

Wolf Vs. Usher

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Court : US Supreme Court

Decided On : 1830

Appeal No. : 28 U.S. 269

Appellant : Wolf

Respondent : Usher

Judgement :

Wolf v. Usher - 28 U.S. 269 (1830)

U.S. Supreme Court Wolf v. Usher, 28 U.S. 3 Pet. 269 269 (1830)

Wolf v. Usher

28 U.S. (3 Pet.) 269

ON CERTIFICATE OF DIVISION BETWEEN JUDGES OF THE

CIRCUIT COURT OF THE DISTRICT OF RHODE ISLAND

SYLLABUS

Where the point on which the judges of the circuit court divided in opinion was not certified, but the point of difference was to be ascertained from the whole record, the Court refused to take jurisdiction of the case.

When the case was opened by the counsel for the plaintiff, it was found on inspecting the record that the particular point on which the judges of the circuit court had differed was not certified. The whole record had been sent up, and it contained a certificate that the judges of the court had differed in opinion, without a specific statement of what the difference was.

The Court refused to take jurisdiction of the cause, and remanded the same to the Circuit Court of Rhode Island, with directions to proceed therein according to law.

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