

APPENDIX.

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Stark v. United States.

MARSHALL v. KNOTT.

ERROR TO THE SUPREME COURT OF THE STATE OF OREGON.

No. 209. December Term, 1867.—Decided February 24, 1868.

This court has not jurisdiction in error over the judgment of a state court brought here under the 25th section of the Judiciary Act of 1789, unless the record discloses that one of the questions described in that section arose in the state court, or was decided by its judgment.

MOTION TO DISMISS the case is stated in the opinion of the court.

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

By the motion made in this case we are asked to dismiss the writ of error. The case is brought here under the 25th section of the Judiciary Act, but it does not appear from the record that any of the questions described in that section arose in the cause in the state court, or were decided by its judgment. We have, therefore, no jurisdiction to revise the judgment of the Supreme Court of Oregon upon writ of error, and the writ must be *Dismissed.*

Mr. Edward Lander for the motion. No one opposing.

STARK v. UNITED STATES.

APPEAL FROM THE COURT OF CLAIMS.

No. 259. December Term, 1871.—Decided February 12, 1872.

The court refuses a rule on the Court of Claims to certify up evidence used in that court on the trial of a cause which has been brought here by appeal from that court.

THE case is stated in the opinion.

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

The motion for rule on the Court of Claims to certify, whether certain depositions were used in evidence on the trial of this cause, and also to transmit a copy of the evidence used, and also to transmit certified copies of depositions used on the trial of the cause in this court is *Denied.*

Mr. Wm. Penn Clarke for the motion. No one opposing.