

**Gassies Vs. Ballon**

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**SooperKanoon Citation :** [sooperkanoon.com/79376](http://sooperkanoon.com/79376)

**Court :** US Supreme Court

**Decided On :** 1832

**Appeal No. :** 31 U.S. 761

**Appellant :** Gassies

**Respondent :** Ballon

**Judgement :**

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**Gassies v. Ballon**

**31 U.S. (6 Pet.) 761**

*ERROR TO THE DISTRICT COURT OF THE UNITED*

*STATES FOR THE EASTERN DISTRICT OF LOUISIANA*

## **SYLLABUS**

The petition filed in the District Court of the United States of Louisiana, alleged that the defendant had caused himself to be naturalized an American citizen and that he was, at the time of the filing of the petition, residing in the Parish of West Baton

Rouge. *Held* that this was equivalent to an averment that the defendant is a citizen of the State of Louisiana.

A citizen of the United States residing in any state of the Union is a citizen of that state.

The authorities on the question of the jurisdiction of the courts of the United States on the allegation of citizenship in proceedings in those courts have gone as far in limiting the jurisdiction of those courts as it would be reasonable and proper to go.

This case came before the District Court of the Eastern District of Louisiana on a petition filed in November, 1829, by Jean Gassies Ballou for the recovery of the proceeds of certain goods left in the hands of his son Pierre Gassies for sale, and for a balance of an account arising out of the sale of the said goods, and other transactions between them.

The petitioner described himself in the petition as a resident of the City of Barsac, and a French citizen of the Kingdom of France, and now in the Parish of Baton Rouge, intending to return to France as soon as the settlement of his affairs would permit.

The defendant, Pierre Gassies, his son, was described "as now residing in the Parish of West Baton Rouge, where the said Pierre Gassies caused himself to be naturalized an American citizen."

The defendant appeared to the suit, and after a plea of no cause of action, which was overruled by the court, the cause was tried by a jury, and in February, 1830, a verdict was rendered for the petitioner for \$3,100, for which sum the district court entered judgment in his favor.

The defendant prosecuted this writ of error.

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

In this case, the Court is of opinion that the jurisdiction can be sustained. The defendant in error is alleged in the proceedings to be a citizen of the United States, naturalized in Louisiana and residing there. This is equivalent to an averment that he is a citizen of that state. A citizen of the United States residing in any state of the union is a citizen of that state.

The authorities on this question have gone far enough, and this Court is not disposed to narrow any more the limitations which have been imposed by the decided cases. They have gone as far as it would be reasonable and proper to go.

*The judgment of the District Court of Louisiana is affirmed.*

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