

APPENDIX.

Cases Omitted in the Reports.

MONGER *v.* SHIRLEY.

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

No. 355. December Term, 1871.—Decided March 25, 1872.

No appeal being asked for below or rendered, no appeal bond given, and there being no citation, the appeal is dismissed on motion.

MOTION to strike the case from the docket. The case is stated in the opinion.

MR. CHIEF JUSTICE CHASE delivered the opinion of the court.

The record does not show that an appeal was asked for or rendered. An appeal bond was filed, but there was no approval of it by the court, nor was there any citation. It is unnecessary to say more than that the appeal must be dismissed. *Brockett v. Brockett*, 2 How. 238; *Palmer v. Donner*, 7 Wall. 541; *Castro v. United States*, 3 Wall. 46, 49. *Dismissed.*

Mr. John Baxter for the motion. *Mr. H. Maynard* and *Mr. T. A. R. Nelson*, opposing.

HUNTINGTON *v.* TEXAS.FIRST NATIONAL BANK OF WASHINGTON *v.* TEXAS.

ERROR TO THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

Nos. 429, 523. December Term, 1871.—Decided February 5, 1872.

After hearing the parties the court advances the causes as causes in which a State is a party under the act of June 30, 1870, 16 Stat. 176, c. 181. Rev. Stat. § 949.⁴

MOTION TO ADVANCE. The case is stated in the opinion.

MR. CHIEF JUSTICE CHASE delivered the opinion of the court.

The motion to advance these cases is made under the act giving priority to certain cases in which a State is a party in the courts of the United States. That act provides that it shall be the duty of the court on sufficient reasons shown, to give causes in which a State is a party preference and priority over all other civil causes pending in such court between private parties. The question presented by these cases relates to the right of the State of Texas to certain bonds of the United States which are said, under the decision of this court in *Texas v. White*, 7 Wall. 700, to belong to the State; and it is stated by the governor of the State that the money