

Opinion of the Court.

PENNSYLVANIA SYSTEM BOARD OF ADJUSTMENT OF THE BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS ETC. v. PENNSYLVANIA RAILROAD COMPANY ET AL.

APPEAL FROM THE CIRCUIT COURT OF APPEALS FOR THE THIRD CIRCUIT.

No. 629. Argued January 13, 1925.—Decided March 2, 1925.

Decided upon the authority of *Pennsylvania Federation v. Penna. R. R. Co.*, ante, p. 203.

Affirmed.

*Mr. Henry T. Hunt* for appellant.

*Mr. John Hampton Barnes* for appellees.

MR. CHIEF JUSTICE TAFT delivered the opinion of the Court.

This case turns on substantially the same questions as those just decided in *Pennsylvania Federation No. 90* against the same defendant, ante, p. 203. It is a bill in equity by a trade union called The Pennsylvania System Board of Adjustment of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, made up of several classes of employees, clerical and otherwise, of the Pennsylvania Railroad, seeking to enjoin the Company from maintaining the same kind of alleged conspiracy as that described and complained of by Federation No. 90 in the previous case. There is no prayer in the bill in this case for damages as there was in the other, but the circumstances and the law sought to be applied to them are in every respect similar. As in the previous case, elaborate briefs were filed to justify the contention that Title III of the Transportation Act vested the employees of the Pennsylvania Road with definite rights, the violation of which constituted a

legal wrong and that on these a charge of conspiracy could be predicated, and a remedy by injunction might be had in behalf of the complainants. For the same reasons as those stated in the previous case, the same conclusion must be reached. The Circuit Court of Appeals and the District Court were therefore right in dismissing the bill. The decree is

*Affirmed.*

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UNITED STATES *v.* STEAMSHIP "COAMO," HER  
ENGINES, ETC., ET AL.

ON CERTIFICATE FROM THE CIRCUIT COURT OF APPEALS FOR  
THE SECOND CIRCUIT.

No. 47. Argued October 8, 1924.—Decided March 2, 1925.

Section 10 of the Immigration Act, 1917, makes it the duty of any person, including owners, officers and agents of vessels, bringing in an alien, to prevent his landing at a time or place other than as designated by the immigration officers, and punishes failure to comply by a fine in each case of not less than \$200 nor more than \$1,000, or by imprisonment, or both, but provides that if in the opinion of the Secretary of Labor it is impracticable or inconvenient to prosecute such person, owner, etc., "a penalty of \$1,000 shall be a lien upon the vessel whose owner, master, officer, or agent violates the provisions of this section, and such vessel shall be libeled therefor in the appropriate United States court."

*Held*, that where a vessel is so libeled, the penalty is \$1,000, neither more nor less, for each alien landing from it in violation of the section. P. 221.

QUESTION certified by the Circuit Court of Appeals, in a libel for violation of the Immigration Act. See 292 Fed. 1016.

*Mr. Assistant Attorney General Otis*, with whom *Mr. Solicitor General Beck* and *Mr. George Ross Hull*, Special Assistant to the Attorney General, were on the brief, for the United States.