

fact that the rule is in harmony with the policy of the State where the lands are situated does not militate against but makes for the justice and propriety of its adoption. *United States v. Sargent, supra.*

We find no error in the judgment of the Circuit Court of Appeals, and the same is

Affirmed.

UNITED STATES *v.* HIGHSMITH.

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

No. 148. Argued January 17, 18, 1921.—Decided February 23, 1921.

Decided on the authority of *United States v. Rogers, ante, 163*.
257 Fed. Rep. 401, affirmed.

THE case is stated in the opinion.

Mr. Assistant Attorney General Garnett, with whom Mr. Assistant Attorney General Nebeker and Mr. Charles S. Lawrence were on the brief, for the United States.

Mr. George S. Downer, for defendant in error, submitted.

MR. JUSTICE DAY delivered the opinion of the court.

This case is like No. 147, just decided, *ante, 163*, and was argued and submitted at the same time.

In this instance the Government and the landowner appealed from the award of the commissioners, and the case was tried to a jury. Jurors were instructed that the allowance of interest was a matter of law, and in a form

of verdict given to them, interest at 6 per cent. was to be added from April 19, 1912, the date of appropriation.

It appears that by agreement a separate order requiring the deposit of interest was entered in order to allow a writ of error upon that point, and in connection with the above form of verdict the jurors were instructed to assess compensation as of the value of the land on April 19, 1912, and not to add interest from that time to the date of the verdict. Afterwards a final judgment was entered in the District Court requiring a deposit of the amount of the verdict, and a separate order was made directing payment of interest from April 19, 1912. A writ of error was prosecuted from the Circuit Court of Appeals where the judgment of the District Court was affirmed. 257 Fed. Rep. 401.

The Circuit Court of Appeals recited the facts of the case, and held that it was ruled by *United States v. Rogers*, No. 147, just decided. We agree with this conclusion, and the judgment of the Circuit Court of Appeals is

Affirmed.

DETROIT UNITED RAILWAY v. CITY OF
DETROIT ET AL.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF MICHIGAN.

No. 492. Argued January 5, 6, 1921.—Decided February 28, 1921.

1. Action of a city requiring a street railway company, upon reasonable notice, to remove its tracks and other property from the streets, does not invade the company's contractual and property rights in violation of the Constitution, if its franchise to use the streets was granted by the city for a definite period which has expired. P. 174. *Detroit United Railway v. Detroit*, 229 U. S. 39.