

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.

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Syllabus.

Per Curiam: Writs of error severally dismissed for want of jurisdiction. *Tullis v. Lake Erie & Western R. R. Co.*, 175 U. S. 348, and cases cited; *Pittsburg &c. Ry. Co. v. Lightheiser*, 168 Indiana, 438; *Same v. Collins*, 168 Indiana, 467; and *Same v. Ross*, 80 N. E. Rep. 845.

In re JONES.

PETITION FOR MANDAMUS AND MOTION FOR LEAVE TO FILE
THE SAME.

Submitted December 7, 1908.—Decided December 14, 1908.

Leave to file petition for mandamus to direct a suit against a corporation incorporated under act of Congress to be remanded to the state court, refused.

Mr. S. P. Jones for petitioner:

There was no appearance for any of the other parties.

Per Curiam: Motion for leave to file a petition for a writ of mandamus denied.

[As to the right of the Texas & Pacific Railway Co. to remove a case, on the ground that it is a corporation organized under an act of Congress, see *Matter of Dunn*, ante, p. 374.]

GAINES v. KNECHT.

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

No. 52. Argued December 11, 1908.—Decided December 14, 1908.

Writ of error to review decision of Court of Appeals of the District of Columbia on appeal from Commissioner of Patents, 27 App. D. C. 530, dismissed on authority of *Frasch v. Moore*, 211 U. S. 1.

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