

DENNISON v. ALEXANDER.

A judgment or a decree of the Supreme Court of the District of Columbia cannot be re-examined here, unless the matter in dispute, exclusive of costs, exceeds the value of \$2,500.

APPEAL from the Supreme Court of the District of Columbia.

Alexander, on the fifth day of January, 1875, filed his bill in the court below against Dennison and others, commissioners of the District of Columbia, and the First National Bank, to restrain the sale of real estate in the city of Washington which the commissioners had advertised to satisfy the amount due for improvements made by the board of public works. The certificate of indebtedness issued by that board and transferred to the bank, was for less than \$400 and more than \$100. A perpetual injunction was awarded and an appeal allowed by a justice of this court.

Mr. Albert G. Riddle for the appellant.

Mr. Joseph J. Stewart for the appellee.

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

We think this case is governed by *Railroad Company v. Grant*, 98 U. S. 398. In that case we held that the act of Feb. 25, 1879, c. 99, sects. 4, 5 (20 Stat. 320), took away our right to hear and determine cases from the Supreme Court of the District of Columbia where the matter in dispute did not exceed \$2,500, and that it operated on pending cases which had been brought here under the provisions of sect. 847 of the Revised Statutes relating to the District. This case came here under sect. 848, which provided for the allowance of appeals and writs of error by the justices of this court under certain circumstances, when the matter in dispute was less than \$1,000, the then general jurisdictional amount, but exceeded \$100. There is no reservation in the repealing act as to this class of pending cases any more than the other. Both sections have reference

to the same general subject-matter, that is to say, our review of the judgments and decrees of the Supreme Court of the District in cases where jurisdiction has been made to depend on the value of the matter in dispute. Under the act of 1879 we can no longer hear any of that class of cases, unless the amount exceeds \$2,500.

Appeal dismissed, each party to pay his own costs.

COUNTY OF TIPTON v. LOCOMOTIVE WORKS.

1. A general statute of Tennessee required the county courts, when thereunto authorized by a popular vote at an election held for the purpose, to subscribe for stock in a railroad company. A special statute was subsequently passed, which, without requiring the submission of the question of subscription to a popular vote, conferred power on the county courts of the counties on the line of a particular railroad to make, and on the company to receive, a subscription for its stock. *Held*, that the special statute is not in violation of the provisions of sect. 8, art. 1, or of sect. 7, art. 11, of the Constitution of Tennessee of 1834, *infra*, p. 525.
2. A county, having lawful authority, issued its bonds in payment of its subscription to a railroad company. Between the latter and another company a consolidation was about to take place, upon condition that the county court would, on an extension of time being granted, levy and collect a tax sufficient to pay the amount due on the bonds. The county court accepted the proposition, and gave the requisite assurance. The consolidation thereupon took place. *Held*, that the county was estopped from denying the validity of the bonds in the hands of a *bona fide* holder, to whom they were transferred for value by the consolidated company.

ERROR to the Circuit Court of the United States for the Western District of Tennessee.

The facts are stated in the opinion of the court.

Mr. George Gantt for the plaintiff in error.

Mr. William Y. C. Humes, Mr. Henry T. Ellett, and Mr. Stanley Matthews for the defendant in error.

MR. JUSTICE HARLAN delivered the opinion of the court.

This is a writ of error from a judgment in favor of the Rogers Locomotive and Machine Works against the county of