

Blair Vs. Miller

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Court : US Supreme Court

Decided On : 1800

Appeal No. : 4 U.S. 21

Appellant : Blair

Respondent : Miller

Judgement :

BLAIR v. MILLER - 4 U.S. 21 (1800)

U.S. Supreme Court BLAIR v. MILLER, 4 U.S. 21 (1800)

4 U.S. 21 (Dall.)

Blair et al. Plaintiffs in Error,

v.

Miller et al.

February Term, 1800

WRIT of error from the Circuit Court of Virginia. The judgment was rendered in the Circuit Court on the 28th of May 1799, and a writ of error issued returnable to August term 1799; but the record was not transmitted, nor the writ returned into the office of the clerk of the Supreme Court, till the 4th of February 1800. Swift objected to the acceptance and return of the record and writ: And,

By the COURT:

The writ has become a nullity, because it was not returned at the proper term. It cannot, of course, be a legal instrument, to bring the record of the Circuit Court before us for revision.(a)

(a) See *Course v. Stead*, post, p. 22.

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