

Case No. 11,348.

POTTS ET AL. V. SKINNER ET AL.

[1 Cranch, C. C. 57.]¹

Circuit Court, District of Columbia. Jan. Term, 1882.

COMMISSION TO TAKE TESTIMONY—NOTICE TO ATTORNEY.

Notice, given to the attorney at law, of a motion for a dedimus, is sufficient.

{This was an action by Potts & Ramsay against Skinner & Cadogan.}

Motion by the plaintiffs for leave to take a commission to New York to examine a witness.

Mr. Swann, for defendants, objected that the notice of this motion was given to him, who was only attorney at law for the defendants, and not their attorney in fact. The act of assembly means attorney in fact. Act Nov. 29, 1792, § 13; Rev. Code, p. 279.

But THE COURT decided the notice to be sufficient, and ordered the dedimus.

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

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