UNITED STATES *v.* CHETIMACHAS INDIANS.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT OF LOUISIANA.

No. 21, December Term, 1852. — Decided December 15, 1852.

The Attorney General having stated that the Indians are entitled to the land claimed by them, the case is dismissed.

The case is stated in the opinion.

Mr. Chief Justice Taney said: The Attorney General having appeared in this case, and declined arguing it, on the ground that the Chetimachas Indians are entitled to the land claimed by them in this suit; there appears to be no controversy before this court, and the appeal from the District Court is therefore

Dismissed.

Mr. Attorney General for appellant. *Mr. Taylor* and *Mr. Janin* for appellees.

MAYER *v.* THE VENELIA, HER TACKLE ETC., EDDES MASTER.

APPEAL FROM THE CIRCUIT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

No. 14, December Term, 1854. — Decided December 18, 1854.

The case is dismissed because neither party is ready for argument at the second term at which it is called.

The case is stated in the opinion.

Mr. Chief Justice Taney announced the following order in this cause:

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and it appearing to the court here that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same, it is considered by the court that this appeal should be dismissed at the cost of the appellants pursuant to the 55th rule of this court: whereupon, it is now here ordered and decreed by this court, that this cause be, and the same is hereby dismissed, with costs; and that this cause

be, and the same is hereby remanded to the said Circuit Court, to be proceeded in according to law and justice. *Dismissed.*

Mr. H. M. Phillips for appellants. *Mr. Kane* and *Mr. Fallon* for appellee.

SHANNON *v.* CAVAZOS.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF TEXAS.

No. 74. December Term, 1857. — Decided April 19, 1858.

One of several codefendants having appealed from a joint decree against all, without summons and severance, the case is dismissed.

The case is stated in the opinion.

Mr. Justice McLean delivered the following order and opinion:

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas, and it appearing to the court here, upon the motion of Messrs. Hale and Robinson, of counsel for the appellees, that the decree of the said District Court in this cause is a joint decree against several codefendants, and that Patrick C. Shannon alone has appealed therefrom, without any summons and severance from the rest of his codefendants, it is the opinion of this court that the case is improperly brought here. On consideration whereof, it is now here ordered, adjudged and decreed by this court, that this appeal be, and the same is hereby

Dismissed, with costs.

Mr. J. P. Benjamin for appellants. *Mr. C. Robinson* and *Mr. Wm. G. Hale* for appellees.

PHELPS *v.* EDGERTON.

ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF ILLINOIS.

No. 85. December Term, 1860. — Decided March 5, 1861.

It appearing to the court that this writ of error was sued out merely for delay, the judgment is affirmed with ten per cent damages.

Assumpsit on a promissory note, to which the general counts were joined. The pleas were, a general demurrer to the first count, and non assumpsit. The demurrer was overruled, and a verdict taken for plaintiff, and judgment on the verdict, to which this writ