

Gooding Vs. Oliver

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Court : US Supreme Court

Decided On : 1854

Appeal No. : 58 U.S. 274

Appellant : Gooding

Respondent : Oliver

Judgement :

Gooding v. Oliver - 58 U.S. 274 (1854)

U.S. Supreme Court Gooding v. Oliver, 58 U.S. 17 How. 274 274 (1854)

Gooding v. Oliver

58 U.S. (17 How.) 274

APPEAL FROM THE CIRCUIT COURT OF THE

UNITED STATES FOR THE DISTRICT OF MARYLAND

SYLLABUS

The decision in the preceding case, of [Williams, Administrator of Williams v. Oliver's Executors](#), again affirmed.

In this case's leading features, it was identical with the preceding case of Williams, Administrator of Williams, against the same defendants.

Oliver had purchased Gooding's share in the Mexican Company, from Winchester, the trustee in insolvency, which was passed upon by the Baltimore County Court and the Maryland Court of Appeals under the same circumstances and at the same time with the preceding case.

Gooding died intestate, on the 15th of February, 1839, and John Glenn administered upon his estate on the 15th of February, 1852. John Gooding, Junior, the appellant, afterwards became the administrator *de bonis non*.

The circuit court dismissed the bill filed by the appellant, and it was argued in this Court together with the preceding case.

MR. JUSTICE NELSON delivered the opinion of the Court.

The case involves the same questions, and is in all respects the same, as the case of the administrator of Williams against the executors of Oliver, just decided.

The decree of the court below is therefore reversed, and the case remanded to the court below.

MR. CHIEF JUSTICE TANEY, MR. JUSTICE Mc LEAN, and MR. JUSTICE DANIEL, dissented.

Page 58 U. S. 275

For the opinions of MR. CHIEF JUSTICE TANEY and MR. JUSTICE DANIEL, see the preceding case of [Williams, Administrator of Williams v. Oliver's Executors.](#)

ORDER

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this

Court that the decree of the said circuit court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said circuit court for further proceedings to be had therein, in conformity to the opinion of this Court.

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