

ST. LOUIS SOUTHWESTERN RAILWAY COMPANY *v.*
CITY OF TYLER, TEXAS.

WRIT OF ERROR TO THE SUPREME COURT OF TEXAS.

No. 159. Motion to dismiss or affirm.—Submitted October 19, 1908.—Decided October 26, 1908.

Writ of error to review 99 Texas, 491, dismissed for want of jurisdiction, there being a non-Federal ground on which the judgment rested sufficient to sustain it without regard to the Federal question, if any, involved.

Mr. Cone Johnson, Mr. Horace Chilton, Mr. Ben B. Cain and Mr. James M. Edwards, for defendants in error in support of the motion.

Mr. E. B. Perkins and Mr. Hiram Glass for plaintiffs in error.

Per Curiam: Writ of error dismissed for want of jurisdiction. *Eustis v. Bolles*, 150 U. S. 361; *Railway Company v. Fitzgerald*, 160 U. S. 556; *Moran v. Horsky*, 178 U. S. 205; *Johnson v. Risk*, 137 U. S. 300-307; *Chicago & Alton Railroad v. Wiggins Ferry Company*, 119 U. S. 615; *Eagan v. Hart*, 165 U. S. 188.

THE UNITED STATES AND THE CHEROKEE NATION
v. HEMPHILL AND MURCHISON.

APPEAL FROM THE COURT OF CLAIMS.

No. 529. Motion to dismiss or affirm.—Submitted October 26, 1908.—Decided November 2, 1908.

Appeal from judgment of the Court of Claims fixing amounts to be paid from an Indian fund dismissed for want of jurisdiction.

Mr. John J. Hemphill and Mr. Kenneth S. Murchison, the appellees, in support of the motion.