

**Smith T. Vs. Honey**

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**Court :** US Supreme Court

**Decided On :** 1830

**Appeal No. :** 28 U.S. 469

**Appellant :** Smith T.

**Respondent :** Honey

**Judgement :**

Smith T. v. Honey - 28 U.S. 469 (1830)

U.S. Supreme Court Smith T. v. Honey, 28 U.S. 3 Pet. 469 469 (1830)

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**28 U.S. (3 Pet.) 469**

*ERROR TO THE DISTRICT*

*COURT OF MISSOURI*

## **SYLLABUS**

Where the verdict for the plaintiff in the circuit court is for a less amount than \$2,000 and the defendant prosecutes a writ of error, this Court has not jurisdiction although the demand of the plaintiff in the suit exceeded two thousand dollars.

In the District Court of Missouri, John W. Honey instituted an action of trespass on the case for the recovery of damages from John Smith T., the defendant in the action, for the use of a "new and useful improvement in screening tables for discriminating, selecting, and separating perfect from imperfect shot," for which letters patent had been granted to the plaintiff by the United States. The damages were laid in the declaration at \$2,000, and at September term, 1827, the cause was tried, and a verdict rendered for the plaintiff for \$100, upon which judgment was entered for the plaintiff below.

On the trial, the counsel for the defendant filed several bills of exceptions to the opinion of the court and prosecuted this writ of error.

After the case was opened for the plaintiff in error, the court ordered the writ of error to be dismissed, the same having been sued out by the defendant in the district court and the sum in controversy, as to him, being no more than \$100, the amount of the verdict in that court. See the case of *Gordon v. Ogden* at this term, *ante* [28 U. S. 33](#) .

The Court overruled the motion.

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