

Syllabus.

find any ground as we did in *Northern Pacific Railroad Co. v. Walker*, 148 U. S. 391, upon which an amendment could be permitted.

Without intimating in any degree, under what circumstances, if at all, such a bill might lie, we may add that jurisdiction cannot be sustained here on the ground that, as the railroad commissioners were parties defendant, this bill might be treated, though they had already acted, as seeking to restrain the making of the assessment as a whole.

Decree reversed with costs and cause remanded with a direction to dismiss the suit for want of jurisdiction.

WILLIAM M. FISHBACK *v.* THE PACIFIC EXPRESS COMPANY.
Appeal from the Circuit Court of the United States for the Eastern District of Arkansas. No. 342. Argued with No. 341.

THE CHIEF JUSTICE: This case differs in no essential respect from that just decided and must take the same course.

Decree reversed with costs and cause remanded with a direction to dismiss the suit for want of jurisdiction.

Mr. A. H. Garland for appellants. Mr. James P. Clarke and Mr. R. C. Garland were on his brief.

Mr. Westel W. Morsman for appellee. Mr. John M. Moore was on his brief.

NEW ORLEANS FLOUR INSPECTORS *v.* GLOVER.

PETITION FOR A REHEARING.

No. 88. Received January 11, 1896. — Decided March 2, 1896.

The decree dismissing the appeal in this case, (160 U. S. 170,) is vacated, and the decree below reversed without costs to either party, and the cause remanded with directions to dismiss the bill.

THE case is stated in the opinion.