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The Nonesuch

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SooperKanoon Citation : sooperkanoon.com/81795

Court : US Supreme Court

Decided On : 1869

Appeal No. : 76 U.S. 504

Appellant : The Nonesuch

Judgement :

The Nonesuch - 76 U.S. 504 (1869)
U.S. Supreme Court The Nonesuch, 76 U.S. 9 Wall. 504 504 (1869)

The Nonesuch

76 U.S. (9 Wall.) 504

APPEAL FROM THE DISTRICT COURT OF THE UNITED

STATES FOR THE NORTHERN DISTRICT OF FLORIDA

SYLLABUS

The court has no jurisdiction of a cause transferred here from the circuit court by consent of parties. *The Alicia,* 7 Wall. 572, affirmed.

This was an appeal from the District Court of the United States for the Northern District of Florida to the circuit court for the same district. There had been no

decree rendered in that court, but consent of parties was given to the transfer of the cause into this Court. The record was accordingly filed, and the case docketed.

THE CHIEF JUSTICE delivered the opinion of the Court

This Court cannot acquire jurisdiction of a cause pending in a circuit court by transfer. This was determined at the last term in the case of *The Alicia.* * In that case, the record had not been filed, and a motion was made to docket and dismiss. That motion was denied, on the ground that the court could not take jurisdiction. In this case, the record has been filed, and the cause has been docketed here. The order therefore must be that the cause be

Dismissed for want of jurisdiction.

* 74 U. S. 7 Wall. 572.

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