

Stuart Vs. Easton

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Court : US Supreme Court

Decided On : Jan-21-1895

Appeal No. : 156 U.S. 46

Appellant : Stuart

Respondent : Easton

Judgement :

Stuart v. Easton - 156 U.S. 46 (1895)

U.S. Supreme Court Stuart v. Easton, 156 U.S. 46 (1895)

Stuart v. Easton

No. 151

Argued January 15, 1895

Decided January 21, 1895

156 U.S. 46

ERROR TO THE CIRCUIT COURT OF THE UNITED STATES

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SYLLABUS

An averment that the plaintiff is "a citizen of London, England," is not sufficient to give the circuit court jurisdiction on the ground of his alienage, the defendant being a citizen, and on the question being raised in this Court, the case may be remanded with leave to apply to the circuit court for amendment and for further proceedings.

The case is stated in the opinion.

MR. CHIEF JUSTICE FULLER.

Plaintiff in error is described throughout the record as "a citizen of London, England," and the defendants as "corporations of the State of Pennsylvania." As the jurisdiction of the circuit court confessedly depended

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on the alienage of plaintiff in error, and that fact was not made affirmatively to appear, the judgment must be reversed at the costs of plaintiff in error, and the cause be remanded to the circuit court with leave to apply for amendment, and for further proceedings. [Bingham v. Cabbot](#), 3 Dall. 382; [Mossman v. Higginson](#), 4 Dall. 12; [Capron v. Van Noorden](#), 2 Cranch 126; [Jackson v. Twentyman](#), 2 Pet. 136; [Connolly v. Taylor](#), 2 Pet. 556; [Brown v. Keene](#), 8 Pet. 115; *Robertson v. Cease*, [97 U. S. 646](#) ; *Boers v. Preston*, [111 U. S. 252](#) , [111 U. S. 263](#) ; *Denny v. Pironi*, [141 U. S. 121](#) ; *Horne v. George H. Hammond Co.*, [155 U. S. 393](#) .

Judgment reversed.