

SUPREME COURT OF THE UNITED STATES

Webster v. Fall

266 U.S. 507 (1925) · No. No. 149 · Decided January 5, 1925

SUMMARY

The Supreme Court held that a suit seeking to compel payment of funds by subordinate Interior Department officials required the Secretary of the Interior to be joined as a necessary party. Because the Secretary had not been served or appeared, the decree was reversed and the bill was ordered dismissed for want of a necessary party. The Court relied on established principles concerning suits against subordinate government officers.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Justice Sutherland
JURISDICTION	Federal
DECIDED	January 5, 1925
DOCKET	No. 149
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appellant brought suit seeking a mandatory injunction requiring federal officials to pay him funds allegedly due under the Act of March 3, 1921. The District Court dismissed the bill after trial for want of equity and on the merits. The Supreme Court reversed and directed dismissal for failure to join the Secretary of the Interior, a necessary party.
STANDARD OF REVIEW	Review of the adequacy of the parties and application of settled equity-pleading principles.
PRECEDENTIAL VALUE	Published Supreme Court opinion
PARTIES	Webster v. Fall, Secretary of the Interior, Wright, Superintendent of the Osage Agency, Wise, Special Disbursing Agent

TOPICS

- civil procedure
- injunctions
- indian affairs
- administrative law
- equitable relief

PRACTICE AREAS

Federal Indian law

Administrative law

Federal courts

Equity and remedies

QUESTIONS PRESENTED

1. Whether the Secretary of the Interior was a necessary party to a suit seeking to compel payment of funds administered under his statutory authority.
2. Whether the suit could proceed against subordinate officials without joining and serving the Secretary.
3. Whether prior decisions in which the Court reached the merits despite the absence of a superior official established a contrary precedent when the necessary-party issue had not been raised or decided.

HOLDINGS

1. The Secretary of the Interior was a necessary party because the statutory authority and responsibility to cause the quarterly payments rested with him.
2. The suit could not proceed against the subordinate officials alone; the bill had to be dismissed for want of a necessary party.
3. Questions that merely lurk in the record and were neither brought to the court's attention nor ruled upon are not treated as having been decided so as to constitute precedents.

KEY QUOTATIONS

"But the suit was one which required the presence of the Secretary, and the bill should have been dismissed for want of a necessary party." (510)

"Questions which merely lurk in the record, neither brought to the attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents." (511)

FACTUAL BACKGROUND

Webster was an adult member of the Osage Tribe who lacked a certificate of competency and sought payment of funds allegedly due under the Act of March 3, 1921. Payments had been withheld under Revised Statutes § 2087 based on findings concerning intoxicating liquor. Webster challenged § 2087 and related regulations as unconstitutional and sought a mandatory injunction against the Secretary of the Interior and subordinate officials. The Secretary was never served, while the subordinate officials defended the action.

PROCEDURAL HISTORY

Webster sued the Secretary of the Interior and subordinate Osage Agency officials to compel payment of quarterly funds. The Secretary was not served and did not appear; the other defendants were served, and the case proceeded to trial. The District Court dismissed the bill for want of equity and on the merits. The Supreme Court held that the Secretary was a necessary party and directed dismissal on that ground.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Dismiss the bill for want of a necessary party, namely, the Secretary of the Interior.

CASES CITED

- Gnerich v. Rutter, 265 U.S. 388 (1924)
- Warner Valley Stock Co. v. Smith, 165 U.S. 28, 34-35 (1897)
- New v. Oklahoma, 195 U.S. 252, 256 (1904)
- Tefft, Weller & Co. v. Munsuri, 222 U.S. 114, 119 (1911)
- United States v. More, 3 Cranch 159, 172 (1805)
- The Edward, 1 Wheat. 261, 275-276 (1816)