

Case No. 17,908.

WISE v. GEIGER.

[1 Cranch, C. C. 92.]<sup>1</sup>

Circuit Court, District of Columbia.

April Term, 1802.

DEFECTIVE AWARD.

An award may be good in part and void in part.

Debt on an Award.

Mr. C. Lee, for the defendant, objected that the award was not complete, in this, that it does not ascertain how the outstanding debts due to the partnership shall be valued; it says only that they shall be divided equally, value and value alike. Kyd, Awards, 83, 88.

Mr. Simms, for plaintiff. An award may be good for part, and void for part. Independent of the provisions respecting those debts, they have awarded the sum of four hundred dollars to be due by the defendant to the plaintiff; and for this sum the action is brought. 1 Bac. Abr. 142; Fox v. Smith, 2 Wils. 267b; Addison v. Gray, Id. 293; Wills v. Maccarnick, Id. 148.

THE COURT were of opinion that the award was good as to the part upon which the suit was brought, it being an independent matter.

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