

Case No. 9,541.

MILBURN v. BURTON.

{2 Cranch, C. C. 639.}¹

Circuit Court, District of Columbia. April Term, 1826.

JUSTICE OF PEACE—JURISDICTIONAL
AMOUNT—INTEREST.

A debt of \$50, upon which interest is due, cannot be recovered before a justice of the peace.

This was an appeal from a judgment rendered by a justice of the peace, upon a bond for \$100 penalty, with condition to pay \$50 on the first of February, 1820. The judgment was for \$50, to carry interest from the 1st of February, 1820, till paid, there being then more than five years' interest due.

Mr. Peyton, for appellant.

Mr. Taylor, for appellee.

THE COURT (THRUSTON, Circuit Judge, absent) said that it had been uniformly decided by this court that the interest, as well as the principal, is part of "the matter in dispute;" and that if the principal and Interest amount to more than \$50, a justice of the peace has no jurisdiction of the case.

¹ [Reported by Hon. William Cranch, Chief Judge.]

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