

THORNTON v. CHAPMAN.

{2 Cranch, C. C. 244.}¹

Circuit Court, District of Columbia. May Term, 1821.

ARBITRATION—NOTICE TO PARTIES—UMPIRE.

An umpire must give notice to the parties, and to the arbitrators of the time and place of his proceeding to act upon the subject submitted.

Debt [by Nicholas Thornton against Charles T. Chapman] upon the award of an umpire.

Mr. Taylor, for the defendant, objected at the trial, that the umpire had given no notice to the defendant or to the arbitrators of the time and place of his proceeding to act upon the matter submitted.

THE COURT (THRUSTON, Circuit Judge, absent,) was of opinion, and instructed the jury, that the award would not support the plaintiff's action if they should be of opinion from the evidence that the defendant had no notice, &c., Non pros.

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