

New York Life and Fire Insurance Co. v. Adams.

This court, therefore, direct, that the writ of *mandamus* be issued, directing the district judge to sign the judgment, agreeable to the prayer of the plaintiffs.

ON motion of plaintiff for a *mandamus* to the district court of the United States for the eastern district of Louisiana : On consideration of the rule granted in this cause by this court, on the 14th day of March, in the year of *305] our Lord *1833, which was duly served on the judge of the district court of the United States for the eastern district of Louisiana, as by reference to the proof of service, on file in the clerk's office, will appear, and of the return of the said judge, setting forth his reasons at large, as also of the arguments of counsel, for both the plaintiff and defendant in this cause, thereupon had, it is now here considered, ordered and adjudged by this court, that the said rule be and the same is hereby made absolute ; and it is further ordered and adjudged by this court, that a writ of *mandamus* be and the same is hereby awarded, directing the said district judge to sign the judgment, and to award execution thereon, agreeable to the prayer of the plaintiff in the proceedings mentioned.

*306] *In the Matter of the LIFE and FIRE INSURANCE COMPANY of NEW YORK, Plaintiff, v. CHRISTOPHER ADAMS.

Mandamus.

MOTION for a *Mandamus* to the District Court for the Eastern District of Louisiana.

McLEAN, Justice, delivered the opinion of the court.—At the last term of this court, a rule was granted on the district judge of the United States for the eastern district of Louisiana in this, the same as in the preceding case of the same plaintiffs, against the Heirs of Nicholas Wilson ; and as the principles in both cases are substantially the same, the court also direct that a *mandamus* be issued in this case, commanding the district judge to sign the judgment, agreeable to the prayer of the plaintiffs' counsel.

ON motion of plaintiff for a *mandamus* to the district court of the United States for the eastern district of Louisiana : On consideration of the rule granted in this cause by this court, on the 14th day of March in the year of our Lord 1833, which was duly served on the judge of the district court of the United States for the eastern district of Louisiana, as by reference to the proof of service, on file in the clerk's office, will appear, and of the return of said judge, setting forth his reasons at large, as also of the arguments of counsel, for both the plaintiff and defendant in this cause, thereupon had, it is now here considered, ordered and adjudged by this court, that the said rule be and the same is hereby made absolute ; and it is further ordered and adjudged by this court, that a writ of *mandamus* be and the same is hereby awarded, directing the said district judge to sign the judgment, and to award execution thereon, agreeable to the prayer of the plaintiff, in the proceedings mentioned.¹

¹ For further proceedings in this case, see 9 Pet. 573.