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United States Vs. Mcdaniel

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Court : US Supreme Court

Decided On : 1832

Appeal No. : 31 U.S. 634

Appellant : United States

Respondent : Mcdaniel

Judgement :

United States v. McDaniel - 31 U.S. 634 (1832)
U.S. Supreme Court United States v. McDaniel, 31 U.S. 6 Pet. 634 634 (1832)

United States v. McDaniel

31 U.S. (6 Pet.) 634

ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR

THE COUNTY OF WASHINGTON IN THE DISTRICT OF COLUMBIA

SYLLABUS

The declaration was for a balance of accounts of $988.94, and the *ad damnum* was laid at $2,000. The bill of exceptions showed that the United States claimed interest on the balances due it. Under those circumstances, it is no objection to the

jurisdiction that the bill of exceptions was taken by the counsel for the United States to a refusal of the court to grant an instruction asked by the United States which was applicable to certain items of credit only claimed by the defendants which would reduce the debt below the sum of $1,000. The Court cannot judicially know what influence that refusal had upon the, verdict.

A motion was made by Mr. Coxe, for the defendant, to dismiss this suit for want of jurisdiction, the sum in controversy at the trial being less than $1,000 and it appearing from the bill of exceptions that the only items in controversy on which the instruction excepted to was given by the circuit court were less than that sum.

MR. CHIEF JUSTICE MARSHALL delivered the opinion of the Court overruling the motion.

The declaration is for a balance of accounts of $988.94, and the *ad damnum* is laid at $2,000. The bill of exceptions shows that the United States claimed interest on the balance due to them. There is general verdict for the defendant. Under these circumstances, it is no objection to the jurisdiction that the bill of exceptions was taken by the counsel for the United States to a refusal of the circuit court to grant an instruction asked by the United States, which was applicable to certain items of credit only, claimed by the defendant, which would reduce the debt below the sum of $1,000. The court cannot judicially know that influence that refusal had upon the verdict.

The motion was overruled.

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