

RIDDLE v. MOTT.

{2 Cranch, C. O. 73.}¹

Circuit Court, District of Columbia. April Term, 1813.

NOTES—INDORSER—DEMAND AND
NOTICE—MAKER'S INSOLVENCY.

Demand, and notice to the indorser, are not necessary in Virginia, if the maker was so insolvent that they could be of no use to the defendant.

Assumpsit against the defendant as indorser of Patrick Ramsay's note.

THE COURT instructed the jury that, under the law of Virginia, it was not necessary to prove a demand upon Ramsay, and notice to the defendant, if they should be satisfied by the evidence, that Ramsay was so insolvent, when the note became payable, (April, 1808,) that such demand and notice would not have been a benefit to the defendant. Quaere.

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

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