

MEMORANDA.

THE CHIEF JUSTICE, though on the bench and presiding at the argument of some of the cases heard during the time embraced by this volume, was not sufficiently well to participate in the judgment of any here reported.

Mr. Justice NELSON having been appointed by the President one of the Joint High Commissioners who assembled at Washington in the spring of 1871, with a view to a settlement by treaty of questions between the United States and Great Britain, was constantly engaged in its discussions during the sittings of the Commission. He accordingly was able to participate in but few of the decisions here reported, beyond those in which he is represented as delivering the judgment of the court.

