

Cases Argued and Determined in the Court of Appeals of Colorado Volume 25 (Paperback)



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Reviews

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CASES ARGUED AND DETERMINED IN THE COURT OF APPEALS OF COLORADO VOLUME 25 (PAPERBACK)

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Rarebooksclub.com, United States, 2013. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1914 edition. Excerpt: .subject. As is well said in a recent opinion of the-supreme court of Test Virginia: . Presentation of the check for payment in the bank on which it is drawn must be made within a reasonable time, and what is a reasonable time depends upon the situation of the parties with reference to one another, and with reference to the bank, and all other material facts and circumstances entering into the transaction. --Lewis Co. v. Montgomery Co., 59 W. Va., 75, 52 S. E., 1077, 4 L. R. A . (N. S.), 135. The facts in the case before us, as disclosed by the record , are: that Babcock, payee of the check and city treasurer, was an employe of the State Bank of Rocky Ford, onwhich it was drawn, and, according to his statement, the check was delivered to him in the forenoon of December 31st, while he was in the bank, back of the counter, presumably discharging his duties as assistant cashier. The bank was in a failing condition, and Babcock admits, on cross-examination, that he knew the bank was having a hard time, and his only excuse for not promptly presenting the check for payment was, to use his own language: Because I did not have time. I was working for the State Bank of Rocky Ford. He seems to have regarded his duty to the bank as paramount to his duty to the public. T-his contention cannot be allowed. Under...



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