

**Comstock Vs. Eagleton**

**Comstock Vs. Eagleton**

**SooperKanoon Citation :** [sooperkanoon.com/90001](http://sooperkanoon.com/90001)

**Court :** US Supreme Court

**Decided On :** Jan-03-1905

**Appeal No. :** 196 U.S. 99

**Appellant :** Comstock

**Respondent :** Eagleton

**Judgement :**

Comstock v. Eagleton - 196 U.S. 99 (1905)

U.S. Supreme Court Comstock v. Eagleton, 196 U.S. 99 (1905)

**Comstock v. Eagleton**

**No. 105**

**Submitted December 15, 1904**

**Decided January 3, 1905**

**196 U.S. 99**

*APPEAL FROM THE SUPREME COURT*

*OF THE TERRITORY OF OKLAHOMA*

## **SYLLABUS**

Under 9, Act of May 2, 1890, 26 Stat. 81, c. 182, final judgments of the Supreme Court of the Territory of Oklahoma in actions at law can only

be revised by this Court as are judgments of the circuit courts of the

United States in similar actions -- by writ of error, and not by appeal.

The facts are stated in the opinion.

### **THE CHIEF JUSTICE:**

This was an action brought by Comstock against Eagleton in the District Court of Pawnee County, Oklahoma, to recover damages for false imprisonment in the sum of \$5,317.50.

The petition was demurred to on the ground that it did not state facts sufficient to constitute a cause of action, the demurrer sustained, and the petition dismissed with costs. The case was then carried to the Supreme Court of Oklahoma on error, and the judgment affirmed. 11 Okl. 487.

From the judgment of affirmance, this appeal was allowed and prosecuted to this Court.

By section 9 of the "Act to Provide a Temporary Government for the Territory of Oklahoma," approved May 2, 1890, 26 Stat. 81, c. 182, it was provided that "where the value of the property or the amount in controversy" exceeded \$5,000,

"writs of error and appeals from the final decisions of said supreme court shall be allowed and may be

Page 196 U. S. 100

taken to the Supreme Court of the United States in the same manner and under the same regulations as from the circuit courts of the United States."

Final judgments of the circuit courts of the United States in actions at law can only be revised on writs of error. *Deland v. Platte County*, [155 U. S. 221](#) ; *Met. Railroad Company v. District of Columbia*, [195 U. S. 322](#) ; [Bevins v. Ramsey](#), 11 How. 185; [Sarchet v. United States](#), 12 Pet. 143.

*Appeal dismissed.*

**SooperKanoon - India's Premier Online Legal Search - [sooperkanoon.com](http://sooperkanoon.com)**