

Johnson Vs. Wilkins

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Court : US Supreme Court

Decided On : Jan-11-1886

Appeal No. : 116 U.S. 392

Appellant : Johnson

Respondent : Wilkins

Judgement :

Johnson v. Wilkins - 116 U.S. 392 (1886)

U.S. Supreme Court Johnson v. Wilkins, 116 U.S. 392 (1886)

Johnson v. Wilkins

Submitted January 4, 1886

Decided January 11, 1886

116 U.S. 392

ERROR TO THE CIRCUIT COURT OF THE UNITED

STATES FOR THE NORTHERN DISTRICT OF FLORIDA

SYLLABUS

The plaintiff in error having failed to show either from the record or by affidavits that the matter in dispute exceeds five thousand dollars, the Court dismisses the writ for want of jurisdiction.

The facts are stated in the opinion of the Court.

Page 116 U. S. 393

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

There is nothing in this record from which it can fairly be inferred that the value of the matter in dispute exceeds five thousand dollars. The suit was ejectment, begun in a state court and removed to the circuit court of the United States, for a lot in Pensacola and the profits thereof since January 1, 1880, of the yearly value of five hundred dollars. The value of the lot is not stated in any of the pleadings, but in the petition for the removal of the suit it is put at "more than five hundred dollars." The recovery was of the lot and rent at fifteen dollars per month from January 1, 1880, until March 1, 1883, or five hundred and seventy dollars in all. If this rental is to be taken as an indication of the value of the property, it certainly must be less than our jurisdictional limit. As it rests on the plaintiffs in error to show our jurisdiction either from the record or by affidavits, and this has not been done,

The writ of error is dismissed for want of jurisdiction.