

application of the Constitution, is met by the suggestion that this court has ample power under the Judicial Code to review judgments of the Circuit Court of Appeals, made final in that court, by writs of certiorari. (§ 240.)

Reaching the conclusion that the judgments of the Circuit Court of Appeals were final in these cases, it follows that the writs of error must be

Dismissed.

ALASKA SALMON COMPANY *v.* TERRITORY OF
ALASKA.

ERROR TO THE CIRCUIT COURT OF APPEALS FOR THE NINTH
CIRCUIT.

No. 151. Argued January 20, 1919.—Decided March 3, 1919.

Decided on the authority of *Alaska Pacific Fisheries v. Alaska*, ante, 53.
Writ of error to review 236 Fed. Rep. 62, dismissed.

The case is stated in the opinion.

Mr. Warren Gregory, Mr. E. S. McCord and Mr. W. H. Bogle, for plaintiff in error, submitted.

Mr. George B. Grigsby, Attorney General of the Territory of Alaska, for defendant in error.

Memorandum by direction of the court, by MR. JUSTICE DAY.

This action was brought in the District Court of Alaska by the Territory of Alaska to recover license taxes from the Alaska Salmon Company. Judgment was rendered

in the District Court in favor of the Territory. To review that judgment a writ of error was taken from the Circuit Court of Appeals for the Ninth Circuit. The Circuit Court of Appeals affirmed the judgment of the District Court. 236 Fed. Rep. 62. A petition for a rehearing was filed, and denied. Petition for writ of certiorari to the Circuit Court of Appeals was denied in this court. 242 U. S. 648.

The writ of error must be dismissed. The judgment of the Circuit Court of Appeals for the Ninth Circuit was final for the reasons set forth in Nos. 117 and 118, just decided, *ante*, 53.

Dismissed.

WITHNELL v. RUECKING CONSTRUCTION COMPANY.

ERROR TO THE SUPREME COURT OF THE STATE OF MISSOURI.

No. 142. Argued January 16, 1919.—Decided March 3, 1919.

When an assessment for a local improvement is made in accordance with a fixed rule prescribed by legislative act, the property owner is not entitled to be heard in advance on the question of benefits. P. 68.

Within this principle, an assessment made in accordance with the rule prescribed by the charter of the City of St. Louis is legislative in character, since that charter, having been adopted by direct vote of the citizens under a special provision of the Missouri constitution, has, as respects local assessments, all the force of a legislative act. P. 69. *St. Louis v. Western Union Telegraph Co.*, 149 U. S. 465.

The method of assessing part of the cost of local improvements according to frontage, as provided in the St. Louis charter, is unassailable, under the previous decisions of this court. P. 70. *Gast Realty Co. v. Schneider Granite Co.*, 240 U. S. 55; *s. c.*, 245 U. S. 288.

Objections based on the manner of laying out an improvement district, and on alleged failure to conform with the city charter, raise only local questions. P. 70.