

212 U. S.

Syllabus.

THORNTON v. CITY OF NATCHEZ.

ERROR TO THE SUPREME COURT OF MISSISSIPPI.

No. 462. Motion to dismiss or affirm.—Submitted November 16, 1908.—
Decided November 30, 1908.

Writ of error to review judgment of state court, 88 Mississippi, 1, dismissed for want of jurisdiction under § 709, Rev. Stat., without opinion.

Mr. Robert H. Thompson, Mr. Thomas A. McWillie and Mr. William C. Martin for defendants in error in support of the motion.

Mr. Wade R. Young for plaintiffs in error in opposition to motion to dismiss.

Per Curiam: Writ of error dismissed for want of jurisdiction. *Thornton v. Natchez*, 88 Mississippi, 1; *S. C.*, 129 Fed. Rep. 86, 87; *S. C.*, 197 U. S. 620; *Harrison v. Myer*, 92 U. S. 111; *Moran v. Horsky*, 178 U. S. 205; *New Orleans Water Works Co. v. Louisiana Sugar Refining Co.*, 125 U. S. 18; *St. Paul Gas Light Co. v. St. Paul*, 181 U. S. 142, 148; *Beals v. Cone*, 188 U. S. 184; *Winona & St. Peter Railroad Company v. Plainview*, 143 U. S. 371, 390; *Hammond v. Johnston*, 142 U. S. 73.

SHAW v. UNITED STATES.

APPEAL FROM THE CIRCUIT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF NEW YORK.

No. 426. Motion to dismiss or affirm.—Submitted November 16, 1908.—
Decided November 30, 1908.

American Sugar Refining Co. v. United States, 211 U. S. 155, which held that a direct appeal from the Circuit Court would not lie in a case

denied did not go to its jurisdiction as a Federal court as such, but its jurisdiction was denied on the ground that the state court where the proceedings started had no jurisdiction, a direct appeal on the jurisdictional question will not lie to this court under § 5 of the judiciary act of 1891."

where the only real substantial point was whether an officer of the United States had misconstrued the tariff act of 1897, followed, and appeal dismissed.

Writ of error to reverse 141 Fed. Rep. 469, dismissed.

The Attorney General and *The Solicitor General* for the appellee in support of the motion.

Mr. Edward S. Hatch, for the appellant, in opposition to the motion.

Per Curiam: Appeal dismissed for want of jurisdiction. *Shaw v. United States*, 141 Fed. Rep. 469; *United States v. Shaw*, 144 Fed. Rep. 329, and opinion of Board of General Appraisers, *Shaw v. United States*, 203 U. S. 591; *American Sugar Refining Company v. United States*, decided to-day, 211 U. S. 155.

PITTSBURG, CINCINNATI, CHICAGO & ST. LOUIS
RAILWAY COMPANY *v.* LIGHTHEISER.

SAME *v.* COLLINS.

SAME *v.* ROSS.

WRITS OF ERROR TO THE SUPREME COURT OF INDIANA.

Nos. 141, 142, 178. Motions to dismiss or affirm, and for damages.—Submitted November 30, 1908.—Decided December 7, 1908.

Writs of error to review judgments of Supreme Court of State of Indiana, 168 Indiana, 438, 467, and 80 N. E. Rep. 845, in suits involving the constitutionality of the Employers' Liability Act of that State dismissed for want of jurisdiction without opinion. *Tullis v. Lake Erie & Western R. R. Co.*, 175 U. S. 348, followed.

Mr. Stewart T. McConnell, *Mr. Albert G. Jenkins*, *Mr. Bertram C. Jenkins* and *Mr. Charles H. Stuart* for defendants in error in support of the motions.

Mr. Allen Zollars and *Mr. George E. Ross* for plaintiff in error in opposition to the motions.