

Bucklin Vs. United States

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Court : US Supreme Court

Decided On : Nov-18-1895

Appeal No. : 159 U.S. 680

Appellant : Bucklin

Respondent : United States

Judgement :

Bucklin v. United States - 159 U.S. 680 (1895)

U.S. Supreme Court Bucklin v. United States , 159 U.S. 680 (1895)

Bucklin v. United States (No. 1)

No. 246

Submitted October 21, 1895

Decided November 18, 1895

159 U.S. 680

APPEAL FROM THE DISTRICT COURT OF THE

UNITED STATES FOR THE DISTRICT OF KANSAS

SYLLABUS

The final judgment of a court of the United States in a case of the conviction of a capital or otherwise infamous crime is not reviewable here except on writ of error, and the review is confined to questions of law, properly presented.

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The case is stated in the opinion.

MR. JUSTICE HARLAN delivered the opinion of the Court.

The appellant, Bucklin, was convicted of the crime of perjury, under § 5392 of the Revised Statutes, and sentenced to imprisonment at hard labor in the penitentiary for the term of one and one-half years, and also to pay a fine of one hundred dollars. He seeks a review of that judgment by the present appeal.

The appeal must be dismissed. By section five of the Act of March 3, 1891, 26 Stat. 826, c. 517, "appeals or writs of error may be taken from the district courts or from the existing circuit courts" of the United States directly to this Court, in certain enumerated cases, civil and criminal -- among others, "in cases of conviction of a capital or otherwise infamous crime." There was no purpose by that act to abolish the general distinction at common law between an appeal and a writ of error. The final judgment of a court of the United States in a case of the conviction of a capital or otherwise infamous crime is not reviewable here except upon writ of error. Our review of the judgment, when brought here in that form, is confined to questions of law, properly presented by a bill of exceptions or arising upon the record.

Appeal dismissed.