

**Feibelman Vs. Packard**

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**SooperKanoon Citation :** [sooperkanoon.com/84369](http://sooperkanoon.com/84369)

**Court :** US Supreme Court

**Decided On :** Nov-13-1882

**Appeal No. :** 108 U.S. 14

**Appellant :** Feibelman

**Respondent :** Packard

**Judgement :**

Feibelman v. Packard - 108 U.S. 14 (1882)

U.S. Supreme Court Feibelman v. Packard, 108 U.S. 14 (1882)

**Feibelman v. Packard**

**Decided November 13, 1882**

**108 U.S. 14**

IN ERROR TO THE CIRCUIT COURT OF THE UNITED

*STATES FOR THE DISTRICT OF LOUISIANA*

**SYLLABUS**

A writ of error sued out by one of two or more joint defendants without a summons and severance or equivalent proceeding must be dismissed.

MR. CHIEF JUSTICE WAITE delivered the opinion of the Court.

Moses Feibelman and George Voelker, as partners, sued the defendants in error to recover damages for the seizure of their partnership goods by Packard, marshal of the United States for the District of Louisiana. A judgment was rendered against them. Their interests in the suit were joint, and the judgment affects them jointly and not separately. Feibelman alone has brought this writ of error, and there has been no summons and

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severance, or other equivalent proceeding. It follows that the writ must be dismissed on the authority of [Williams v. Bank of the United States](#), 11 Wheat. 414; [Masterson v. Herndon](#), 10 Wall. 416; [Simpson v. Greeley](#), 20 Wall. 152, and it is

*So ordered.*