

Wells Vs. Wilkins

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Court : US Supreme Court

Decided On : May-10-1886

Appeal No. : 118 U.S. 230

Appellant : Wells

Respondent : Wilkins

Judgement :

Wells v. Wilkins - 118 U.S. 230 (1886)

U.S. Supreme Court Wells v. Wilkins, 118 U.S. 230 (1886)

Wells v. Wilkins

Submitted April 19, 1886

Decided May 10, 1886

118 U.S. 230

ERROR TO THE CIRCUIT COURT OF THE UNITED

STATES FOR THE NORTHERN DISTRICT OF FLORIDA

SYLLABUS

The court does not find in the affidavits submitted, with the motions to reinstate, proof that the value of the property in dispute is sufficient to give it jurisdiction of the causes.

These were motions to reinstate six causes dismissed January 11, 1886. See 116 U.S. [116 U. S. 393](#) -394.

The grounds for the motion were stated as follows:

First. The affidavit taken by the defendant in error denying that the subject matter in dispute was within the jurisdiction of this Honorable Court were taken *ex parte* and without any notice to the plaintiffs in error or their counsel of record.

" *Second.* That the subject matter in dispute is of such value as to give this Honorable Court jurisdiction, and that the plaintiffs in error were taken by surprise in not having notice of any intention on the part of defendant in error to deny the jurisdiction."

" *Third.* The defendant in error having by his agreement submitted the case upon its merits, he is now estopped from raising any question of jurisdiction."

The second ground for dismissal was supported by affidavits as to the value of the property in dispute.

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

These motions are denied. The additional affidavits which have been filed fail to satisfy us that the value of the matter in dispute is sufficient to give us jurisdiction. While the aggregate of the values in all the suits may exceed \$5,000, it is clear to our minds that the value of the property involved in no one of the suits reaches that sum, or anything like it.

