

# RULES AND ORDERS

OF THE

## SUPREME COURT OF THE UNITED STATES.

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FEBRUARY TERM, 1817.

**RULE XXX.**—After the present term, no cause standing for argument will be heard by the court, until the parties shall have furnished the court with a printed brief or abstract of the cause, containing the substance of all the material pleadings, facts and documents on which the parties rely, and the points of law and fact intended to be presented at the argument.

**RULE XXXI.**—Whenever, pending a writ of error, or appeal, in this court, either party shall die, the proper representatives in the personalty or realty of the deceased party, according to the nature of the case, may voluntarily come in and be admitted parties to the suit, and thereupon, the cause shall be heard and determined, as in other cases; and if such representatives shall not voluntarily become parties, then the other party may suggest the death on the record; and thereupon, on motion, obtain an order, that unless such representatives shall become parties, within the first ten days of the ensuing term, the party moving for such order, if defendant in error, shall be entitled to have the writ or error or appeal dismissed; and if the party so moving shall be plaintiff in error, he shall be entitled to open the record, and on hearing, have the same reversed, if it be erroneous. Provided, however, that a copy of every such order shall be printed in some newspaper, at the seat of government, in which the laws of the United States shall be printed by authority, three successive weeks, at least sixty days before the beginning of the term of the supreme court then next ensuing.

**RULE XXXII.**—In all cases where a writ of error, or an appeal, shall be brought to this court, from any judgment or decree rendered thirty days before the term to which such writ of error or appeal shall be returnable; it shall be the duty of the plaintiff in error, or appellant, as the case may be, to docket the cause, and file the record thereof with the clerk of this court, within the first six days of the term; on failure to do which, the defendant

in error, or appellee, as the case may be, may docket the cause, and file a copy of the record with the clerk, and thereupon, the cause shall stand for trial in like manner, as if the record had been duly filed, within the first six days of the term ; or at his option, he may have the cause docketed and dismissed, upon producing a certificate from the clerk of the court wherein the judgment or decree was rendered, stating the cause, and certifying, that such writ of error or appeal had been duly sued out and allowed.