

Statement of the Case.

UNITED STATES v. MORANT.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR
THE NORTHERN DISTRICT OF FLORIDA.

Submitted January 30, 1888. — Decided February 20, 1888.

The court, on motion, amends the judgment and decree in this case heretofore announced, and reported 123 U. S. 335.

THIS case is reported 123 U. S. 335. After judgment was announced, *Mr. Robert B. Lines*, of counsel for appellees, on their behalf, presented to the court the following motion, entitled in the cause:

Come now the appellees, by Robert B. Lines, of counsel, and move the court that the decree heretofore rendered in the above entitled cause be set aside, and the said cause remanded to the District Court for the Northern District of Florida, with instructions to enter its decree confirming the title of appellees to the lands in controversy, describing the same according to United States surveys, and specifying the amounts of land and scrip certificates respectively, to which said appellees may be entitled, under the acts of Congress of June 22d, 1860, and March 2d, 1867.

And for ground of their said motion, the said appellees respectfully show:

That they are informed, that parts of said lands have been sold or granted by the United States; that in such case, it is provided by §§ 11 and 6 of said act of 1860, 12 Stat. 85, that the confirmees shall have the right to enter upon any of the public lands of the United States, a quantity of land equal in extent to that sold by the Government; that it has been the practice heretofore in such cases, for the decree of the lower court, to state whether any and what lands have been so sold within the limits of private land claims, (see *Mandates and Records in United States v. Cushing*, October term, 1873; *United States v. Marquis of Casa Yrujo*, October term, 1878, &c.); and that, unless the decree of the court below in this

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cause be reformed to include such a statement, the appellees will meet with difficulty at the Land Office, in securing either scrip for the lands sold or patents for the portion, if any, remaining unsold.

ROBERT B. LINES,
of Counsel for Appellees.

MR. JUSTICE BRADLEY delivered the opinion of the court.

It is ordered that the judgment in this case be amended by adding thereto instructions to the District Court from whose decree the appeal was taken to amend its decree by describing, according to United States surveys, the lands applied for by the appellees and confirmed to them by the decree, and by declaring that if any parts of said lands have been sold or granted by the United States, the appellees shall have the right to enter upon any of the public lands of the United States, a quantity of land equal in extent to that so sold or granted; and by directing a reference to be made to a master to ascertain whether any such sales, and if so what, and to what extent, have been made; and by declaring the appellees entitled to scrip certificates to the extent and amount of such sales and grants.

And the said District Court is further instructed to take such further proceedings as may be necessary to carry out the instructions of this decree.

So ordered.

CRAWFORD *v.* HALSEY.

ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE
EASTERN DISTRICT OF LOUISIANA.

Submitted February 2, 1888. — Decided February 20, 1888.

A member of a bankrupt partnership, purchasing of the assignee in bankruptcy a debt due the firm, takes only such rights as the assignee has, under the bankrupt laws, to contest the validity of a transfer of the debt as in violation of those laws.