

NEALE v. PEYTON.

{2 Cranch, C. C. 313.}¹

Circuit Court, District of Columbia. May Term, 1822.

NOTES—INDORSEMENT—DEMAND ON
MAKER—WHEN TO BE MADE—INSOLVENCY OF
MAKER.

Demand of payment on the 5th of July, of a note due on the 1st-4th of July, is too late to charge the indorser, and the insolvency of the maker will not excuse the delay.

Assumpsit against the indorser of a promissory note. The note was put into the Bank of Potomac for collection, and fell due on the 1st-4th of July. The note was not given out, and no demand of payment was made on the maker of the note until the 5th of July. The maker was insolvent.

THE COURT (THRUSTON, Circuit Judge, absent,) said it was too late, and that the insolvency of the maker did not excuse the delay.

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

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