columbia.

June Term, 1812.

BILLS AND NOTES—NOTICE TO INDORSER—TIME ALLOWED—DELIVERY TO POST OFFICE.

Upon a note due 23d and 26th July, demand and notice after the 28th are too late; but demand and notice on the 27th is not.

{See Bank of Alexandria v. Wilson. Case No. 856; Bank of the Metropolis v. Walker, Id. 903.}

Assumpsit against the indorser of a promissory note due 23d and 26th July, 1809. The defendant lived in Georgetown, D. C., about three miles from the plaintiffs.

THE COURT instructed the jury that notice given to the defendant, or left at the post-office, after the 28th was too late, but refused to instruct the jury that demand and notice on the 27th was too late. The notice was not, In fact, put into the post-office in Washington until the 30th of July. Verdict for the defendant.

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