

222 U. S.

Syllabus.

MISSOURI & KANSAS INTERURBAN RAILWAY
COMPANY *v.* CITY OF OLATHE. (No. 3.)

ERROR TO SUPREME COURT OF THE STATE OF KANSAS.

No. 728. Motion to dismiss. Submitted November 13, 1911.—Decided
December 4, 1911.

Decided on authority of preceding case.

Same counsel as in preceding case.

Per Curiam by MR. JUSTICE HUGHES.

In case No. 728 between the same parties the same judgment will be entered as in the preceding case No. 727.

MARTIN *v.* WEST.ERROR TO THE SUPREME COURT OF THE STATE OF
WASHINGTON.

No. 33. Argued November 2, 1911.—Decided December 4, 1911.

Whether a state statute providing remedies for damages to property within the State includes those to specified classes of property is for the state court to determine, and this court accepts the construction so given. *The Winnebago*, 205 U. S. 354.

Whether a tort be maritime or non-maritime must be determined by the character and locality of the injured thing at the time the tort was committed, and subsequent facts as to location furnish no criterion. *Johnson v. Chicago & Pacific Elevator Co.*, 119 U. S. 388.

Where a vessel by its own fault collides with and injures a bridge which is essentially a land structure and which is maintained and used as an aid to commerce on land, the tort is non-maritime.

The remedy for a non-maritime tort provided by the state statute