

PACIFIC LAND AND IMPROVEMENT COMPANY *v.* ELWOOD OIL
COMPANY.

Appeal from the Circuit Court of Appeals for the Ninth
Circuit.

No. 218. This case was argued with No. 217, *ante*, p. 301,
and by the same counsel.

MR. JUSTICE PECKHAM: This case is covered by the foregoing
decision, and the decree of the Circuit Court of Appeals herein
is, therefore,

Affirmed.

Petition for modification of judgment. June 1, 1903.

MR. JUSTICE PECKHAM: *Ordered*, That the decree dismissing
the bill in this case be modified by providing that the dismissal
is without prejudice to such future proceedings as complainant
may be advised, and as so modified, the decree is

Affirmed.

UNITED STATES *ex rel.* RIVERSIDE OIL COMPANY
v. HITCHCOCK.

ERROR TO THE COURT OF APPEALS OF THE DISTRICT OF COLUMBIA.

No. 632. Argued March 17, 18, 1903.—Decided May 18, 1903.

Congress has constituted the Land Department, under the supervision and
control of the Secretary of the Interior, a special tribunal with judicial
functions to which is confided the execution of the laws which regulate
the purchase, selling and care and disposition of the public lands; and
neither an injunction nor mandamus will lie against an officer of the Land
Department to control him in discharging an official duty which requires
the exercise of his judgment and discretion.