

School District of Ackley Vs. Hall

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SooperKanoon Citation : sooperkanoon.com/84322

Court : US Supreme Court

Decided On : Dec-18-1882

Appeal No. : 106 U.S. 428

Appellant : School District of Ackley

Respondent : Hall

Judgement :

School District of Ackley v. Hall - 106 U.S. 428 (1882)

U.S. Supreme Court School District of Ackley v. Hall, 106 U.S. 428 (1882)

School District of Ackley v. Hall

Decided December 18, 1882

106 U.S. 428

MOTION TO DISMISS A WRIT OF ERROR TO THE CIRCUIT

COURT OF THE UNITED STATES FOR THE DISTRICT OF IOWA

SYLLABUS

A writ of error will not be dismissed for want of jurisdiction by reason of a failure to annex thereto or return therewith an assignment of errors, pursuant to the requirements of sec. 997 Rev.Stat.

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Motion to dismiss a writ of error to the Circuit Court of the United States for the District of Iowa, with which is united a motion to affirm.

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

A failure to annex to or return with a writ of error an assignment of errors, as required by sec. 997 of the Revised Statutes, is no ground for dismissal for want of jurisdiction. If an assignment is filed in accordance with the requirements of par. 4, Rule 21, it will ordinarily be enough.

There is not in this case such a color of right to a dismissal as to make it proper for us to consider the motion to affirm. *Whitney v. Cook*, [99 U. S. 607](#) .

Motions denied.