

31

1  
2011

# SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 12, 1914.

---

The Court met pursuant to law.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice McReynolds.

The Chief Justice said:

"It gives me pain to say that since the court adjourned at the end of the last term it has come to pass that the nation may no longer enjoy the fruitful and beneficent results to arise from the continued enlightened and devoted discharge by Mr. Justice Lurton of his public duties. He died at Atlantic City on the 5th day of July. In addition to the sorrow which they share with their countrymen at so great a loss, the members of the Court have suffered the pang caused by the severance of the close personal ties which bound them to Mr. Justice Lurton; ties the strength of which can not be fully appreciated without understanding how completely his attainments and his lovable traits of personal character commanded the respect and drew to him the warm affection of those who had the privilege of being associated with him in the performance of his judicial duties.

"In the month of August the Hon. James Clark McReynolds was appointed an Associate Justice of this court, to fill the vacancy caused by the death of Mr. Justice Lurton, and on the 3d day of September the oath of office required by section 1756 of the Revised Statutes was administered to Mr. McReynolds by the Chief Justice. The new Justice is present to-day, and before he takes his seat the Clerk will read the commission and will administer to him the oath pointed out by section 257 of the Judicial Code; that is, the judicial oath."

The Clerk then read the commission, and Mr. McReynolds took the oath of office, and was escorted by the Marshal to his seat on the Bench.

The Chief Justice continued:

"To enable the members of the court to pay their respects in a body to the President, as has been the usage from the beginning, the court will adjourn to-day without transacting business until the

usual hour to-morrow. All motions, therefore, which are noticed for to-day will stand over until to-morrow, when the call of the docket will be begun. Before adjourning to-day, however, applications for admission to the bar will be entertained, as well as any other formal motion which may be disposed of as a matter of course."

Mr. Solicitor General Davis presented the Hon. Thomas Watt Gregory, Attorney General of the United States, and it was ordered that his commission be recorded.

Warren Grice, of Hawkesville, Ga.; Hugh H. Brown, of Tonapah, Nev.; M. Mosessohn, of Portland, Oreg.; Martin J. Dunsworth, of Carrollton, Ill.; W. D. Spears, of Chattanooga, Tenn.; M. A. Keller, of Pittsburgh, Pa.; Joseph L. Howell, of St. Louis, Mo.; Joseph J. McCarthy, of Washington, D. C.; E. B. Hoffman, of Bozeman, Mont.; David Davis, of Cincinnati, Ohio; E. R. Donohue, of Cincinnati, Ohio; H. L. Holgate, of Corvallis, Oreg.; Edward S. Taylor, of Portland, Oreg.; Charles W. German, of Kansas City, Mo.; Clarence L. Eaton, of Oregon City, Oreg.; Obed C. Billman, of Cleveland, Ohio; William H. Worth, of Tazewell, Va.; George M. Block, of St. Louis, Mo.; James W. Austin, of Atlanta, Ga.; A. F. Fox, of West Point, Miss.; Arthur L. Oliver, of St. Louis, Mo.; and Charles J. Hogg, of Point Pleasant, W. Va., were admitted to practice.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 13th, will be as follows: Nos. 197, 434 (and 435), 381 (and 418, 446, and 447), 4, Original, 30, 420, 421, 452, 61, 296, 383 (and 384), 409, 380, 382, 427, 251, 462, 478 (and 479), 349, 506, and 517.



## SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 13, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Reynolds.

Joseph L. Hull, of Oklahoma City, Okla.; Allen McReynolds, of Carthage, Mo.; Henry McGraw, of Tulsa, Okla.; Karl A. Dibble, of Minneapolis, Minn.; W. M. Crook, of Beaumont, Tex.; P. E. Cox, of Franklin, Tenn.; Clyde L. Young, of Bismarck, N. Dak.; Melville D. Church, of Washington, D. C.; and James Wallace Collins, of Pittsburgh, Pa., were admitted to practice.

No. 46. *The Linn and Lane Timber Company et al., appellants, v. The United States.* Passed for argument with No. 159 when that case is reached, on motion of Mr. Solicitor General Davis for the appellee.

No. 93. *David Shapiro, plaintiff in error, v. The United States of America.* Suggestion of diminution and motion for a writ of certiorari submitted by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the defendant in error in support of the motion, and by Mr. E. N. Zoline in opposition thereto.

No. 210. *Henry H. Fay et al., plaintiffs in error, v. The United States.* In error to the United States Circuit Court of Appeals for the First Circuit. Judgment reversed and cause remanded for further proceedings in conformity to law, per stipulation of counsel, and on motion of Mr. Solicitor General Davis for the defendant in error.

No. 552. *The United States, plaintiff in error, v. Erie Railroad Company.* Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 591. *Pennsylvania Company, appellant, v. The United States et al.* Motion to advance submitted by Mr. Solicitor General Davis for the appellees.

No. 624. *The United States, petitioner, v. Northern Pacific Railway Company.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Davis for the petitioner.

No. 630. The United States, petitioner, *v.* The Chicago, Burlington & Quincy Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Davis and Mr. Assistant Attorney General Underwood for the petitioner, and by Mr. O. M. Spencer, Mr. William Warner, and Mr. O. H. Dean for the respondent.

No. 82. Aaron Sage, plaintiff in error, *v.* George Hampe. Motion to dismiss submitted by Mr. W. H. Thompson for the defendant in error in support of the motion, and by Mr. Edwin A. Austin and Mr. Carr W. Taylor for the plaintiff in error in opposition thereto.

No. 646. The Nelson Land & Cattle Company, petitioner, *v.* George H. Smith. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William H. Thompson, in behalf of Mr. Carr W. Taylor for the petitioner.

No. —, Original. *Ex parte* In the matter of Jared Flagg, petitioner. Motion for leave to file a petition for writs of prohibition or mandamus submitted by Mr. Wade H. Ellis and Mr. Robert C. Beatty for the petitioner.

No. 617. Hitchman Coal and Coke Company, appellant, *v.* John Mitchell, individually, et al. Petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Hannis Taylor and Mr. George R. E. Gilchrist for the appellant in support of the petition, and by Mr. Charles E. Hogg and Mr. Charles J. Hogg for the appellees in opposition thereto.

No. 439. Samuel C. Scotten et al., appellants, *v.* Charles E. Littlefield, trustee, etc. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Myer Cohen in behalf of Mr. Daniel P. Hays for the appellee in support of the motion, and by Mr. Thorndike Saunders and Mr. James L. Coleman for the appellant in opposition thereto.

No. 629. Henry D. Hotchkiss, as trustee, etc., appellant, *v.* Irving L. Ernst et al., trustees, etc. Motion to dismiss submitted by Mr. Myer Cohen in behalf of Mr. Daniel P. Hays for the appellees in support of the motion, and by Mr. Abram I. Elkus and Mr. William A. Barber for the appellant in opposition thereto.

No. 516. Norfolk & Western Railway Co., plaintiff in error, *v.* Sarah E. Holbrook, administratrix, etc. Motion to affirm submitted by Mr. Claude A. Swanson in behalf of Mr. William H. Werth for the defendant in error in support of the motion, and by Mr. Theodore W. Reath and Mr. F. Markoe Rivinus for the plaintiff in error in opposition thereto.

No. 1. Morris Canal & Banking Company et al., plaintiffs in error, *v.* David Baird et al. Motion to continue per stipulation of counsel submitted by Mr. W. I. Lewis for the plaintiffs in error.

No. 572. The Terminal Railroad Association of St. Louis et al., appellants, *v.* The United States. Motion to advance for hearing with No. 452 submitted by Mr. T. M. Pierce and Mr. H. S. Priest for the appellant in support of the motion, and by Mr. Solicitor General Davis and Mr. E. C. Crowe in opposition thereto. Motion to dismiss submitted by Mr. Solicitor General Davis and Mr. E. C. Crowe in support of the motion, and by Mr. T. M. Pierce and Mr. H. S. Priest in opposition thereto.

No. 567. Evens & Howard Fire Brick Company et al., appellants, *v.* The United States. Motion to dismiss submitted by Mr. Solicitor General Davis and Mr. E. C. Crowe for the appellee in support of the motion, and by Mr. George M. Block and Mr. John F. Lee for the appellants in opposition thereto. Motion to consolidate with No. 572 and advance for hearing with No. 452 submitted by Mr. George M. Block and Mr. John F. Lee for the appellants in support of the motion, and by Mr. Solicitor General Davis and Mr. E. C. Crowe in opposition thereto. Motion for leave to intervene in No. 452 submitted by Mr. George M. Block for the appellants.

No. 540. Isidor Straus et al., etc., appellants, *v.* Notaseme Hosiery Company. Petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edmond E. Wise for the appellants in support of the petition, and by Mr. E. Hayward Fairbanks and Mr. James H. Griffin for the appellee in opposition thereto. Motion to dismiss or affirm submitted by Mr. E. Hayward Fairbanks and Mr. James H. Griffin for the appellee in support of the motion, and by Mr. Edmond E. Wise for the appellants in opposition thereto.

No. 518. Max G. Cohen, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Thomas Mannix and Mr. Frederic D. McKenney for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 514. Holman A. Drew, sheriff of Coos County, State of New Hampshire, appellant, *v.* Harry Kendall Thaw. Motion to advance submitted by Mr. Franklin Kennedy and Mr. Thomas Carmody for the appellant, and by Mr. William A. Stone and Mr. Merrill Shurtleff for the appellee.

Nos. 528 and 529. Emanuel C. Drew, petitioner, *v.* The United States. Petitions for writs of certiorari to the United States Circuit

Court of Appeals for the Fifth Circuit submitted by Mr. John L. Hargrove in behalf of Mr. J. E. Smitherman for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Application of The Ducktown Sulphur, Copper & Iron Company, Limited, to be permitted to take proof in rebuttal submitted by Mr. Blackburn Esterline in behalf of Mr. James A. Fowler for the Ducktown Company, and by Mr. Warren Grice for the complainant in opposition thereto.

No. 358. Martin Lawlor et al., plaintiffs in error, *v.* Dietrich E. Loewe et al., partners, etc. Motion to advance submitted by Mr. Daniel Davenport and Mr. Walter Gordon Merritt for the defendants in error.

No. 622. W. S. Tyler Company, petitioner, *v.* Ludlow-Saylor Wire Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Anthony Usina, Mr. J. N. Cooke, and Mr. C. C. Linthicum for the petitioner, and by Mr. James P. Dawson for the respondent.

No. 441. W. S. Tyler Company, appellant, *v.* Ludlow-Saylor Wire Company. Motion to advance submitted by Mr. D. Anthony Usina, Mr. J. N. Cooke, and Mr. C. C. Linthicum for the appellant.

No. 633. The Lagonde Manufacturing Company, petitioner, *v.* Elliott Company. Petition for a writ of certiorari to the United States Court of Appeals for the Third Circuit submitted by Mr. J. E. Bowman, Mr. Border Bowman, and Mr. Paul A. Staley for the petitioner, and by Mr. George H. Parmelee and Mr. Clarence P. Byrnes for the respondent.

No. 112. F. A. Miller, plaintiff in error, *v.* F. P. Wilson, sheriff, etc.; and

Nos. 362 and 363. William B. Bosley et al., trustees, etc., et al., appellants, *v.* John P. McLaughlin, labor commissioner, etc., et al. Motion to consolidate submitted by counsel for all the parties.

No. 21. The Pennsylvania Railroad Company, appellant, *v.* Interstate Commerce Commission et al. Appeal from the United States Commerce Court. Dismissed with costs, on motion of Mr. Frederic D. McKenney for the appellant, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania.

No. 63. The New York Electric Lines Company, plaintiff in error, *v.* Empire City Subway Company, Limited. Suggestion of diminution of the record, and motion for writ of certiorari submitted by Mr. Frederic D. McKenney in behalf of Mr. J. Aspinwall Hodge for the plaintiff in error in support of the motion, and by Mr. John W. Yerkes in behalf of Mr. Charles T. Russell and Mr. Edmund L. Mooney in opposition thereto.

No. 95. The Cleveland & Pittsburgh Railroad Company et al., plaintiffs in error, *v.* The City of Cleveland, Ohio. Motion to dismiss or affirm submitted by Mr. Newton D. Baker for the defendant in error in support of the motion, and by Mr. William B. Sanders for the plaintiff in error in opposition thereto.

No. 650. Laura G. Rogers, petitioner, *v.* The National City Bank of Chicago et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. D. W. Baker in behalf of Mr. B. C. Bachrach and Mr. A. R. Hurlbert for the petitioners, and by Mr. Joseph H. Defrees and Mr. Marquis Eaton for the respondent.

No. 513. Rail and River Coal Company, appellant, *v.* Wallace D. Yaple et al., as members of and constituting the Industrial Commission of Ohio. Motion to affirm submitted by Mr. Timothy S. Hogan and Mr. Clarence D. Laylin for the appellees in support of the motion, and by Mr. A. C. Dustin for the appellant in opposition thereto.

No. 639. Arthur S. Perry et al., etc., petitioners, *v.* Weed Chain Tire Grip Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Obed C. Billman and Mr. Frank E. Rapp for the petitioners, and by Mr. Frederick S. Duncan for the respondents.

No. 302. United States Fidelity & Guaranty Company et al., plaintiffs in error, *v.* Fred H. Poetker, receiver, etc. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Frederick S. Tyler in behalf of Mr. Frank S. Roby and Mr. Ward H. Watson for the defendant in error in support of the motion, and by Mr. Charles Martindale for the plaintiffs in error in opposition thereto.

No. 3. Thomas W. McComb, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Motion to continue per stipulation submitted by Mr. John C. Gittings in behalf of counsel.

No. 519. Carrie H. Collins et al., plaintiffs in error, *v.* William S. Phillips et al. Suggestion of death of William S. Phillips, Solomon Phillips, and Sarah Phillips, defendants in error, and motion for an order of publication submitted by Mr. James W. Collins for the plaintiffs in error.

No. 574. Oscar J. Weeks, doing business under the name of O. J. Weeks & Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Walter Jeffreys Carlin for the petitioner.

No. 565. Paris Jarrell et al., petitioners, *v.* James O. Cole et al. Petition for a writ of certiorari to the United States Circuit Court

of Appeals for the Fourth Circuit submitted by Mr. John E. Blake, one of the petitioners.

No. 546. Louisville & Nashville Railroad Company, appellant, *v.* Laurence B. Finn et al., etc. Motion to advance submitted by Mr. John K. Graves in behalf of counsel for the appellant.

No. 620. Russo-Chinese Bank, petitioner, *v.* The National Bank of Commerce of Seattle. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Alexander Britton in behalf Mr. W. H. Chickering, Mr. George H. Whipple, and Mr. Warren C. Gregory for the petitioner.

No. 641. Forter-Miller Engineering Company et al., petitioners, *v.* The Morgan Construction Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Melville D. Church in behalf of Mr. Melville Church and Mr. Clarence P. Byrnes for the petitioners, and by Mr. Marshall A. Christy, Mr. J. Nota McGill, and Mr. Frederick P. Fish for the respondents.

No. 347. The Arizona & New Mexico Railway Company, plaintiff in error, *v.* Thomas P. Clark. Motion to affirm submitted by Mr. W. M. Seabury for the defendant in error in support of the motion, and by William C. McFarland and Mr. John A. Garver for the plaintiff in error in oppositon thereto.

No. 488. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* Joseph Leora, by John Leora, his guardian ad litem. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Walter L. Gold for the defendant in error in support of the motion, and by Mr. William A. Hayes in opposition thereto.

No. 22. James Hamilton Lewis and Rose Lewis, his wife, plaintiffs in error, *v.* Edith Krieg. In error to the Supreme Court of the State of Washington. Dismissed with costs, on motion of counsel for the plaintiffs in error.

No. 32. Clark Ruffcorn et al., plaintiffs in error and appellants, *v.* The Board of Supervisors of Harrison County, Iowa, et al. In error to the District Court of the United States for the Southern District of Iowa. Dismissed with costs, on motion of counsel for the plaintiffs in error and appellants.

No. 182. Benjamin Meisner et al., plaintiffs in error, *v.* The People of the State of Michigan. In error to the Recorder's Court of the city of Detroit, State of Michigan. Dismissed per stipulation.

No. 211. The Pacific States Supply Company, appellant, *v.* The City and County of San Francisco et al. Appeal from the District Court of the United States for the Northern District of California. Dismissed with costs, on motion of counsel for the appellant.



No. 282. German Bank of Carroll County, Iowa, et al., plaintiffs in error, *v.* William R. Lee, receiver, etc. In error to the District Court of the United States for the Southern District of Iowa. Dismissed with costs, on motion of counsel for the plaintiffs in error.

No. 299. Stephen Canavan, appellant, *v.* Jesus Romero, sheriff, etc. Appeal from the District Court of the United States for the District of New Mexico. Dismissed with costs, on motion of counsel for the appellant.

No. 314. Southern Railway Company, plaintiff in error, *v.* Deaver-Jeter Company. In error to the Supreme Court of the State of South Carolina. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 319. The Citizens Trust Company et al., appellants, *v.* Edgar M. Tilt, trustee, etc. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Dismissed with costs, on motion of counsel for the appellants.

No. 530. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, plaintiff in error, *v.* The State of Indiana. In error to the Supreme Court of the State of Indiana. Dismissed with costs, per stipulation.

No. 296. Carl Oliver, plaintiff in error, *v.* The State of Texas. In error to the Court of Criminal Appeals of the State of Texas. Dismissed with costs, pursuant to the tenth rule.

No. 517. The United States, appellant, *v.* The Delaware, Lackawanna & Western Railroad Company et al. Reassigned for argument on Monday, December 7, after the case already assigned for that day, on motion of Mr. Solicitor General Davis for the appellant.

No. 197. Norfolk & Western Railway Company, plaintiff in error, *v.* W. G. Conley, attorney general, etc., et al. Argument commenced by Mr. John H. Holt for the plaintiff in error, continued by Mr. A. A. Lilly for the defendant in error, and concluded by Mr. L. H. Cocke for the plaintiff in error.

No. 434. Henry E. Meeker, surviving partner, etc., petitioner, *v.* Lehigh Valley Railroad Company; and

No. 435. Henry E. Meeker, petitioner, *v.* Lehigh Valley Railroad Company. Argument commenced by Mr. John A. Garver for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 14, will be as follows: Nos. 434 (and 435), 381 (and 418, 446, and 447), 4, Original, 30, 420, 421, 452, 61, 383 (and 384), 409, 380, 382, 427, 251, 462, 478 (and 479), 349, and 506.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 14, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Louis Fitz Henry, of Bloomington, Ill., T. L. Brame, of Sherman, Tex., Charles T. B. Rowe, of New York City, and E. Y. Webb, of Shelby, N. C., were admitted to practice.

The Chief Justice announced the following order:

No. 567. Evens & Howard Fire Brick Company et al., appellants, *v.* The United States; and

No. 572. The Terminal Railroad Association of St. Louis et al., appellants, *v.* The United States. Motions to advance for hearing with case No. 452 granted.

No. 434. Henry E. Meeker, surviving partner, etc., petitioner, *v.* Lehigh Valley Railroad Company; and

No. 435. Henry E. Meeker, petitioner, *v.* Lehigh Valley Railroad Company. Argument continued by Mr. John A. Garver for the petitioner, by Mr. John G. Johnson for the respondent, and concluded by Mr. William A. Glasgow, jr., for the petitioner. Leave granted to Mr. Joseph W. Folk to file brief in behalf of Interstate Commerce Commission.

No. 966, October term, 1913. John E. Roller, plaintiff in error, *v.* Mary H. Murray et al. Motion for leave to present petition for rehearing submitted by Mr. John E. Roller pro se.

No. 381. J. D. Lankford et al., composing the State Banking Board of the State of Oklahoma, appellants, *v.* Platte Iron Works Company;

No. 418. American Water Softener Company, appellant, *v.* J. D. Lankford et al., composing the State Banking Board of the State of Oklahoma et al.;

No. 446. W. S. Farish, appellant, *v.* State Banking Board of the State of Oklahoma et al.; and

No. 447. State Banking Board of the State of Oklahoma et al., appellants, *v.* W. S. Farish. Argument commenced by Mr. A. L.

Beaty for Farish, continued by Mr. Joseph L. Hull for the State Banking Board et al., by Mr. Charles A. Loomis for the Platte Iron Works, and by Mr. W. A. Ledbetter for the State Banking Board et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 15, will be as follows: Nos. 381 (and 418, 446, and 447), 4, Original, 30, 420, 421, 452, 61, 383 (and 384), 409, 380, 382, 427, 251, 462, 478 (and 479), 349, and 506.



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 15, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Franklin B. Lord, of New York City; William L. Martin, of Montgomery, Ala., and Charles C. Pavey, of Columbus, Ohio, were admitted to practice.

No. 447. State Banking Board of the State of Oklahoma et al., appellants, *v.* W. S. Farish. Leave granted to file additional brief herein within 10 days, on motion of Mr. W. A. Ledbetter for the appellants.

No. 4, Original. The State of North Carolina, complainant, *v.* The State of Tennessee. Motion for leave to file brief as *amicus curiæ* granted, on motion of Mr. W. B. Spears in behalf of certain land-owners.

No. 381. J. D. Lankford et al., composing the State Banking Board of the State of Oklahoma, appellants, *v.* Platte Iron Works Company;

No. 418. American Water Softener Company, appellant, *v.* J. D. Lankford et al., composing the State Banking Board of the State of Oklahoma, et al.;

No. 446. W. S. Farish, appellant, *v.* State Banking Board of the State of Oklahoma et al.; and

No. 447. State Banking Board of the State of Oklahoma et al., appellants, *v.* W. S. Farish. Argument continued by Mr. W. A. Ledbetter for the State Banking Board of the State of Oklahoma et al., by Mr. Charles West for the State Banking Board, by Mr. C. W. Conard for the American Water Softener Company, and concluded by Mr. Allen McReynolds for the Platte Iron Works et al.

No. 4, Original. The State of North Carolina, complainant, *v.* The State of Tennessee. Two and a half hours allowed each side for

argument, on motion of Mr. Thomas W. Bickett for the complainant. Argument commenced by Mr. Thomas W. Bickett for the complainant, and continued by Mr. Charles T. Cates, jr., for the defendant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 16, will be as follows: Nos. 4, Original, 30, 420, 421, 452, 61, 383 (and 384), 409, 380, 382, 427, 251, 462, 478 (and 479), 349, and 506.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 16, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice Reynolds.

Ben. T. Castleman, of St. Louis, Mo.; J. Bruce Kremer, of Butte, Mont.; Eugene A. Gilmore, of Madison, Wis.; James P. Coleman, of Topeka, Kans.; and Harry P. Lauther, of Dallas, Tex., were admitted to practice.

No. 31. Lem Motlow, plaintiff in error, *v.* The State of Tennessee. Passed, to be restored to the call under the provisions of section 9 of rule 26, on motion of Mr. J. K. Shields in behalf of counsel for the plaintiff in error.

No. 5. The Detroit United Railway, plaintiff in error, *v.* The People of the State of Michigan; and

No. 94. The Detroit United Railway, plaintiff in error, *v.* City of Detroit. Continued per stipulations on motion of Mr. J. C. Donnelly for the plaintiff in error.

No. 359. Northern Pacific Railway Co., plaintiff in error, *v.* Wilfred L. Gifford. In error to the Supreme Court of the State of Idaho. Dismissed with costs on motion of counsel for the plaintiff in error.

No. 4, Original. The State of North Carolina, complainant, *v.* The State of Tennessee. Argument continued by Mr. Charles T. Cates, jr., for the defendant, and concluded by Mr. F. A. Sondley for the complainant.

No. 30. William R. Hopkins, petitioner, *v.* Charles Hebard et al. Argument commenced by Mr. C. B. Matthews for the petitioners and continued by Mr. John Franklin Shields for the respondents.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 19, will be as follows: Nos. 30, 420, 421, 452 (and 567 and 572), 61, 383 (and 384), 409, 380, 382, 427, 251, 462, 478 (and 479), 349, and 506.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 19, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Frank S. White, of Birmingham, Ala.; Mansel J. Hartly, of Xenia, Ohio; Thomas F. Hudson, of Springfield, Ohio; John P. Streepey, of Little Rock, Ark.; William L. Moose, of Little Rock, Ark.; Allen Wright, of McAlester, Okla.; James H. Gordon, of McAlester, Okla.; William S. Howard, of Xenia, Ohio; Fernando J. Oyler, of Iola, Kans.; Ashley Cockrill, of Little Rock, Ark.; William J. Lamb, of Osceola, Ark.; Philip McNemer, of Little Rock, Ark.; T. H. Caraway, of Jonesboro, Ark.; John N. Banks, of Indiana, Pa.; James P. Tuttle, of Manchester, N. H.; Thomas J. Kenney, of Boston, Mass.; Joseph P. Bell, of Boston, Mass.; Frank Park, of Sylvester, Ga.; Charles C. Daniels, of Wilson, N. C.; Joseph Hansel Merrill, of Thomasville, Ga.; Theodore A. Hammond, of Atlanta, Ga.; Paul A. Ewert, of Joplin, Mo.; George R. Young, of Dayton, Ohio; John C. Jones, of Orlando, Fla.; Thomas H. Greevey, of Altoona, Pa.; Edward H. Flick, of Altoona, Pa.; Robert A. Henderson, of Altoona, Pa.; James D. Shearer, of Minneapolis, Minn.; Robert Ransom Williams, of Ashville, N. C.; George Hollister Brown, of Quincy, Mass.; Charles A. Hart, of Portland, Oreg.; Edward M. Semple, of Key West, Fla.; Royal A. Gunnison, of Juneau, Alaska; H. H. Taylor, of Key West, Fla.; L. J. Nash, of Manitowoc, Wis.; B. R. Goggins, of Grand Rapids, Wis.; Claire B. Bird, of Wausau, Wis.; Arthur W. Fairchild, of Milwaukee, Wis.; and Albert D. Early, of Rockford, Ill., were admitted to practice.

---

The Chief Justice announced the following orders of the court:

No. 1, Original. The State of Georgia *v.* The Tennessee Copper Company and Ducktown Sulphur, Copper & Iron Company, Limited. On the application for additional time to take further testimony, 30 days are allowed, the testimony to be taken under the permission thus granted to be solely of a strictly rebuttal character.

No. 1. Morris Canal & Banking Company et al., plaintiffs in error, *v.* David Baird et al. Motion to continue granted.

No. 3. Thomas W. McComb, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Motion to continue granted.

No. 63. The New York Electric Lines Company, plaintiff in error, *v.* Empire City Subway Company, Limited. Motion for a writ of certiorari granted without prejudice, the matter presented with the motion to stand as a return to the writ.

No. 93. David Shapiro, plaintiff in error, *v.* The United States of America. Motion for a writ of certiorari granted without prejudice, the matter presented with the motion to stand as a return to the writ.

No. 112. F. A. Miller, plaintiff in error, *v.* F. P. Wilson, sheriff, etc.; and

Nos. 362 and 363. William B. Bosley et al., trustees, etc., et al., appellants, *v.* John P. McLaughlin, labor commissioner of the State of California., et al. Motion to consolidate for hearing granted, and the cases will be heard as one when No. 112 is reached in the regular call of the docket.

No. 358. Martin Lawlor et al., plaintiffs in error, *v.* Dietrich E. Loewe et al., partners, etc.;

No. 514. Holman A. Drew, sheriff, etc., appellant, *v.* Harry Kendall Thaw;

No. 546. Louisville & Nashville Railroad Company, appellant, *v.* Lawrence B. Finn et al., etc.;

No. 552. The United States, plaintiff in error, *v.* The Erie Railroad Company; and

No. 591. Pennsylvania Company, appellant, *v.* The United States et al. Motions to advance severally granted and the cases assigned for argument on Monday, December 7 next, after the cases heretofore assigned for that day.

No. 620. Russo-Chinese Bank, petitioner, *v.* The National Bank of Commerce of Seattle. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 624. The United States, petitioner, *v.* Northern Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 630. The United States, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 518. Max G. Cohen, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.



Nos. 528 and 529. Emanuel C. Drew, petitioner, *v.* The United States. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 565. Paris Jarrell et al., petitioners, *v.* James O. Cole et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 574. Oscar J. Weeks, etc., petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 633. The Lagonda Manufacturing Company, petitioner, *v.* Elliott Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 639. Arthur S. Perry et al., petitioners, *v.* Weed Chain Tire Grip Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 641. Forter-Miller Engineering Company et al., petitioners, *v.* The Morgan Construction Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 650. Laura G. Rogers, petitioner, *v.* The National City Bank of Chicago et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 617. Hitchman Coal & Coke Company, appellant, *v.* John Mitchell, individually, et al. Further consideration of the petition for a writ of certiorari in this case is postponed to the hearing on the merits.

*Order.*—There having been an Associate Justice of this court appointed since the adjournment of the last term, it is ordered that the following allotment be made of the Chief Justice and Associate Justices of this court among the circuits agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

- For the first circuit, Oliver Wendell Holmes, Associate Justice.
- For the second circuit, Charles E. Hughes, Associate Justice.
- For the third circuit, Mahlon Pitney, Associate Justice.
- For the fourth circuit, Edward D. White, Chief Justice.
- For the fifth circuit, Joseph R. Lamar, Associate Justice.
- For the sixth circuit, William R. Day, Associate Justice.
- For the seventh circuit, James C. McReynolds, Associate Justice.
- For the eighth circuit, Willis Van Devanter, Associate Justice.
- For the ninth circuit, Joseph McKenna, Associate Justice.

No. 471. George Burdick, plaintiff in error, *v.* The United States;  
 No. 472. William L. Curtin, plaintiff in error, *v.* United States;  
 No. 541. United States *v.* Sherman and Sons Company; and  
 No. 580. The United States, plaintiff in error, *v.* Erie Railroad Co.

Motions to advance submitted by Mr. Solicitor General Davis, for the United States.

No. 623. Charles W. Anderson, collector, etc., petitioner, *v.* The Forty-Two Broadway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Davis for the petitioner and Mr. Roger S. Baldwin for the respondent.

No. —, Original. Ex Parte in the matter of Jared Flagg, petitioner.

Leave granted to file a brief in opposition to the motion for leave to file herein within three days, on motion of Mr. Solicitor General Davis in that behalf.

No. 564. Atlantic Coast Lumber Corporation, plaintiff in error, *v.* O. G. Minshew. Motion to dismiss or affirm submitted by Mr. W. C. Sullivan, in behalf of Mr. J. J. Darlington, for the defendant in error in support of the motion, and by Mr. P. A. Willcox for the plaintiff in error in opposition thereto.

No. 507. Frank C. Stettler, plaintiff in error, *v.* Edwin V. O'Hara et al., etc., and,

No. 508. Elmira Simpson, plaintiff in error, *v.* Edwin V. O'Hara et al., etc. Motion to advance to be heard as one case submitted by Mr. Rome G. Brown for the plaintiff in error.

Nos. 11 and 12. The Rio Grande Western Railway Company, plaintiff in error, *v.* Thomas B. Stringham et al. Continued per stipulation on motion of Mr. J. Reuben Clark, jr., in behalf of counsel.

No. 651. The Stafford Company, petitioner, *v.* Coldwell Glidard Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Wilmarth H. Thurston and Mr. Benj. Phillips for the petitioner and by Mr. William K. Richardson for the respondent.

No. 649. William L. Norton, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. W. C. Dennis, Mr. Delbert J. Haff, and Mr. Frederic D. McKenney for the petitioner and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 589. Easterling Lumber Company et al., plaintiffs in error, *v.* S. W. Pierce. Motion to dismiss or affirm submitted by Mr. Joseph Hirsh for the defendant in error in support of the motion and by Mr. Edward Mayes for the plaintiff in error in opposition thereto.

No. 511. The Jeffrey Mfg. Company, plaintiff in error, *v.* Harry O. Blagg, by Joseph M. Downing, his next friend. Motion to dismiss or affirm or advance submitted by Mr. Fred C. Rector for the defendant in error in support of the motion and by Mr. H. B. Arnold and Mr. W. Wilson Carlile for the plaintiff in error in opposition thereto.

No. 369. Wilmington Transportation Company, plaintiff in error, *v.* Railroad Commission of California. Motion to advance submitted by Mr. George E. Farrand in behalf of counsel.

No. 654. Champion Fibre Company, petitioner, *v.* R. E. Russell. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Julius C. Martin in behalf of Mr. Alfred S. Barnard for the petitioner, and by Mr. Mark W. Brown and Mr. Robert Ransom Williams for the respondent.

No. 89. Fireball Gas Tank and Illuminating Company et al., petitioners, *v.* Commercial Acetylene Company et al. Passed to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Charles E. Riordon for the petitioners.

No. 648. Joplin Mercantile Company et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Paul A. Ewert and Mr. C. H. Montgomery for the petitioners, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 209. Detroit and Mackinac Railway Company, appellant, *v.* The Michigan Railroad Commission et al. Motion to dismiss or affirm submitted by Mr. Grant Fellows and Mr. Edward S. Clark for the appellees in support of the motion, and by Mr. James McNamara and Mr. Fred A. Baker for the appellant in opposition thereto.

No. 343. Eliza M. Britton, etc., plaintiff in error, *v.* Augustin B. Wheeler. Motion to dismiss or affirm submitted by Mr. Frederic D. McKenney in behalf of Mr. George Denegre and Mr. Victor Leovy for the defendant in error in support of the motion, and by Mr. Charles Louque for the plaintiff in error in opposition thereto.

No. 63. The New York Electric Lines Company, plaintiff in error, *v.* Empire City Subway Company, Limited. Leave granted to Alfred B. Cruikshank to file brief herein as *amicus curiæ*.

No. 347. The Arizona and New Mexico Railway Company, plaintiff in error, *v.* Thomas P. Clark. Leave granted to file an additional brief herein on motion of Mr. Frederick S. Tyler in behalf of Mr. W. M. Seabury for the defendant in error.

No. 135. Wilson Cypress Company, appellant, *v.* Enrique del Pozo y Marcos et al. Motion to affirm submitted by Mr. W. W. Dewhurst, Mr. Joseph H. Jones, and Mr. John C. Jones for the appellees in sup-

port of the motion and by Mr. John C. Cooper for the appellant in opposition thereto.

No. 647. Lieutenant Colonel Daniel C. Stearns, appellant, *v.* Brig. General George H. Woods. Motion to advance submitted by Mr. Hubert J. Turney for the appellee.

No. 657. Roy S. Anderson, as trustee, etc., petitioner, *v.* J. O. and N. B. Chenault. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. R. S. Wimberly for the petitioner.

No. 115. Russell Sage Raphael, appellant, *v.* The Wasatch and Jordan Valley Railroad Company et al. Motion to dismiss or affirm submitted by Mr. Colley W. Bell in behalf of Mr. Joel F. Vaile, Mr. W. Van Cott, Mr. E. M. Allison, jr., Mr. William D. Riter, and Mr. Henry McAllister, jr., for the appellees in support of the motion and by Mr. Delos McCurdy and Mr. Thomas Bracken for the appellant in opposition thereto. Petition for writ of certiorari submitted by Mr. Delos McCurdy and Mr. Thomas Bracken for the appellant in support of the petition and by Mr. Joel F. Vaile, Mr. W. Van Cott, Mr. E. M. Allison, jr., Mr. William D. Riter, and Mr. Henry McAllister, jr., for the appellees in opposition thereto.

No. 40. Charles Overton, plaintiff in error, *v.* State of Oklahoma. Submitted pursuant to the twentieth rule by Mr. Charles B. Stuart and Mr. A. C. Cruce for the plaintiff in error and by Mr. Charles West for the defendant in error.

No. 73. F. W. Ritterbusch, as treasurer, et al., appellants, *v.* Atchison, Topeka and Santa Fe Railway Company. Submitted on a motion to dismiss and on the merits per stipulation of counsel by Mr. Charles West for the appellants and by Mr. S. T. Bledsoe for the appellee.

No. 30. William R. Hopkins, petitioner, *v.* Charles Hebard et al. Argument continued by Mr. John Franklin Shields and Mr. William A. Stone for the respondents and concluded by Mr. C. B. Matthews for the petitioner.

No. 420. Northern Pacific Railway Company, plaintiff in error, *v.* The State of North Dakota on the relation of T. F. McCue, attorney general, and

No. 421. Minneapolis, St. Paul and Sault Ste. Marie Railway Company, plaintiff in error, *v.* The State of North Dakota on the relation of T. F. McCue, attorney general. Argument commenced by Mr. C. W. Bunn for the plaintiffs in error and continued by Mr. Andrew Miller and Mr. C. L. Young for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 20, will be as follows: Nos. 420 (and 421), 452 (and 567 and 572), 61, 383 (and 384), 409, 380, 382, 427, 251, 462, 478 (and 479), 349, and 506.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 20, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Frederic P. Vose, of Chicago, Ill.; Austin Victor Cannon, of Cleveland, Ohio; Felix E. Alley, of Waynesville, N. C.; Bradner Wells Lee, of Los Angeles, Cal.; and Deloss C. Shull, of Sioux City, Iowa, were admitted to practice.

No. 520. Mohawk Overall Company et al., plaintiffs in error, *v.* Hooker, Corser & Mitchell Company. Motion to dismiss or affirm submitted by Mr. Charles C. Fitts and Mr. Robert C. Bacon for the defendant in error in support of the motion, and by Mr. William Dewey Loucks for the plaintiff in error in opposition thereto.

No. 526. Commonwealth Trust Company, plaintiff in error, *v.* Albert A. Trocon et al., partners, etc., et al. Motion to dismiss or affirm and for damages submitted by Mr. William C. Scarritt for the defendants in error in support of the motion, and by Mr. Carr W. Taylor for the plaintiff in error in opposition thereto.

No. 420. Northern Pacific Railway Company, plaintiff in error, *v.* State of North Dakota on relation of T. F. McCue, attorney general; and

No. 421. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* State of North Dakota on relation of T. F. McCue, attorney general. Argument continued by Mr. C. L. Young for the defendant in error, and concluded by Mr. John I. Dille for the plaintiffs in error.

No. 452. The United States, appellant, *v.* The Terminal Railroad Association of St. Louis;

No. 567. Evens & Howard Brick Company et al., appellants, *v.* The United States; and

No. 572. The Terminal Railroad Association of St. Louis et al., appellants, *v.* The United States. Argued by Mr. E. C. Crow for the United States, by Mr. H. S. Priest and Mr. T. M. Pierce for the Terminal Railroad Association et al., and by Mr. George M. Block for Evens & Howard Brick Company et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 21, will be as follows: Nos. 61, 383 (and 384), 409, 380, 382, 427, 251, 462, 478 (and 479), 349, and 506.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 21, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Alfred E. Holcomb, of New York City; Frank Pace, of Little Rock, Ark.; Jno. B. McCaleb, of Batesville, Ark.; Edwin L. Brown, of Parker, S. Dak.; Ezra M. Kuhns, of Dayton, Ohio; Robert R. Nevin, of Dayton, Ohio; Robert G. Street, of Galveston, Tex.; Lewis J. Weadock, of Bay City, Mich.; Frederick C. Miller, of Mount Clemens, Mich.; John A. Davis, of Kosciusko, Miss.; S. E. Travis, of Hattiesburg, Miss.; James R. McDowell, of Jackson, Miss.; Robert W. Richards, of Chicago, Ill.; Daniel Stanley Wentworth, of Chicago, Ill.; Charles J. O'Connor, of Chicago, Ill.; Parker H. Hoag, of Chicago, Ill.; Tore Teigen, of Sioux Falls, S. Dak.; Alexander Marshall Thompson, of Pittsburgh, Pa.; James C. Kinsler, of Omaha, Nebr.; W. H. Barnes, of Fairbury, Nebr.; W. C. Wer-muth, jr., of Chicago, Ill.; George E. Beers, of New Haven, Conn.; William Hunter, of Tampa, Fla.; Samuel Borchardt, of Tampa, Fla.; and Harry N. Haynes, of Greeley, Colo., were admitted to practice.

No. 38. Citizens Insurance Company, of Missouri, appellant, *v.* Matt C. Clay et al. Appeal from the District Court of the United States for the Eastern District of Kentucky. Dismissed with costs, per stipulation of counsel.

No. 137. The Western Union Telegraph Company, plaintiff in error, *v.* J. C. Major, jr. In error to the Supreme Court of Appeals of the State of Virginia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 61. Antonio Maria Peralta et al., appellants, *v.* The State of California et al. Submitted by Mr. W. H. H. Hart for the appellants, and by Mr. J. P. Blair, Mr. C. H. Bates, Mr. A. A. Moore, Mr. E. S. Pillsbury, and Mr. Alfred Sutro for the appellees.

Nos. 383 and 384. The Pullman Company, appellant, *v.* W. V. Knott, as comptroller of the State of Florida. Argument com-

menced by Mr. Frank B. Kellogg for the appellant, continued by Mr. Thomas F. West for the appellee, and concluded by Mr. Frank B. Kellogg for the appellant.

No. 409. The United States, plaintiff in error, *v.* Holland-American Line. Argument commenced by Mr. Assistant Attorney General Wallace for the plaintiff in error, and concluded by Mr. Lucius H. Beers for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 22, will be as follows: Nos. 380, 282, 427, 251, 462, 478 (and 479), 349, 506, 2, and 4.





## SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 22, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

William Jay Turner, of Philadelphia, Pa.; N. B. Morris, of Palestine, Tex.; Gurney E. Newlin, of Los Angeles, Cal.; Irving G. Vann, of Syracuse, N. Y.; Percy Downs Maddin, of Nashville, Tenn.; Samuel Bartow Strang, of Chattanooga, Tenn.; Fred J. Tecklenburg, of Belleville, Ill.; John Henry Skeen, of Baltimore, Md.; Frank L. Martin, of Hutchinson, Kans.; Frank O. Johnson, of McPherson, Kans.; Randolph Henry, of Roanoke, Va.; Alonzo G. Turner, of Tampa, Fla.; Thomas Francis Howe, of Chicago, Ill.; Daniel W. Perkins, of Washington, D. C.; Richard B. Runke, of Merrill, Wis.; Alexander Dunnett, of St. Johnsbury, Vt.; Francis J. O'Connor, of Johnstown, Pa.; Marion A. Carringer, of Tionesta, Pa.; Edwin G. Davis, of Boise, Idaho; and Joseph Potts, of New York City, were admitted to practice.

No. 2. *Juan M. Ceballos et al. v. Anderson C. Wilson.* Passed for settlement.

No. 380. *The United States, plaintiff in error, v. Charles Lewis et al.* Argued by Mr. Assistant Attorney General Underwood for the plaintiff in error. No appearance for the defendants in error.

No. 382. *The United States, plaintiff in error, v. Elie Portale et al.* Argued by Mr. Assistant Attorney General Wallace for the plaintiff in error. No appearance for the defendant in error.

No. 427. *The United States, plaintiff in error, v. William C. Nixon et al., etc.* Argued by Mr. Assistant Attorney General Underwood for the plaintiff in error and submitted by Mr. W. F. Evans and Mr. W. S. Cowherd for the defendant in error.

No. 251. *United States of America, appellant, v. H. U. Bartlett et al.* Argument commenced by Mr. Assistant Attorney General Knaebel for the appellant, continued by Mr. George S. Ramsey for the appellees, and concluded by Mr. Assistant Attorney General Knaebel for the appellant.

No. 462. *The United States v. Hon. Julius M. Mayer*, judge of the District Court of the United States, etc. Argument commenced by Mr. Solicitor General Davis for the United States and continued by Mr. Wilson B. Brice for Mayer, J.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 23, will be as follows: Nos. 462, 478 (and 479), 349, 506, 4, 13, 15, 16, 17, and 18.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 23, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Albert G. Ewing, jr., of Nashville, Tenn.; Theodore J. McMorrough, of Nashville, Tenn.; James M. Hull, jr., of Augusta, Ga.; Orlando E. Clark, of Appleton, Wis.; Ernest Lloyd Kreamer, of Chicago, Ill.; William Lowell Putnam, of Boston, Mass.; Z. T. Rudolph, of Birmingham, Ala.; and H. A. Hicks, of Denver, Colo., were admitted to practice.

No. 116. Detroit United Railway, plaintiff in error, *v.* City of Detroit. Continued per stipulation.

No. 24. Alois B. Renehan et al., appellants, *v.* Tina Haffner Retsch. Appeal from the Supreme Court of the Territory of New Mexico. Dismissed with costs on motion of counsel for the appellants, and cause remanded to the Supreme Court of the State of New Mexico.

No. 462. The United States *v.* Hon. Julius M. Mayer, judge of the district court of the United States, etc. Argument continued by Mr. Wilson B. Brice for Mayer, J., and concluded by Mr. Solicitor General Davis for the United States.

No. 478. The United States, plaintiff in error, *v.* J. A. Reynolds; and

No. 479. The United States, plaintiff in error, *v.* G. W. Broughton, alias Gideon W. Broughton. Argued by Mr. Solicitor General Davis for the plaintiff in error, and by Mr. W. L. Martin for the defendants in error.

No. 349. The United States, plaintiff in error, *v.* John Wigger, alias "Moose John." Argued by Mr. Assistant Attorney General Warren for the plaintiff in error. No appearance for the defendant in error.

No. 506. The United States, plaintiff in error, *v.* Herman A. Salen. Argued by Mr. Assistant Attorney General Warren for the plaintiff in error, and by Mr. Marion Erwin for the defendant in error.

No. 4. The People of Porto Rico, appellant, *v.* Pierre Emanuel, Baron de Laurens d'Oiselay. Argued by Mr. Samuel T. Ansell for the appellant, and submitted on brief of Mr. Federico Degetau for the appellee.

No. 13. Mound City Company, appellant, *v.* Robert H. Castleman et al. Argument commenced by Mr. B. T. Castleman for the appellant.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, October 26, will be as follows: Nos. 13, 15, 16, 17, 18, 19, 20, 23, 25, and 26.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 26, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Albert R. Strother, of Kansas City, Mo.; Thurlow Marshall Gordon, of Methuen, Mass.; Christopher C. Lathers, of Dyersburg, Tenn.; Alvin H. Culver, of Chicago, Ill.; Fred Earle Newton, of Chicago, Ill.; J. Raymond Hoover, of Washington, D. C.; Cloud R. Marshall, of Washington, D. C.; and Hobson L. James, of Elizabethtown, Ky., were admitted to practice.

---

The Chief Justice announced the following orders of the court:

No. —, Original. *Ex parte*: In the matter of Jared Flagg, petitioner. Motion for leave to file petition for writ of prohibition or mandamus denied.

No. 441. *W. S. Tyler Company, appellant, v. Ludlow-Saylor Wire Co.*;

No. 369. *Wilmington Transportation Company, plaintiff in error, v. The Railroad Commission of California*;

No. 471. *George Burdick, plaintiff in error, v. The United States*;

No. 472. *William L. Curtin, plaintiff in error, v. The United States*;

No. 507. *Frank C. Stettler, plaintiff in error, v. Edwin V. O'Hara et al., etc.*;

No. 508. *Elmira Simpson, plaintiff in error, v. Edwin V. O'Hara et al., etc.*;

No. 541. *The United States v. Sherman & Sons Company*;

No. 580. *The United States, plaintiff in error, v. The Erie Railroad Company*; and

No. 647. *Lieutenant Colonel Daniel C. Stearns, appellant, v. Brigadier General George H. Wood*. Motions to advance severally granted and cases assigned for argument on Monday, December 7, next, after the cases heretofore assigned for that day.

No. 82. *Aaron Sage, plaintiff in error, v. George Hampe*. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 135. Wilson Cypress Company, appellant, *v.* Enrique del Pozo y Marcos et al. Further consideration of the motion to affirm postponed to the hearing on the merits.

No. 511. The Jeffrey Manufacturing Company, plaintiff in error, *v.* Harry O. Blagg, etc.;

No. 347. The Arizona & New Mexico Railway Company, plaintiff in error, *v.* Thomas P. Clark;

No. 488. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* Joseph Leora, by John Leora, his guardian ad litem;

No. 513. Rail and River Coal Co., appellant, *v.* Wallace D. Yaple et al.;

No. 516. Norfolk & Western Railway Company, plaintiff in error, *v.* Sarah E. Holbrook, administratrix, etc.;

No. 209. Detroit & Mackinac Railway Company, appellant, *v.* The Michigan Railroad Commission et al.; and

No. 589. Easterling Lumber Company et al., plaintiffs in error, *v.* S. W. Pierce. Ordered that these cases be placed on the summary docket.

No. 622. W. S. Tyler Company, petitioner, *v.* Ludlow-Saylor Wire Company. Further consideration of the petition for writ of certiorari postponed to the hearing of case No. 441.

No. 623. Charles W. Anderson, collector, etc., petitioner, *v.* The Forty-two Broadway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 648. Joplin Mercantile Company et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 646. The Nelson Land & Cattle Company, petitioner, *v.* George H. Smith. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 649. William L. Norton, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 651. The Stafford Company, petitioner, *v.* Coldwell-Glidard Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 654. Champion Fibre Company, petitioner, *v.* R. E. Russell. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 657. Roy S. Anderson, as trustee, etc., petitioner, *v.* J. O. and N. B. Chenault. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 540. Isidor Straus et al., trading, etc., as R. H. Macy & Company, appellants, *v.* Notaseme Hosiery Company. Appeal dismissed, and writ of certiorari granted.

No. 14. George N. Pierce Company, petitioner, *v.* Wells-Fargo & Company. Restored to the docket for reargument.

No. 73. F. W. Ritterbusch, as county treasurer, etc., et al., appellants, *v.* The Atchison, Topeka & Santa Fe Railway Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Bagley v. General Fire Extinguisher Co.* (212 U. S., 477), *Weir v. Rountree* (216 U. S., 607), *Shultis v. McDougal* (225 U. S., 561, 569).

No. 302. The United States Fidelity & Guaranty Company of Baltimore, Md., plaintiff in error, *v.* Fred H. Poetker, receiver, etc. In error to the Supreme Court of the State of Indiana. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *First National Bank v. Estherville* (215 U. S., 341, 346), *Rogers v. Clark Iron Co.* (217 U. S., 589), *May v. Illinois* (232 U. S., 720); (2) *McCorquodale v. Texas* (211 U. S., 432, 437), *Consolidated Turnpike v. Norfolk, &c. Ry. Co.* (228 U. S., 326, 334), *City of Lewiston v. Chamberlain* (234 U. S., 751).

No. 629. Henry D. Hotchkiss, as trustee, etc., appellant, *v.* Irving L. Ernst et al., as trustees, etc. Appeal from the United States Circuit Court of Appeals for the Second Circuit. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of *Coder v. Arts* (213 U. S., 223, 234, 235), *Tefft, Weller & Co. v. Munsuri* (222 U. S., 114, 118), *James v. Stone & Co.* (227 U. S., 410, 411), *Synnott v. Mines Co.* (234 U. S., 749).

No. 115. Russell Sage Raphael, appellant, *v.* The Wasatch & Jordan Valley Railroad Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: Dismissed for the want of jurisdiction on the authority of *Bagley v. General Fire Extinguisher Co.* (212 U. S., 477, 479), *Weir v. Rountree* (216 U. S., 607), *Shultis v. McDougal* (225 U. S., 561, 569).

No. 115. Russell Sage Raphael, petitioner, *v.* The Wasatch & Jordan Valley Railroad Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 520. Mohawk Overall Company et al., plaintiffs in error, *v.* Hooker, Corser & Mitchell Company. In error to the Supreme Court of the State of New York. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *First National Bank v. Estherville* (215 U. S., 341, 346), *Rogers v. Clark Iron Co.* (217 U. S., 589), *May v. Illinois* (232 U. S., 720), (2) *Barron v. Baltimore* (7 Pet., 243),

*Jack v. Kansas* (199 U. S., 372, 379–380), *Twining v. New Jersey* (211 U. S., 78, 93).

No. 526. Commonwealth Trust Company, plaintiff in error, *v. Albert A. Trocon et al.* In error to the Supreme Court of the State of Kansas. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Mallors v. Commercial Loan & Trust Co.* (216 U. S., 613), *Rogers v. Clark Iron Co.* (217 U. S., 589), *Appleby v. Buffalo* (221 U. S., 524, 529), *City of Lewiston v. Chamberlain* (234 U. S., 751), (2) *Eustis v. Bolles* (150 U. S., 361), *Yazoo & Miss. R. R. Co. v. Brewer* (231 U. S., 245), *Holden Land Co. v. Interstate Trading Co.* (233 U. S. 536).

No. 564. Atlantic Coast Lumber Corporation, plaintiff in error, *v. O. G. Minshew.* In error to the Supreme Court of the State of South Carolina. Per curiam: Dismissed for want of jurisdiction upon the authority of *Consol. Turnpike v. Norfolk, &c., Ry. Co.* (228 U. S., 596, 599–600), *Deming v. Carlisle Packing Co.* (226 U. S., 102), *Ennis Water Works v. Ennis* (233 U. S., 652, 658).

*Order.* It is ordered by the court that the cases heretofore transferred to the summary docket, viz, Nos. 430, 357, 454, 455, 511, 347, 488, 513, 516, 209, and 589, be, and the same are hereby, assigned for argument on Monday, November 30th next.

---

No. 499. The United States of America, by James C. McReynolds, Attorney General of the United States, plaintiff in error and appellant, *v. Louisville & Nashville Railroad Company.* Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error and appellant.

No. 604. David Yost *v. Dallas County.* Petition for a writ of certiorari to bring up the whole record and cause submitted by Mr. Harry J. Cantwell for Yost in support of the petition. Motion to advance submitted by Mr. Harry J. Cantwell for Yost.

No. 645. J. J. Brolan et al., plaintiffs in error, *v. The United States.* Motion to amend writ of error herein submitted by Mr. Edward M. Cleary for the plaintiffs in error.

No. 60. Jehu H. Clendaniel, plaintiff in error, *v. Honorable Henry C. Conrad,* associate judge of the State of Delaware, et al. Motion to dismiss for failure to make new parties pursuant to rule 15 submitted by Mr. W. C. Sullivan in behalf of counsel for the defendants in error.

No. 666. Marie H. Kelly, petitioner, *v. Illinois State Trust Company.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles W. Needham in behalf of Mr. William S. Oppenheim and Mr. Harri-



son Musgrave for the petitioner, and by Mr. Lindorf O. Whitnel for the respondent.

No. 652. Minerals Separation, Limited, et al., petitioners, *v.* James M. Hyde. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frederick D. McKenney, Mr. Henry D. Williams, Mr. John H. Miller, and Mr. O. W. McConnell for the petitioners, and by Mr. Thomas F. Sheridan, Mr. K. R. Babbitt, Mr. Walter A. Scott, Mr. J. Bruce Kremer, and Mr. George L. Wilkinson for the respondent.

No. 655. H. B. Borland, petitioner, *v.* Central Trust Company of Illinois, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Fred E. Newton and Mr. Allen G. Mills for the petitioner.

No. 496. Geneva Furniture Manufacturing Company, appellant, *v.* S. Karpen & Bros., etc., et al. Motion to advance submitted by Mr. L. S. Bacon in behalf of counsel for the appellant.

No. 114. J. A. Folger, petitioner, *v.* Kate C. Putnam, administratrix, etc., et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed with costs, on motion of counsel for the petitioner.

No. 20. Melvin W. Mills, appellant, *v.* The Territory of New Mexico. Submitted by Mr. Frank W. Clancy for the appellee. No brief filed for the appellant.

No. 26. C. J. Rixey, an insane person, by C. J. Rixey, jr., appellant, *v.* Robert H. Cox, sergeant of the city of Alexandria, Va. Submitted by Mr. John L. Jeffries and Mr. James R. Caton for the appellant, and Mr. J. Garland Pollard and Mr. Christopher B. Garnett for the appellee.

No. 13. Mound City Company, appellant, *v.* Robert H. Castleman et al. Argument concluded by Mr. B. T. Castleman for the appellant. No brief filed for the appellees.

No. 15. E. P. McCabe et al., appellants, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Argued by Mr. William Harrison for the appellants and submitted by Mr. S. T. Bledsoe for the appellees.

No. 16. Washington Dredging & Improvement Company, plaintiff in error, *v.* The State of Washington et al. Argument commenced by Mr. Hannis Taylor for the plaintiff in error, continued by Mr. Alfred Battle for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 27, will be as follows: Nos. 16, 17, 18, 25, 23, 19, 28, 33, 34, and 35.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 27, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

William R. Stewart, of Youngstown, Ohio; O. G. Johnston, of Clarksdale, Miss.; and Gerald FitzGerald, of Clarksdale, Miss., were admitted to practice.

No. 35. J. A. Miller, trustee, etc., appellant, *v.* The First National Bank of Albuquerque. Submitted by Mr. O. N. Marron and Francis E. Wood for the appellant, and by Mr. A. B. McMillen for the appellee.

No. 16. Washington Dredging & Improvement Company, plaintiff in error, *v.* The State of Washington et al. Argument continued by Mr. Alfred Battle for the defendants in error, and concluded by Mr. Hannis Taylor for the plaintiff in error.

No. 17. Alexander R. Magruder et al., appellants, *v.* Samuel A. Drury et al., trustees. Argument commenced by Mr. Nathaniel Wilson for the appellants, continued by Mr. J. J. Darlington for the appellees, and concluded by Mr. Nathaniel Wilson for the appellants.

No. 18. Louis Dejonge & Company, appellant, *v.* Breuker & Kessler Company. Argument commenced by Mr. Seward Davis for the appellant, and continued by Mr. Frank S. Busser for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 28, will be as follows: Nos. 18, 25, 23, 19, 28, 33, 34, 36, 41, and 42.



# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 28, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Percy B. Davis, of Chicago, Ill.; Joseph Graham Gamble, of El Reno, Okla.; Richard Townsend, of Pittsburgh, Pa.; and Emil J. Anderson, of Youngstown, Ohio, were admitted to practice.

No. 18. *Louis Dejonge & Company*, appellant, *v. Breuker & Kessler Company*. Argument commenced by Mr. Frank S. Busser for the appellee, and concluded by Mr. Seward Davis for the appellant.

No. 25. *Missouri, Kansas & Texas Railway Company*, appellant, *v. The United States*. Argument commenced by Mr. H. S. Priest for the appellant, continued by Mr. Assistant Attorney General Thompson and Mr. Solicitor General Davis for the appellee, and by Mr. Joseph M. Bryson for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 29, will be as follows: Nos. 25, 23, 19, 28, 33, 34, 36, 41, 42, and 44.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 29, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

C. Seton Fleming, of Jacksonville, Fla., was admitted to practice.

No. 10, Original. The State of Arkansas, complainant, *v.* The State of Mississippi. Leave granted to file answer herein, on motion of Mr. Gerald FitzGerald for the defendant.

No. 2. Juan M. Ceballos and John M. Fiske *v.* Anderson C. Wilson. On a certificate from the United States Circuit Court of Appeals for the Third Circuit. Stricken from the docket.

No. 42. The National Discount Company, appellant, *v.* John S. Sheppard, jr., trustee, etc., et al. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Dismissed per stipulation.

No. 44. Juan A. Monagas et al., appellants, *v.* Juliana Marie Albertucci y Alvarez, widow, etc. Submitted by Mr. N. B. K. Pettin-gill for the appellants. No counsel appeared for the appellee.

No. 25. Missouri, Kansas & Texas Railway Company, appellant, *v.* The United States. Argument concluded by Mr. Joseph M. Bryson for the appellant.

No. 23. People of the State of Illinois, suing by the Canal Commissioners, plaintiffs in error, *v.* Pittsburgh, Fort Wayne & Chicago Railway Company et al. Argument commenced by Mr. Samuel B. King for the plaintiffs in error, continued by Mr. Timothy J. Scofield for the defendants in error, and concluded by Mr. William Ritchie for the plaintiffs in error.

No. 19. Minidoka & Southwestern Railroad Company et al., appellants, *v.* The United States. Argument commenced by Mr. Henry W. Clark for the appellants, and continued by Mr. Assistant Attorney General Knaebel for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 30, will be as follows: Nos. 19, 28, 33, 34, 36, 41, 45, 47, 48, and 49.

# SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 30, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Malcolm E. Rosser, of Muskogee, Okla., was admitted to practice.

No. 48. T. B. Coppage, plaintiff in error, *v.* The State of Kansas. Submitted by Mr. R. R. Vermilion and Mr. W. F. Evans for the plaintiff in error, and by Mr. John S. Dawson for the defendant in error.

No. 19. Minidoka & Southwestern Railroad Company et al., appellants, *v.* The United States. Argument continued by Mr. Assistant Attorney General Knaebel for the appellee, and concluded by Mr. A. A. Hoehling, jr., for the appellants.

No. 28. The South Covington & Cincinnati Street Railway Company, plaintiff in error, *v.* The City of Covington et al. Argument commenced by Mr. Alfred C. Cassatt for the plaintiff in error, continued by Mr. Frederick W. Schmitz for the defendants in error, and concluded by Mr. Alfred C. Cassatt for the plaintiff in error.

No. 33. William Rabb, plaintiff in error, *v.* The State of Louisiana. Submitted by Mr. R. G. Pleasant for the defendant in error. No brief filed for the plaintiff in error.

No. 34. Ephraim Simon, appellant, *v.* The Southern Railway Co. Passed temporarily.

No. 36. Twin Falls Canal Company, plaintiff in error, *v.* The State of Idaho et al. Argument commenced by Mr. A. M. Bowen for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 2, will be as follows: Nos. 36, 34, 41, 45, 47, 49, 50, 51, 52, and 53.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 2, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Robert E. Milling, of New Orleans, La., and Jo-Berry S. Lyles, of Columbia, S. C., were admitted to practice.

No. 382. The United States, plaintiff in error, *v. Elie Portale et al.* In error to the District Court of the United States for the District of Colorado. Judgment reversed and cause remanded without prejudice to further action of the court below consistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 383 and 384. The Pullman Company, appellant, *v. W. V. Knott*, as Comptroller of the State of Florida. In error to the District Court of the United States for the Northern District of Florida. Decrees affirmed with costs. Opinion by Mr. Justice Holmes.

No. 889, October Term, 1913. Franklin K. Lane, Secretary of the Interior, et al., appellants, *v. Cornelius C. Watts et al.* Petition for leave to file application for rehearing denied. Opinion by Mr. Justice McKenna.

---

The Chief Justice announced the following orders of the court:

No. 519. Carrie H. Collins et al., plaintiffs in error, *v. William H. Phillips et al.* Motion for order of publication and motion to correct writ of error and citation granted.

No. 645. J. J. Brolan et al., plaintiffs in error, *v. The United States.* Motion to amend writ of error herein granted.

No. 499. The United States of America, by James C. McReynolds, Attorney General of the United States, plaintiff in error, and appellant, *v. Louisville & Nashville Railroad Company*;

No. 604. David Yost *v. Dallas County*; and

No. 496. Geneva Furniture Manufacturing Company, appellant, *v. S. Karpen & Brothers, etc., et al.* Motions to advance granted and cases assigned for argument on Monday, December 7 next, after the cases heretofore assigned for that day.

No. 652. Minerals Separation, Limited, et al., petitioners, *v.* James M. Hyde. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 604. David Yost *v.* Dallas County. Petition for a writ of certiorari to bring up the whole record and cause denied.

No. 655. H. B. Borland, petitioner, *v.* Central Trust Company of Illinois, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 666. Marie H. Kelly, petitioner, *v.* Illinois State Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 60. Jehu H. Clendaniel, plaintiff in error, *v.* Honorable Henry C. Conrad, associate judge of the State of Delaware, et al. In error to the Supreme Court of the State of Delaware. Dismissed with costs pursuant to the fifteenth rule.

No. 409. The United States, plaintiff in error, *v.* Holland-American Line. In error to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed by an equally divided court, and cause remanded to the District Court of the United States for the Southern District of New York.

No. 61. Antonio Maria Peralta et al., appellants, *v.* The State of California, et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Per curiam: Dismissed for the want of jurisdiction upon the authority of (1) *Castro v. United States*, 3 Wall., 46, 49-50; *Caillot v. Deetken*, 113 U. S., 215; *Richardson v. Green*, 130 U. S., 104, 111; *Green v. Elbert*, 137 U. S., 615, 621. (2) *Villabolos v. United States*, 6 How., 81, 90-91; *Hewitt v. Filbert*, 116 U. S., 142, 145; *Jacobs v. George*, 150 U. S., 415, 417.

No. 343. Eliza M. Britton, etc., plaintiff in error, *v.* Augustin B. Wheeler. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Spies v. Illinois*, 123 U. S., 131, 181; *Erie Railroad Co. v. Purdy*, 185 U. S., 148, 154; (2) *Rogers v. Clark Iron Co.*, 217 U. S., 589; *John v. Paullin*, 231 U. S., 583; *McDonald v. Oregon Navigation Co.*, 233 U. S., 665.

No. 20. Melvin W. Mills, appellant, *v.* The Territory of New Mexico. Appeal from the Supreme Court of the Territory of New Mexico. Decree affirmed with costs, and cause remanded to the Supreme Court of the State of New Mexico. *Treat v. Grand Canyon Ry. Co.*, 222 U. S., 448, 452; *Straus v. Foxworth*, 231 U. S., 162, 169-170; *Phoenix Ry. Co. v. Landis*, 231 U. S., 578, 579-580; *Work v. United Globe Mines*, 231 U. S., 595, 599; *Arizona v. Copper Queen Mining Co.*, 233 U. S., 87, 93-94.

No. 26. C. J. Rixey, an insane person, by C. J. Rixey, jr., appellant, *v.* Robert H. Cox, sergeant of the city of Alexandria, Va. Appeal from the District Court of the United States for the Eastern District of Virginia. Per curiam: Dismissed for the want of jurisdiction upon the authority of (1) *Farrell v. O'Brien*, 199 U. S., 89, 100; *David Kaufman & Sons Co. v. Smith*, 216 U. S., 610; *Cassidy et al. v. Colorado*, 223 U. S., 707. (2) *In re Converse*, 137 U. S., 624, 632; *Companie Francaise, etc., v. Board of Health*, 186 U. S., 380, 393; *Jacobson v. Massachusetts*, 197 U. S., 11, 25-27.

No. 16. Washington Dredging & Improvement Company, plaintiff in error, *v.* The State of Washington, E. V. Bussell, et al. In error to the Supreme Court of the State of Washington. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Washington Dredging & Improvement Company v. The State of Washington, E. V. Bussell et al.*, 231 U. S., 742, and cases there cited.

No. 35. J. A. Miller, trustee, etc., appellant, *v.* The First National Bank of Albuquerque. Appeal from the Supreme Court of the Territory of New Mexico. Per curiam: Decree affirmed with costs, upon the authority of *Thompson v. Fairbanks*, 196 U. S., 516; *Humphrey v. Tatman*, 198 U. S., 91; *Bryant v. Swofford Bros.*, 214 U. S., 279, 290-291, and cause remanded to the Supreme Court of the State of New Mexico.

No. 33. William Rabb, plaintiff in error, *v.* The State of Louisiana. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction, upon the authority of *Eustis v. Bolles*, 150 U. S., 361; *Kansas City Star Co. v. Julian*, 215 U. S., 589; *Adams v. Russell*, 229 U. S., 353; *Holden Land Co. v. Inter-State Trading Co.*, 233 U. S., 536.

Nos. 136 and 162, October Term, 1913. The United States of America et al., appellants, *v.* Atchison, Topeka & Santa Fe Railway Company et al.; and

Nos. 137 and 163, October Term, 1913. The United States of America et al., appellants, *v.* Union Pacific Railroad Company et al. Motions to recall mandates and modify decrees herein submitted by Mr. Assistant Attorney General Knaebel for the appellants.

No. 630. The United States, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Motion to advance submitted by Mr. Assistant Attorney General Knaebel for the petitioner.

No. 660. George D. Howell, petitioner, *v.* Mechanics' & Metals National Bank et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. H. Ralph Burton in behalf of Mr. William F. Henney and Mr. William Edmond Curtis for the petitioner, and by Mr. Walter C. Noyes and Mr. J. M. Hartfield for the respondent.



No. 70. Carolina Glass Company, plaintiff in error, *v.* William J. Murray, chairman, et al.;

No. 85. Carolina Glass Company, plaintiff in error, *v.* State of South Carolina; and

Nos. 569 and 570. Carolina Glass Company, plaintiff in error, *v.* William J. Murray et al. Motion to consolidate these cases to be heard when No. 570 is reached in the regular call of the docket granted, on motion of Mr. J. S. Lyles for the plaintiff in error.

No. 456. Mutual Film Corporation, appellant, *v.* The Industrial Commission of Ohio et al.;

No. 457. Mutual Film Company, appellant, *v.* The Industrial Commission of Ohio et al. Motions to advance submitted by Mr. Archibald King in behalf of counsel for the appellants.

No. 218. The Yazoo & Mississippi Valley Railroad Company, plaintiff in error, *v.* Ada R. Wright, administratrix, etc. Motion to affirm submitted by Mr. Henry E. Davis in behalf of Mr. McKinney Barton for the defendant in error.

No. 51. Nancy Neron Longpre et al., plaintiffs in error, *v.* Clemente Diaz y Quinones. Passed, on account of sickness of counsel, to be restored to the call pursuant to the provisions of section 9, rule 26, per stipulation.

No. 36. Twin Falls Canal Company, plaintiff in error, *v.* The State of Idaho et al. Argument continued by Mr. A. M. Bowen for the plaintiff in error, by Mr. E. G. Davis for the defendant in error, and concluded by Mr. A. M. Bowen for the plaintiff in error.

No. 34. Ephraim Simon, appellant, *v.* The Southern Railway Company. Argument commenced by Mr. Henry L. Lazarus for the appellant and continued by Mr. J. Blanc Monroe for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 3, will be as follows: Nos. 34, 41, 45, 47, 49, 50, 52, 53, 55, and 56.



# SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 3, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Frank D. Williams, of Albion, Nebr., was admitted to practice.

No. 55. Mary Helen Brown, plaintiff in error, *v.* The City of New York. Passed on account of sickness of counsel; to be restored to the call under the provisions of section 9, rule 26, per stipulation.

No. 34. Ephraim Simon, appellant, *v.* The Southern Railway Company. Argument continued by Mr. J. Blanc Monroe for the appellee and concluded by Mr. Henry L. Lazarus for the appellant.

No. 41. J. F. Smith et al., plaintiffs in error, *v.* George Leavenworth. Argued by Mr. O. G. Johnston for the plaintiff in error and by Mr. Gerald FitzGerald for the defendant in error.

No. 45. The Choctaw, Oklahoma & Gulf Railroad Company, appellant, *v.* John A. Harrison, sheriff, etc. Argument commenced by Mr. J. G. Gamble for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 4, will be as follows: Nos. 45, 47, 49, 50, 52, 53, 56, 57, 58, and 59.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 4, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Francis T. Cheetham, of Taos, N. Mex., was admitted to practice.

No. 59. William Sizemore et al., plaintiffs in error, *v.* Foil M. Brady. Submitted by Mr. Frederick E. Chapin and Mr. Andrew B. Duvall for the plaintiffs in error, and by Mr. Grant Foreman for the defendant in error.

No. 45. The Choctaw, Oklahoma, & Gulf Railroad Company, appellant, *v.* John A. Harrison, sheriff, etc. Argument continued by Mr. J. G. Gamble for the appellant, by Mr. A. L. Hull for the appellee, and concluded by Mr. J. G. Gamble for the appellant.

No. 47. Missouri Pacific Railway Company, appellant, *v.* The City of Omaha. Argument commenced by Mr. J. A. C. Kennedy for the appellant, continued by Mr. John A. Rine and by Mr. W. C. Lambert for the appellee, and concluded by Mr. J. A. C. Kennedy for the appellant.

No. 49. Louisiana Railway & Navigation Company, plaintiff in error, *v.* Martin Behrman, mayor of the city of New Orleans. Argument commenced by Mr. R. E. Milling for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 5, will be as follows: Nos. 49, 50, 52, 53, 56, 57, 58, 62, 63, and 64.

# SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 5, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

No. 65. Clarence H. Venner, appellant, *v.* Chicago City Railway Company et al. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Dismissed per stipulation.

No. 49. Louisiana Railway & Navigation Company, plaintiff in error, *v.* Martin Behrman, mayor of the city of New Orleans. Argument continued by Mr. R. E. Milling for the plaintiff in error, by Mr. I. D. Moore for the defendant in error, and concluded by Mr. R. E. Milling for the plaintiff in error.

No. 50. Western Life Indemnity Company of Illinois, plaintiff in error, *v.* Clarence Rupp. Submitted by Mr. Henry Burnett, Mr. Pendleton Beckley, Mr. H. W. Batson, and Mr. Graddy Cary for the plaintiff in error and by J. M. Chilton for the defendant in error.

No. 52. Martha Adkins, plaintiff in error, *v.* Henry C. Arnold et al. Submitted by Mr. Lewis C. Lawson for the plaintiff in error. No appearance for the defendants in error.

No. 53. George Washington, plaintiff in error, *v.* Charles W. Miller. Submitted by Mr. Lewis C. Lawson for the plaintiff in error and by Mr. Nathan A. Gibson for the defendant in error.

No. 56. L. S. Skelton, plaintiff in error, *v.* William H. Dill. Submitted by Mr. Charles J. Kappler and Mr. Charles H. Merillat for the plaintiff in error. No appearance for the defendant in error.

No. 57. John Jenkins, appellant, *v.* Maxwell Land Grant Company. Argued by Mr. Frank T. Cheetham for the appellant and submitted by Mr. Charles A. Spiess for the appellee.

No. 58. Rual F. Taylor, plaintiff in error, *v.* Mrs. Allie Parker (née Collins) et al. Submitted by Mr. H. A. Ledbetter for the plaintiff in error and by Mr. Cornelius Hardy, Mr. A. C. Cruce, Mr. W. I. Cruce, and Mr. W. R. Bleakmore for the defendants in error.

No. 62. The People of the State of New York on the Relation of Cornell Steamboat Company, plaintiff in error, *v.* William H. Sohmer, as comptroller of the State of New York. Argued by Mr. Franklin Kennedy for the defendant in error and submitted by Mr. H. T. Newcomb and Mr. Amos Van Etten for the plaintiff in error.

No. 63. The New York Electric Lines Company, plaintiff in error, *v.* Empire City Subway Company, Limited. Argument commenced by Mr. Alton B. Parker for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 6, will be as follows: Nos. 63, 64, 66, 67, 68, 69, 71, 72 (and 54), 74, and 75.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 6, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

No. 218. The Yazoo & Mississippi Valley Railroad Company, plaintiff in error, *v.* Ada R. Wright, administratrix, etc. Leave granted to file brief in opposition to motion to affirm on or before the 9th instant, on motion of Mr. Charles D. Drayton in behalf of counsel for the plaintiff in error.

No. 66. Frank J. Willoughby et al., plaintiffs in error, *v.* The City of Chicago. Submitted by Mr. Charles R. Holden for the plaintiffs in error and by Mr. W. H. Sexton and Mr. Philip J. McKenna for the defendant in error.

No. 68. Edwin J. Mercelis et al., appellants, *v.* John A. Wilson et al. Submitted by Mr. H. H. Scoville for the appellants and by Mr. Felix Frankfurter and Mr. S. T. Ansell for the appellees.

No. 74. Joe Judge and M. Bunting, plaintiffs in error, *v.* Frank M. Powers, judge, etc., et al. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Frederick S. Tyler in behalf of counsel for the plaintiffs in error.

No. 63. The New York Electric Lines Company, plaintiff in error, *v.* Empire City Subway Company, Limited. Argument continued by Mr. Alton B. Parker for the plaintiff in error and by Mr. Edmund L. Mooney for the defendant in error and concluded by Mr. J. Aspinwall Hodge for the plaintiff in error.

No. 64. Peter H. Anderson et al., appellants, *v.* The Swedish Evangelical Mission Covenant of America et al. Argument commenced by Mr. Axel Chytraus for the appellants, continued by Mr. Silas H. Strawn for the appellees, and concluded by Mr. Axel Chytraus for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 9, will be as follows: Nos. 67, 69, 71, 72 (and 54), 75, 76, 77, 78, 79, and 80.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 9, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Thomas M. Lane, of New York City; John A. Lamb, of Richmond, Va.; Joseph Lightfoot, of Honolulu, Hawaii; Lorenzo D. Armstrong, of New York City; Elwood G. Hubert, of Washington, D. C.; and Preston Davie, of New York City, were admitted to practice.

No. 18. Louis Dejonge & Company, appellant, *v.* Bruker & Kessler Company. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Holmes.

No. 25. Missouri, Kansas & Texas Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 4, Original. The State of North Carolina, complainant, *v.* The State of Tennessee. Bill in equity. Decree for complainant. Opinion by Mr. Justice McKenna. (Mr. Justice Day took no part in the consideration and decision of this case.)

No. 40. Charles Overton, plaintiff in error, *v.* The State of Oklahoma. In error to the Criminal Court of Appeals of the State of Oklahoma. Dismissed for want of jurisdiction. Opinion by Mr. Chief Justice White.

---

The Chief Justice also announced the following orders of the court:

No. 13. Mound City Company, appellant, *v.* Robert H. Castleman et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *Bagley v. General Fire Extinguisher Co.*, 212 U. S., 477; *Weir v. Rountree*, 216 U. S., 607; *Shultis v. McDougal*, 225 U. S., 561, 569.

No. 23. People of the State of Illinois, suing by the canal commissioners, plaintiffs in error, *v. Pittsburgh, Fort Wayne & Chicago Railway Company et al.* In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of *Eustis v. Bolles*, 150 U. S., 361; *Leathe v. Thomas*, 207 U. S., 93; *Yazoo & Miss. R. R. Co. v. Brewer*, 231 U. S., 245, 249; *Holden Land Co. v. Interstate Trading Co.*, 233 U. S., 536, 541.

No. 36. Twin Falls Canal Company, plaintiff in error, *v. The State of Idaho et al.* In error to the Supreme Court of the State of Idaho. Per curiam: Dismissed for want of jurisdiction upon the authority of *Eustis v. Bolles*, 150 U. S., 361; *Leathe v. Thomas*, 207 U. S., 93; *Yazoo & Miss. R. R. Co. v. Brewer*, 231 U. S., 245, 249; *Holden Land Co. v. Interstate Trading Co.*, 233 U. S., 536, 541.

No. 41. J. F. Smith et al., plaintiffs in error, *v. George Leavenworth.* In error to the Supreme Court of the State of Mississippi. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Rogers v. Jones*, 214 U. S., 196, 204; *Wood v. Chesborough*, 228 U. S., 672, 677; (2) *Castillo v. McConnico*, 168 U. S., 674; *de Bearn v. Safe Deposit Co.*, 233 U. S., 24, 34; *McDonald v. Oregon Navigation Co.*, 233 U. S., 665, 670; (3) *New Orleans Waterworks Co. v. Louisiana*, 185 U. S., 336, 344; *Gring v. Ives*, 222 U. S., 365, 370; *Ennis Water Co. v. Ennis*, 233, U. S., 652.

No. 57. John Jenkins, appellant, *v. Maxwell Land Grant Company.* Appeal from the Supreme Court of the Territory of New Mexico. Per curiam: Judgment affirmed with costs upon the authority of *Gildersleeve v. New Mexico Mining Co.*, 161 U. S., 573; *Harrison v. Perea*, 168 U. S., 311, 323; *Wm. W. Bierce, Ltd., v. Hutchings*, 205 U. S., 340, 344, and cause remanded to the Supreme Court of the State of New Mexico.

Nos. 136 and 162, October term, 1913. The United States of America et al., appellants, *v. The Atchison, Topeka & Santa Fe Railway Company et al.*; and

Nos. 137 and 163, October term, 1913. The United States of America et al., appellants, *v. Union Pacific Railroad Company et al.* Motions to recall mandates and correct decrees granted.

No. 456. Mutual Film Corporation, appellant, *v. The Industrial Commission of the State of Ohio*; and

No. 457. Mutual Film Company, appellant, *v. The Industrial Commission of the State of Ohio et al.* Motions to advance granted and cases assigned for argument on Monday, December 7th next, after the cases heretofore assigned for that day.

No. 630. The United States, petitioner, *v. The Chicago, Burlington & Quincy Railroad Company.* Motion to advance for hearing with



case No. 580 denied, but case advanced and assigned for argument on Monday, January 4th, next.

No. 660. George D. Howell, petitioner, *v.* Mechanics & Metals National Bank et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

---

The Chief Justice also announced that the court will take a recess from Monday, the 16th instant, to Monday, the 30th instant.

---

No. 598. The United States, plaintiff in error, *v.* Luther Jerome Smull. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 117. The United States, plaintiff in error, *v.* Emery, Bird, Thayer Realty Company. Leave granted to Mr. Everett P. Wheeler to file brief herein as *amicus curiæ*, on motion of Mr. Solicitor General Davis in that behalf.

No. 489. Leonard R. Coats, plaintiff in error, *v.* The District of Columbia. Petition for a writ of certiorari herein submitted by Mr. F. P. B. Sands for the plaintiff in error in support of the petition, and by Mr. F. H. Stephens and Mr. Conrad H. Syme for the defendant in error in opposition thereto. Motion to dismiss submitted by Mr. F. H. Stephens and Mr. Conrad H. Syme for the defendant in error in support of the motion, and by Mr. F. P. B. Sands for the plaintiff in error in opposition thereto. Motion to advance submitted by Mr. F. P. B. Sands for the plaintiff in error.

No. 681. Claude M. Dean, petitioner, *v.* R. Beale Davis, jr., trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. W. C. Carpenter in behalf of Mr. C. V. Meredith for the petitioner, and by Mr. Richard B. Davis for the respondent.

No. 105. Oswald West, as governor, et al., plaintiffs in error, *v.* Corvallis & Eastern Railroad Company. Motion to dismiss or affirm submitted by Mr. A. A. Hoehling, jr., in behalf of Mr. Joseph Paxton Blair and Mr. W. D. Fenton for the defendant in error in support of the motion, and by Mr. A. M. Crawford for the plaintiffs in error in opposition thereto.

No. 684. The Bankers Surety Company, petitioner, *v.* Elkhorn River Drainage District. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William C. Prentiss and Mr. Walter L. Clark for the petitioner.

No. 264. Edward S. Gard, plaintiff in error, *v.* The People of the State of Illinois. Motion to dismiss or affirm submitted by Mr. Patrick J. Lucey and Mr. Lester H. Strawn for the defendants in error in support of the motion, and by Mr. James Hartnett for the plaintiff in error in opposition thereto.

No. 79. G. W. Wathen, appellant, *v.* Jackson Oil & Refining Company et al. Submitted by Mr. Marcellus Green for the appellant, and by Mr. Frank Johnston for the appellees.

No. 80. R. P. Williams et al., plaintiffs in error, *v.* The United States Fidelity & Guaranty Company. Passed, per stipulation, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. E. Marvin Underwood in behalf of counsel.

No. 67. United States of America for the use and benefit of Alexander Bryant Company, plaintiff in error, *v.* New York Steam Fitting Company et al. Argument commenced by Mr. George B. Class for the plaintiff in error, continued by Mr. John R. Halsey for the defendant in error, and concluded by Mr. George B. Class for the plaintiff in error.

No. 69. Edward H. Fallows, trustee, appellant, *v.* Continental Trust & Savings Bank, trustee, etc. Argued by Mr. Herman Frank for the appellee, and submitted by Mr. Edwin H. Cassels for the appellant.

No. 71. D. R. Wilder Manufacturing Company, plaintiff in error, *v.* Corn Products Refining Company. Argument commenced by Mr. Marion Smith for the plaintiff in error, continued by Mr. J. W. Austin and Mr. Preston Davie for the defendant in error, and concluded by Mr. Marion Smith for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 10, will be as follows: Nos. 72 (and 54), 75, 76, 77, 78, 81, 82, 83, 84, and 86 (and 87).



# SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 10, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

H. W. Byers, of Des Moines, Iowa; Edward D. O'Brien, of Seattle, Wash.; and James Scarlet, of Danville, Pa.; were admitted to practice.

No. 84. The United States Fidelity & Guaranty Company *v.* Charles J. Riefler et al. Passed, per stipulation, to be restored to the call under the provisions of section 9, rule 26.

No. 72. Modern Pen Company, appellant, *v.* L. E. Waterman Company; and

No. 54. L. E. Waterman Company, appellant, *v.* Modern Pen Company. Argument commenced by Mr. Walter B. Raymond for L. E. Waterman Company, continued by Mr. Alexander S. Bacon for the Modern Pen Company, and concluded by Mr. Oliver Mitchell for L. E. Waterman Company.

No. 75. Des Moines Gas Company, appellant, *v.* City of Des Moines et al. Argument commenced by Mr. N. T. Guernsey for the appellant and continued by Mr. H. W. Byers for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 11, will be as follows: Nos. 75, 76, 77, 78, 81, 82, 83, 86 (and 87), 88, and 90.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 11, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Lee Monroe, of Topeka, Kans.; A. M. Harvey, of Topeka, Kans.; Benjamin B. McCowen, of Augusta, Ga.; Charles Thaddeus Terry, of New York City; Sidney R. Perry, of New York City; and Enos S. Stockbridge, of Baltimore, Md., were admitted to practice.

No. 597. The Mutual Film Corporation of Missouri, appellant, *v.* George H. Hodges, governor, et al. Motion to advance submitted by Mr. J. H. Ralston for the appellant.

No. 88. Great Northern Railway Company, plaintiff in error, *v.* James A. Hower, individually and as trustee, et al. Submitted by Mr. E. C. Lindley and Mr. T. R. Benton for the plaintiff in error, and by Mr. Eugene G. Kremer for the defendants in error.

No. 75. Des Moines Gas Company, appellant, *v.* City of Des Moines et al. Argument continued by Mr. H. W. Byers for the appellees, and concluded by Mr. N. T. Guernsey for the appellant.

No. 76. The Pennsylvania Railroad Company, plaintiff in error, *v.* Puritan Coal Mining Company. Argument commenced by Mr. Francis I. Gowen for the plaintiff in error, continued by Mr. A. M. Liveright and Mr. A. L. Cole for the defendant in error, and concluded by Mr. Francis I. Gowen for the plaintiff in error.

No. 77. John T. Hendrick, plaintiff in error, *v.* The State of Maryland. Argument commenced by Mr. J. H. Ralston for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 12, will be as follows: Nos. 77, 78, 81, 82, 83, 86 (and 87), 90, 91, 92, and 93.

O

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 12, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

No. 77. John T. Hendrick, plaintiff in error, *v.* The State of Maryland. Argument continued by Mr. Jackson H. Ralston for the plaintiff in error, by Mr. Enos S. Stockbridge and Mr. Edgar Allen Poe for the defendant in error, and concluded by Mr. Osborne I. Yellott for the plaintiff in error.

No. 78. James M. Hull, jr., trustee, *v.* Mrs. M. J. Dicks. Argued by Mr. William H. Barrett for Hull, trustee, and by Mr. B. B. McCowen for Mrs. M. J. Dicks.

No. 81. C. W. Garrett, administrator, etc., plaintiff in error, *v.* The Louisville & Nashville Railroad Company. Submitted by Mr. John A. Pitts for the plaintiff in error, and by Mr. John B. Keeble for the defendant in error.

No. 82. Aaron Sage, plaintiff in error, *v.* George Hampe. Argument commenced by Mr. Lee Monroe for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 13, will be as follows: Nos. 82, 98, 86 (and 87), 90, 91, 92, 93, 95, 97, and 83.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 13, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

Robert H. Charlton, of New York City; Alfred A. Hampson, of Portland, Oreg.; John H. Webb, of Vandalia, Ill.; Lester L. Sargent, of Washington, D. C.; and Jerry A. Mathews, of Washington, D. C., were admitted to practice.

No. 82. Aaron Sage, plaintiff in error, *v.* George Hampe. Argument continued by Mr. Lee Monroe for the plaintiff in error, by Mr. A. M. Harvey for the defendant in error, and concluded by Mr. Lee Monroe for the plaintiff in error.

No. 98. The John Ii Estate, Limited, plaintiff in error, *v.* George Ii Brown et al. Argument commenced by Mr. R. D. Silliman for the plaintiff in error, continued by Mr. A. A. Wilder for the defendants in error, and concluded by Mr. R. D. Silliman for the plaintiff in error.

No. 90. William R. Cowan, plaintiff in error, *v.* The People of the State of Illinois ex rel. John E. W. Wayman, State's attorney. Argument commenced by Mr. Harry S. Mecartney for the plaintiff in error, continued by Mr. P. J. Lucey for the defendant in error, and concluded by Mr. Harry S. Mecartney for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 16, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Jose de Leon y Joven, of Bacolor, Pampanga, P. I., and Irving M. Obriecht, of New York City, were admitted to practice.

No. 251. *The United United States of America, appellant, v. H. U. Bartlett and Theodore G. Lashley.* Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Van Devanter. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 462. *The United States v. Hon. Julius M. Mayer,* judge of the District Court of the United States for the Southern District of New York. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Question I—a answered in the affirmative, and questions II and III in the negative. Opinion by Mr. Justice Hughes. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 95. *The Cleveland & Pittsburgh Railroad Company et al., plaintiffs in error, v. The City of Cleveland, Ohio.* In error to the Supreme Court of the State of Ohio. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day. (Mr. Justice Holmes took no part in the consideration and decision of this case.)

No. 58. *Rual F. Taylor, plaintiff in error, v. Mrs. Allie Parker (née Collins) et al.* In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 66. *Frank J. Willoughby et al., plaintiffs in error, v. The City of Chicago.* In error to the Supreme Court of the State of Illinois. Dismissed for want of jurisdiction. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 597. The Mutual Film Corporation of Missouri, appellant, *v.* George H. Hodges, governor, et al. Motion to advance granted and cause assigned for argument on Monday, December 7th next, after Nos. 456 and 457.

No. 598. The United States, plaintiff in error, *v.* Luther Jerome Smull. Motion to advance granted and cause assigned for argument on Monday, December 7th next, after the cases heretofore assigned for that day.

No. 489. Leonard R. Coates, plaintiff in error, *v.* The District of Columbia. Petition for a writ of certiorari herein denied. Motion to advance denied. Motion to dismiss postponed to the hearing of the case on its merits.

No. 681. Claude M. Dean, petitioner, *v.* R. Beale Davis, jr., trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 684. The Bankers Surety Company, petitioner, *v.* Elkhorn River Drainage District. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 218. Yazoo & Mississippi Valley Railroad Company, plaintiff in error, *v.* Ada R. Wright, administratrix, etc. Ordered transferred to the summary docket and assigned for argument on Monday, November 30th next, after the cases heretofore assigned for that day.

No. 105. Oswald West, as governor, et al., plaintiffs in error, *v.* Corvallis & Eastern Railroad Company. In error to the Supreme Court of the State of Oregon. Per curiam: Dismissed for want of jurisdiction upon the authority of *Preston v. Chicago* (226 U. S., 447, 450); *McDonald v. Oregon Navigation Co.* (233 U. S., 655); *People ex rel. Hastings v. Jackson* (112 U. S., 233, 236); (2) *Marshall, governor, v. Dye* (231 U. S., 250).

No. 264. Edward S. Gard, plaintiff in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of *Gring v. Ives* (222 U. S., 365, 370); *Deming v. Carlisle Packing Co.* (226 U. S., 102); *Ennis Water Works v. Ennis* (233 U. S., 652, 658).

---

No. 628. The United States, plaintiff in error, *v.* Clara Holte. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 648. Joplin Mercantile Company et al., petitioners, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Davis for the respondent.



No. 423. Illinois Central Railroad Company, appellant, *v.* C. L. DeFuentes et al., as commissioners and members of the Railroad Commission of Louisiana. Motion to advance submitted by Mr. W. M. Barrow for the appellees.

No. 693. L. D. George Lumber Company, Inc., petitioner, *v.* L. L. Daugherty et al., etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. John A. Lamb for the petitioner.

No. 643. American Surety Company of New York, plaintiff in error, *v.* George S. Schultz. Motion to affirm or place on the summary docket submitted by Mr. Abram J. Rose for the defendant in error in support of the motion, and by Mr. Henry C. Willecox, Mr. Walter B. Grant, Mr. Joseph M. Gazzam, and Mr. Charles F. Carusi for the plaintiff in error in opposition thereto.

No. 677. Florence S. Bache, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Court of Customs Appeals submitted by Mr. W. M. Lewin in behalf of Mr. Henry Wollman for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 159. The Linn & Lane Timber Company et al., appellants, *v.* The United States. Leave granted to file brief of Joseph Paxton Blair and Charles R. Lewers as amici curiæ, on motion of Mr. A. A. Hoehling, jr., in that behalf.

No. 695. United States of America, plaintiff in error, *v.* Theodore Weisberger, Maude Weisberger, his wife, and The Empire State Surety Company. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Docketed and dismissed and mandate granted on motion of Mr. George A. King for the defendants in error.

No. 3, Original. The State of New York, complainant, *v.* The State of New Jersey et al. Motion to dismiss submitted by Mr. Frederick S. Tyler, in behalf of Mr. R. H. McCarter, for the defendants in support of the motion, and by Mr. W. J. O'Sullivan for the complainant in opposition thereto.

No. —, Original. Ex parte: In the matter of Lovell-McConnell Manufacturing Company, petitioner. Motion for leave to file petition for a writ of mandamus or certiorari submitted by Mr. Irving M. Obrieght and Mr. George C. Dean in support of the motion, and by Mr. C. A. L. Massie and Mr. Ralph Lane Scott in opposition thereto.

No. 596. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Lena Hanson, as executrix, etc. Motion to dismiss

or affirm submitted by Mr. George E. Van Dyke for the defendant in error in support of the motion, and by Mr. C. H. Van Alstine for the plaintiff in error in opposition thereto.

Adjourned until Monday, November 30, at 12 o'clock.

The day call for Monday, November 30, will be as follows: Nos. 430, 357, 454 (and 455), 511, 347, 488, 513, 516, 209, 589, and 218.

○

## SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 30, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Joseph M. Gazzam, of New York City; James D. Williamson, of Waco, Tex.; Charles A. Boynton, of Waco, Tex.; William P. Crawford, of Superior, Wis.; John B. Meserve, of Muskogee, Okla.; Burdette Blue, of Bartlesville, Okla.; James I. Boulger, of Chillicothe, Ohio; Robert M. Morgan, of Cleveland, Ohio; Otto Wolff, jr., of Philadelphia, Pa.; Russell H. Porter, of New York City; and R. M. Barton, of Memphis, Tenn., were admitted to practice.

No. 30. William R. Hopkins et al., petitioners, *v.* Charles Hebard et al. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Tennessee. Opinion by Mr. Justice McReynolds. (Mr. Justice Day took no part in the consideration and decision of this case.)

No. 45. The Choctaw, Oklahoma & Gulf Railroad Company, appellant, *v.* John A. Harrison, as sheriff of Pittsburg County, State of Oklahoma, and personally. Appeal from the District Court of the United States for the Eastern District of Oklahoma. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 69. Edward H. Fallows, trustee, appellant, *v.* Continental & Commercial Trust & Savings Bank, trustee, etc. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Justice McReynolds.

No. 81. C. W. Garrett, administrator, etc., plaintiff in error, *v.* The Louisville & Nashville Railroad Company. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Middle District of Tennessee. Opinion by Mr. Justice McReynolds.

No. 4. The People of Porto Rico, appellants, *v.* Pierre Emanuel, Baron de Laurens d'Oiselay. Appeal from the District Court of

the United States for the District of Porto Rico. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 50. Western Life Indemnity Company of Illinois, plaintiff in error, *v.* Clarence Rupp. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Pitney. (Mr. Chief Justice White concurs in the result.)

No. 349. The United States, plaintiff in error, *v.* John Wigger, alias "Moose John." In error to the District Court of the United States for the District of Alaska, fourth division. Judgment reversed, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 380. The United States, plaintiff in error, *v.* Charles Lewis et al. In error to the District Court of the United States for the District of Kansas. Judgment reversed, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 19. Minidoka & Southwestern Railroad Company et al., appellants, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree of Circuit Court of Appeals reversed, and decree of the District Court of the United States for the District of Idaho affirmed, and causes remanded to said District Court. Opinion by Mr. Justice Lamar. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 427. The United States, plaintiff in error, *v.* William C. Nixon et al. In error to the District Court of the United States for the Western District of Missouri. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Lamar. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 506. The United States, plaintiff in error, *v.* Herman A. Salen. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice Lamar. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 216. George G. Henry, appellant, *v.* William Henkel, United States marshal for the Southern District of New York. Appeal from the District Court of the United States for the Southern Dis-

trict of New York. Decree affirmed with costs. Opinion by Mr. Justice Lamar. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 37. Sioux Remedy Company, plaintiff in error, *v.* F. M. Cope and D. C. Cope. In error to the Circuit Court of Turner County, State of South Dakota. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 56. L. S. Skelton, plaintiff in error, *v.* William H. Dill. In error to the Supreme Court of the State of Oklahoma. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 49. Louisiana Railway & Navigation Company, plaintiff in error, *v.* Martin Behrman, mayor of the city of New Orleans. In error to the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 15. E. P. McCabe et al., appellants, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Oklahoma. Opinion by Mr. Justice Hughes. (Chief Justice White, Mr. Justice Holmes, Mr. Justice Lamar, and Mr. Justice McReynolds concur in the result.)

No. 63. The New York Electric Lines Company, plaintiff in error, *v.* Empire City Subway Company, Ltd. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 17. Alexander R. Magruder et al., appellants, *v.* Samuel A. Drury and Samuel Maddox, trustees. Appeal from the Court of Appeals of the District of Columbia. Decree reversed with costs, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Day.

No. 47. The Missouri Pacific Railway Company, appellant, *v.* The City of Omaha. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs and cause remanded to the District Court of the United States for the District of Nebraska. Opinion by Mr. Justice Day.

No. 478. The United States, plaintiff in error, *v.* J. A. Reynolds, and

No. 479. The United States, plaintiff in error, *v.* G. W. Broughton, *alias* Gideon W. Broughton. In error to the District Court of the United States for the Southern District of Alabama. Judgments reversed, and causes remanded for further proceedings in accord-

ance with the opinion of this court. Opinion by Mr. Justice Day. Separate opinion by Mr. Justice Holmes. (Mr. Justice McReynolds took no part in the consideration and decision of these cases.)

No. 54. L. E. Waterman Company, appellant, *v.* Modern Pen Company, and

No. 72. Modern Pen Company, appellant, *v.* L. E. Waterman Company. Appeals from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed, each party to pay one-half the costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Pitney.

No. 82. Aaron Sage, plaintiff in error, *v.* George Hampe. In error to the Supreme Court of the State of Kansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 44. Juan A. Monagas, et al., appellants, *v.* Juliana Maria Albertucci y Alvarez, widow of Dominguez. Appeal from the Supreme Court of Porto Rico. Decree affirmed with costs. Opinion by Mr. Chief Justice White.

---

The Chief Justice also announced the following orders of the court:

No. 64. Peter H. Anderson et al., appellants, *v.* The Swedish Evangelical Mission Covenant of America et al. Appeal from the District Court of the United States for the Northern District of Illinois. Per curiam: Decree affirmed with costs, upon the authority of *White Star Mining Co. v. Nels O. Hultberg et al.*; *Claes W. Johnson v. White Star Mining Co. et al.*; *Peter H. Anderson v. White Star Mining Co. et al.* (205 U. S., 540).

No. 90. William R. Cowan, plaintiff in error, *v.* The People of the State of Illinois ex rel. John E. W. Wayman, State's attorney. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for the want of jurisdiction, upon the authority of *Equitable Life Assurance Society v. Brown* (187 U. S., 308, 314); *Deming v. Carlisle Packing Co.* (226 U. S., 102, 107); *Consol. Turnpike v. Norfolk, etc., Ry. Co.* (228 U. S., 599, 600). (See *People v. Shedd* (217 U. S., 597).)

No. 596. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Lena Hanson, as executrix, etc. In error to the circuit court of Ozaukee County, State of Wisconsin. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Spies v. Illinois*, 123 U. S., 131, 181; *Erie Railroad Co. v. Purdy*, 185 U. S., 148, 154; *Louisville & Nashville R. R. Co. v. Woodford*, 234 U. S., 46; *Willoughby et al. v. Chicago*, 235 U. S. (decided at this term).

No. 423. Illinois Central Railroad Company, appellant, *v.* C. L. DeFuentes et al., as commissioners, etc.;

No. 628. The United States, plaintiff in error, *v.* Clara Holte; and

No. 648. Joplin Mercantile Company et al., petitioners, *v.* The United States. Motions to advance granted and cases assigned for argument on Monday, January 4th next, after the cases heretofore assigned for that day.

No. 677. Florence S. Bache, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Court of Customs Appeals denied.

No. 693. L. D. George Lumber Company, Inc., petitioner, *v.* L. L. Daugherty et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 3. Original. The People of the State of New York, complainant, *v.* The State of New Jersey et al. Motion to dismiss denied.

No. 643. American Surety Company of New York, plaintiff in error, *v.* George S. Schultz. Ordered that this case be placed on the summary docket.

---

No. 331. The United States, plaintiff in error, *v.* Frederick W. Hvoslef et al.; and

No. 616. The Thames & Mersey Marine Insurance Company, Limited, plaintiff in error, *v.* The United States. Motions to advance submitted by Mr. Solicitor General Davis in behalf of Mr. Everett P. Wheeler in support of the motions.

Nos. 493 and 494. The United States, appellant, *v.* The Erie Railroad Company. Motion to advance submitted by Mr. Solicitor General Davis for the appellant.

No. 645. J. J. Brolan et al., plaintiffs in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Davis for the defendant in error.

No. 679. Oregon & California Railroad Company et al. *v.* The United States. Motion for a writ of certiorari to bring up the whole record and cause submitted by Mr. Solicitor General Davis in support of the motion.

No. 682. Lucius E. Judson, trustee, etc., petitioner, *v.* William A. Nash, trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Oscar A. Lewis for the petitioner, and by Mr. John M. Bowers for the respondent.

No. 674. Mahlon Groo, petitioner, *v.* Charlotte Anita Whitney. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. William M. Lewin for the petitioner.

No. —, Original. Ex parte: In the matter of Leo M. Frank, petitioner. Motion for leave to file a petition for a writ of error submitted by Mr. Henry A. Alexander for the petitioner.

No. 424. John F. Doyle et al., individually and as copartners, etc., appellants, *v.* George J. Schmidheiser, trustee, etc. Motion to dismiss submitted by Mr. Otto Wolff, jr., for the appellee in support of the motion, and by Mr. John P. Connolly for the appellants in opposition thereto.

No. 689. Ogden M. Reid, petitioner, *v.* James C. Fargo, as president of the American Express Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Russell Porter, in behalf of Mr. Oscar R. Houston and Mr. Howard S. Harrington, for the petitioner, and by Mr. Walter F. Taylor and Mr. Charles C. Burlingham for the respondents.

No. 128. Concepcion Veve de Belavel et al., appellants. *v.* The Fajardo Sugar Growers Association. Appeal from the Supreme Court of Porto Rico. Dismissed with costs, on motion of Mr. Frederick S. Tyler for the appellants.

No. 215. The F. B. Williams Cypress Company, Ltd., plaintiff in error, *v.* The State of Louisiana. In error to the Supreme Court of the State of Louisiana. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 301. William Knapp et al., partners, etc., plaintiffs in error, *v.* Everett P. Holden. In error to the Supreme Court of the State of Ohio. Judgment affirmed with costs, per stipulation of counsel.

No. 589. Easterling Lumber Company et al., plaintiffs in error, *v.* S. W. Pierce. Submitted by Mr. Edward Mayes and Mr. T. Brady, jr., for the plaintiffs in error, and by Mr. Joseph Hirsh for the defendant in error.

No. 430. Bridget McGovern, administratrix, etc., plaintiff in error, *v.* Philadelphia & Reading Railway Company. Argued by Mr. George Demming for the plaintiff in error, and by Mr. William Clark Mason for the defendant in error.

No. 357. Texas & Pacific Railway Company, plaintiff in error, *v.* Wyatt Jones Rosborough et al. Argued by Mr. F. H. Prendergast for the plaintiff in error, and by Mr. S. P. Jones for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 1, will be as follows: Nos. 454 (and 455), 511, 347, 488, 513, 516, 209, 218, 86 (and 87), and 91.



## SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 1, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Henry T. Martin, of Chicago, Ill., was admitted to practice.

No. 91. The Michigan Central Railroad Company, plaintiff in error, *v.* The Michigan Railroad Commission. Submitted by Mr. Frank E. Robson for the plaintiff in error and by Mr. Grant Fellows for the defendant in error.

No. 454. John A. S. Brown et al., etc., appellants, *v.* Austen B. Fletcher, as testamentary trustee, etc., et al.; and

No. 455. The Provident Life & Trust Company et al., as executors, etc., appellants, *v.* Austen B. Fletcher, as testamentary trustee, etc., et al. Argument commenced by Mr. Charles H. Burr for the appellants, continued by Mr. W. P. S. Melvin for the appellees, and concluded by Mr. Charles H. Burr for the appellants.

No. 511. The Jeffrey Manufacturing Company, plaintiff in error, *v.* Harry O. Blagg, by Joseph M. Downing, his next friend. Argument commenced by Mr. H. B. Arnold for the plaintiff in error, continued by Mr. F. C. Rector and Mr. James I. Boulger for the defendant in error, and concluded by Mr. H. B. Arnold for the plaintiff in error.

No. 347. The Arizona & New Mexico Railway Company, plaintiff in error, *v.* Thomas P. Clark. Argued by Mr. John A. Garver for the plaintiff in error and submitted by Mr. W. M. Seabury for the defendant in error.

No. 488. Minneapolis, St. Paul & Sault Ste. Marie Railway Co., plaintiff in error, *v.* Joseph Leora, by John Leora, his guardian ad litem. Argument commenced by Mr. William A. Hayes for the plaintiff in error, continued by Mr. W. P. Crawford for the defendant in error, and concluded by Mr. William A. Hayes for the plaintiff in error.

No. 513. Rail and River Coal Company, appellant, *v.* Wallace D. Yapple et al., etc. Argument commenced by Mr. A. C. Dustin for the appellant, continued by Mr. C. D. Laylin for the appellees, and concluded by Mr. A. C. Dustin for the appellant.

No. 516. Norfolk & Western Railway Co., plaintiff in error, *v.* Sarah E. Holbrook, administratrix, etc. Argument commenced by Mr. F. Marko Rivinus for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 2, will be as follows: Nos. 516, 209, 218, 86 (and 87), 92, 93, 97, 83, 99 (and 100 and 101), and 102.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 2, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

John T. Bottom, of Denver, Colo.; Aaron T. Bates, of Danbury, Conn.; Frederick Holme Wiggin, of New Haven, Conn.; Ausby L. Lowe, of Robinson, Ill.; Robert J. Dodds, of Pittsburgh, Pa.; Edward W. Rawlins, of Chicago, Ill.; and Herbert S. Garrett, of San Angelo, Tex., were admitted to practice.

No. 83. The State of Missouri *ex rel.* St. Joseph Water Co., plaintiff in error, *v.* Jacob Geiger et al., etc. Submitted by Mr. John E. Dolman for the plaintiff in error, and by Mr. Vinton Pike for the defendants in error.

No. 516. Norfolk & Western Railway Company, plaintiff in error, *v.* Sarah E. Holbrook, administratrix, etc. Argument continued by Mr. F. Markoe Rivinus for the plaintiff in error, and concluded by Mr. William H. Werth for the defendant in error.

No. 209. Detroit & Mackinac Railway Company, appellant, *v.* The Michigan Railroad Commission et al. Argument commenced by Mr. Fred A. Baker for the appellant, and concluded by Mr. Edward S. Clark for the appellees.

No. 218. The Yazoo & Mississippi Valley Railroad Company, plaintiff in error, *v.* Ada R. Wright, administratrix, etc. Argument commenced by Mr. H. D. Minor for the plaintiff in error, continued by Mr. R. M. Barton for the defendant in error, and concluded by Mr. H. D. Minor for the plaintiff in error.

No. 86. Joseph F. Guffey et al., petitioners, *v.* James A. Smith et al.; and

No. 87. Joseph F. Guffey et al., petitioners, *v.* Susannah Smith et al. Argument commenced by Mr. Joseph W. Bailey for the petitioners, and continued by Mr. J. A. Hindman for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 3, will be as follows: Nos. 86 (and 87), 92, 93, 97, 99 (and 100 and 101), 102, 103, 104, 106, and 107.



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 3, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

D. H. Hughes, Esq., of Paducah, Ky., was admitted to practice.

No. 86. Joseph F. Guffey et al., petitioners, *v.* James A. Smith et al.; and

No. 87. Joseph F. Guffey et al., petitioners, *v.* Susannah Smith et al. Argument continued by Mr. J. A. Hindman for the respondents, and concluded by Mr. J. H. Beal for the petitioners.

No. 92. Berwind-White Coal Mining Company, plaintiff in error, *v.* Chicago & Erie Railroad Company. Argument commenced by Mr. Henry T. Martin for the plaintiff in error, continued by Mr. Edward W. Rawlins for the defendant in error, and concluded by Mr. Henry T. Martin for the plaintiff in error.

No. 93. David Shapiro, plaintiff in error, *v.* The United States of America. Argument commenced by Mr. Elijah N. Zoline for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 4, will be as follows: Nos. 93, 97, 99 (and 100 and 101), 102 (and 103), 104, 106, 107, 108, 109, and 110.



# SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 4, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Francis E. Bouck, of Denver, Colo.; Curtis H. Waterman, of Boston, Mass.; Constantine M. Perkins, of Rome, Ga.; Edward E. Bacon, of Los Angeles, Cal.; John D. Welman, of Evansville, Ind.; Frank H. Hatfield, of Evansville, Ind.; Albert R. Barnes, of Salt Lake City, Utah; Bismarck Snyder, of Salt Lake City, Utah; Michael J. McGuinness, of Santa Fe, N. Mex.; and Carl M. Jacobs, jr., of Cincinnati, Ohio, were admitted to practice.

No. 108. Edward J. Robison et al., plaintiffs in error, *v.* Frank S. Fishback. In error to the Supreme Court of the State of Indiana. Dismissed with costs, pursuant to the tenth rule.

No. 109. Oregon Short Line Railroad Company, plaintiff in error, *v.* Charlotte A. Homer. Submitted by Mr. George H. Smith and Mr. H. W. Clark for the plaintiff in error. No appearance for the defendant in error.

No. 93. David Shapiro, plaintiff in error, *v.* The United States of America. Argument continued by Mr. Assistant Attorney General Wallace for the defendant in error and concluded by Mr. Elijah N. Zoline for the plaintiff in error.

No. 97. Henry A. Gilbert, administrator, etc., plaintiff in error, *v.* Emma S. David, administratrix, etc., et al. Argument commenced by Mr. Howard W. Taylor for the appellant, continued by Mr. F. H. Wiggin and Mr. A. T. Bates for the defendants in error, and concluded by Mr. Howard W. Taylor for the plaintiff in error.

No. 292. Arthur Y. Martin, trustee, etc., et al., petitioners, *v.* Globe Bank & Trust Company of Paducah, Ky., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. F. Bradshaw, jr., and Mr. J. D. Mocquot for the petitioner.

No. 99. Globe Bank & Trust Company of Paducah, Ky., appellant, *v.* Arthur Y. Martin, trustee, etc.;

No. 100. First National Bank of Paducah, Ky., appellant, *v.* Arthur Y. Martin, trustee, etc.; and

No. 101. Old State National Bank of Evansville, Ind., appellant, *v.* Arthur Y. Martin, trustee, etc. Argument commenced by Mr. D. H. Hughes for the appellants and continued by Mr. W. F. Bradshaw, jr., for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 7, will be as follows: Nos. 99 (and 100 and 101), 102 (and 103), 104, 106, 107, 110, 450, 517, 358, and 514.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 7, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Homer Strosnider, of Clarksburg, W. Va.; John D. Haymes, of Buffalo, Mo.; Henry W. Sackett, of New York City; Samuel F. Frank, of New York City; Raymond Reubenstein, of New York City; William A. Colston, of Louisville, Ky.; Harvey R. Keeler, of Cleveland, Ohio; Samuel Green, of New York City; Carroll G. Walter, of New York City; William Travers Jerome, of New York City; George F. Morris, of Lancaster, N. H.; Bernard Jacobs, of Lancaster, N. H.; Claude Mercer, of Hardinsburg, Ky.; and Max Thelen, of Berkeley, Cal., were admitted to practice.

No. 119. St. Louis Southwestern Railway Company, plaintiff in error, *v.* The State of Arkansas ex rel. Hal L. Norwood, attorney general. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 98. The John Ii Estate, Limited, plaintiff in error, *v.* George Ii Brown et al. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Territory of Hawaii for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 67. United States of America for the use and benefit of Alexander Bryant Company, plaintiff in error, *v.* New York Steam Fitting Company et al. In error to the District Court of the United States for the Southern District of New York. Judgment reversed with costs, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 39. The United States of America et al., appellants, *v.* Louisville & Nashville Railroad Company et al. Appeal from the United

States Commerce Court. Decree reversed, and cause remanded to the District Court of the United States for the Middle District of Tennessee with directions to dismiss the complaint, without prejudice, however, to the right of the carriers to apply to the commission to be relieved from the operation of the provisions of the fourth section if they are so advised. Opinion by Mr. Chief Justice White. (Mr. Justice Pitney concurs in the result.)

---

The Chief Justice also announced the following orders of the court:

No. 109. Oregon Short Line Railroad Company, plaintiff in error, *v. Charlotte A. Homer*. In error to the Supreme Court of the State of Utah. Per curiam: Judgment reversed with costs, and case remanded for further proceedings upon the authority of *Boston & Maine Road v. Hooker* (233 U. S., 97).

No. 424. John F. Doyle and John F. Doyle, jr., individually and as copartners, trading as John F. Doyle & Son, appellants, *v. George J. Schmidheiser, trustee, etc.* Appeal from the United States Circuit Court of Appeals for the Third Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *Holden v. Stratton* (191 U. S., 115), *Duryea Power Co. v. Sternbergh* (218 U. S., 299), *Pennsylvania v. The York Silk Manufacturing Co.* (232 U. S., 718).

No. 488. Minneapolis, St. Paul & Sault Ste. Marie Railway Co., plaintiff in error, *v. Joseph Leora, by John Leora, his guardian ad litem*. In error to the Supreme Court of the State of Wisconsin. Per curiam: Dismissed for want of jurisdiction upon the authority of *Spies v. Illinois* (123 U. S., 131, 181), *Erie R. R. Co. v. Purdy* (185 U. S., 148, 154), *Louisville & N. R. R. Co. v. Woodford* (234 U. S., 46), *Willoughby v. Chicago* (235 U. S.; decided this term). (See *Chicago, Milwaukee & St. Paul Ry. Co. v. Hanson*, 235 U. S.; decided this term.)

No. —, Original. Ex parte In the matter of Leo M. Frank, petitioner. Application for the allowance of a writ of error denied.

No. 331. The United States, plaintiff in error, *v. Frederick W. Hvoslef et al., etc.*; and

No. 616. The Thames & Mersey Marine Insurance Company, plaintiff in error, *v. The United States*. Motion to advance for hearing immediately after No. 117 granted.

Nos. 493 and 494. The United States, appellant, *v. The Erie Railroad Company*. Motion to advance granted, and cases assigned for argument on Monday, January 4 next, after the cases heretofore assigned for that day.



No. 645. J. J. Brolan et al., plaintiffs in error, *v.* The United States. Motion to advance granted, and case assigned for argument on Monday, January 4 next, after the cases heretofore assigned for that day.

No. 682. Lucius E. Judson, as trustee, etc., petitioner, *v.* William A. Nash, as trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 689. Ogden M. Reid, petitioner, *v.* James C. Fargo, as president of the American Express Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 674. Mahlon Groo, petitioner, *v.* Charlotte Anita Whitney. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

---

No. 523. David Lamar, appellant, *v.* Maurice Splain, United States marshal, etc., et al. Motion to dismiss submitted by Mr. Solicitor General Davis for the appellees.

No. 647. Lieutenant Colonel Daniel C. Stearns, appellant, *v.* Brigadier General George H. Wood. Leave granted to file brief herein on behalf of the United States as amicus curiae, on motion of Mr. Solicitor General Davis in that behalf.

No. 547. Kansas City, Mexico & Orient Railway Company, plaintiff in error, *v.* The State of Texas. Motion to dismiss or affirm submitted by Mr. John W. Davis in behalf of Mr. B. F. Looney for the defendant in error in support of the motion, and by Mr. R. L. Batts, Mr. Herbert S. Garrett, and Mr. John A. Eaton for the plaintiff in error in opposition thereto.

No. 714. Porter L. Paylor, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Thomas C. Bradley and Mr. D. W. Baker for the petitioner.

No. 103. John H. Shellenbarger, plaintiff in error, *v.* William M. Fewell. Leave granted to Mr. Grant Foreman to file brief herein as amicus curiae, on motion of Mr. F. W. Clements in his behalf.

No. 708. Mary F. Rainey, as administratrix, etc., petitioner, *v.* W. R. Grace & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George H. Lamar in behalf of Mr. William H. Gorham for the petitioner.

No. 669. F. T. Rounds et al., plaintiffs in error, *v.* Cloverport Foundry & Machine Company. Motion to dismiss or affirm or place

on the summary docket and for damages submitted by Mr. Claude Mercer for the defendant in error in support of the motion, and by Mr. William T. Ellis for the plaintiffs in error in opposition thereto.

No. 711. Universal Film Manufacturing Company, petitioner, *v.* S. Copperman, doing business as Thalia Music Hall, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Waldo G. Morse for the petitioner, and by Mr. Samuel F. Frank for the respondent.

No. 699. W. H. Borden, petitioner, *v.* Arctic Lumber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. A. A. Birney in behalf of Mr. Joseph C. Campbell for the petitioner, and by Mr. James A. Kerr for the respondent.

No. 546. Louisville & Nashville Railroad Company, appellant, *v.* Laurence B. Finn et al., individually and as constituting the Railroad Commission of Kentucky et al. Motion to consider supplemental transcript of record on the hearing as part of the record herein submitted by Mr. Henry L. Stone, Mr. William A. Colston, and Mr. Edward S. Jouett for the appellant.

No. 476. The State of Washington on the relation of Grant Smith et al., copartners, etc., plaintiffs in error, *v.* the City of Seattle. Motion to dismiss or affirm submitted by Mr. Howard A. Hanson for the defendant in error in support of the motion, and by Mr. George Donworth, Mr. Harold Preston, and Mr. Elmer E. Todd for the plaintiffs in error in opposition thereto.

No. 99. Globe Bank & Trust Company, of Paducah, Ky., appellant, *v.* Arthur Y. Martin, trustee, etc.;

No. 100. First National Bank, of Paducah, Ky., appellant, *v.* Arthur Y. Martin, trustee, etc.; and

No. 101. Old State National Bank, of Evansville, Ind., appellant, *v.* Arthur Y. Martin, trustee, etc. Argument continued by Mr. W. F. Bradshaw, jr., and Mr. J. D. Mocquot for the appellee, and continued by Mr. D. H. Hughes for the appellants.

No. 102. John T. Reynolds, plaintiff in error, *v.* William M. Fewell; and

No. 103. John H. Shellenbarger, plaintiff in error, *v.* William M. Fewell. Argument commenced by Mr. William R. Lawrence for the plaintiff in error, and continued by Mr. Joseph C. Stone for the defendant in error.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, December 8, will be as follows: Nos. 102 (and 103), 104, 106, 107, 110, 450, 517, 358, 514, and 546.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 8, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice McReynolds.

Charles Noble Gregory, of Washington, D. C., was admitted to practice.

No. 102. John T. Reynolds, plaintiff in error, *v.* William M. Fewell; and

No. 103. John H. Shellenbarger, plaintiff in error, *v.* William M. Fewell. Argument continued by Mr. Joseph C. Stone for the defendant in error, and concluded by Mr. F. W. Clements for the plaintiffs in error.

No. 104. Maryland Steel Company of Baltimore County, appellant, *v.* The United States. Argued by Mr. Walter D. Davidge for the appellant, and by Mr. Assistant Attorney General Thompson for the appellee.

No. 106. Supreme Council of the Royal Arcanum et al., plaintiffs in error, *v.* Samuel Green. Argument commenced by Mr. Howard C. Wiggins for the plaintiff in error, and continued by Mr. F. J. Moissen for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 9, will be as follows: Nos. 106, 107, 110, 450, 517, 358, 514, 546, 552, and 591.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 9, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Arthur F. Smith, of Kansas City, Mo.; Francis D. Winston, of Windsor, N. C.; William F. Barry, of Cranston, R. I.; James Francis Burke, of Pittsburgh, Pa.; C. C. Howell, of Branford, Fla.; and Henry B. Walker, of Evansville, Ind., were admitted to practice.

No. 106. Supreme Council of the Royal Arcanum et al., plaintiffs in error, *v.* Samuel Green. Argument continued by Mr. F. J. Moissen for the defendant in error, and concluded by Mr. Howard C. Wiggin for the plaintiffs in error.

No. 107. Southern Railway Company, plaintiff in error, *v.* The Railroad Commission of Indiana. Argument commenced by Mr. John D. Wellman for the plaintiff in error, continued by Mr. Frank H. Hatfield for the defendant in error, and concluded by Mr. John D. Wellman for the plaintiff in error.

No. 110. Simon Lesser, plaintiff in error, *v.* James R. Gray. Submitted by Mr. Henry A. Alexander for the plaintiff in error and by Mr. Alex. C. King and Mr. Charles T. Hopkins for the defendant in error.

No. 450. The United States, appellant, *v.* Benjamin F. Jones, jr., as sole administrator, etc. Argued by Mr. Assistant Attorney General Thompson for the appellant and by Mr. Barry Mohun for the appellee.

No. 517. The United States, appellant, *v.* The Delaware, Lackawanna & Western Railroad Company et al. Argument commenced by Mr. Assistant to the Attorney General Todd for the appellant and continued by Mr. William S. Jenney for the railroad company.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 10, will be as follows: Nos. 517, 358, 514, 546, 552, 591, 441 (and 622), 369, 471 (and 472), and 507 (and 508).



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 10, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Theodore Megaarden, of New York City; John H. Brininga, of St. Louis, Mo.; Clarence S. Bather, of St. Louis, Mo.; Thomas A. Evans, of Memphis, Tenn.; Lester Thomas Hubbard, of Albany, N. Y.; William H. Fitzhugh, of Memphis, Tenn.; Hubert F. Fisher, of Memphis, Tenn.; and John Robert Brill, of Evansville, Ind., were admitted to practice.

No. 517. The United States, appellant, *v.* The Delaware, Lackawanna & Western Railroad Company et al. Argument continued by Mr. William S. Jenney for the railroad company, by Mr. John G. Johnson for the coal company, and concluded by Mr. Solicitor General Davis for the appellant.

No. 358. Martin Lawlor et al., plaintiffs in error, *v.* Dietrich E. Loewe et al., partners, etc. Argument commenced by Mr. Alton B. Parker for the plaintiffs in error, and continued by Mr. W. G. Merritt and Mr. Daniel Davenport for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 11, will be as follows: Nos. 358, 514, 546, 552, 591, 441 (and 622), 369, 471 (and 472), 507 (and 508), and 541.



# SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 11, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Herbert Cutler Brown, of Los Angeles, Cal., and Joseph Adolph Wortmann, of Dayton, Ohio, were admitted to practice.

No. 358. Martin Lawlor et al., plaintiffs in error, *v.* Dietrich E. Loewe et al., partners, etc. Argument continued by Mr. Daniel Davenport for the defendants in error and concluded by Mr. Alton B. Parker for the plaintiffs in error.

No. 514. Holman A. Drew, Sheriff of Coos County, State of New Hampshire, appellant, *v.* Harry Kendall Thaw. Argument commenced by Mr. William Travers Jerome for the appellant, continued by Mr. Franklin Kennedy for the appellant, and by Mr. P. C. Knox and Mr. W. A. Stone for the appellee, and concluded by Mr. William Travers Jerome for the appellant.

No. 546. Louisville & Nashville Railroad Company, appellant, *v.* Laurence B. Finn et al., individually and as constituting the Railroad Commission of Kentucky et al. Leave granted to file supplemental transcript without prejudice. Argument commenced by Edward S. Jouett for the appellant and continued by Mr. Edward W. Hines for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 14, will be as follows: Nos. 546, 552, 591, 441 (and 622), 369, 471 (and 472), 507 (and 508), 541, 580, and 647.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 14, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

A. Crawford Greene, of San Francisco, Cal.; W. P. Feazel, of Nashville, Ark.; and F. Bonar Hegarty, of Washington, D. C., were admitted to practice.

No. 357. Texas & Pacific Railway Company, plaintiff in error, *v.* Wyatt Jones Rosborough et al. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Texas. Opinion by Mr. Justice McReynolds.

No. 52. Martha Adkins, plaintiff in error, *v.* Henry C. Arnold and Jake F. Arnold. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 53. George Washington, plaintiff in error, *v.* Charles W. Miller. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 93. David Shapiro, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of Illinois. Dismissed for want of jurisdiction. Opinion by Mr. Justice Hughes.

No. 439. Samuel C. Scotten et al., appellants, *v.* Charles E. Littlefield, trustee for Albert O. Brown et al., bankrupts. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Day.

No. 209. Detroit & Mackinac Railway Company, appellant, *v.* Michigan Railroad Commission et al. Appeal from the District Court of the United States for the Eastern District of Michigan. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 430. Bridget McGovern, administratrix, etc., plaintiff in error, *v. Philadelphia & Reading Railway Company*. In error to the District Court of the United States for the Eastern District of Pennsylvania. Judgment reversed with costs, and cause remanded with directions to grant a new trial. Opinion by Mr. Justice McKenna.

No. 218. The Yazoo & Mississippi Valley Railroad Company, plaintiff in error, *v. Ada R. Wright*, administratrix, etc. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Tennessee. Opinion by Mr. Chief Justice White.

No. 92. Berwind-White Coal Mining Company, plaintiff in error, *v. Chicago & Erie Railroad Company*. In error to the Appellate Court, first district, State of Illinois. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 722. Lovell-McConnell Manufacturing Company, petitioner, *v. Automobile Supply Manufacturing Company*. Motion for leave to file petition for a writ of mandamus denied, and motion for leave to file petition for writ of certiorari granted, the record presented with the motion to stand as a return to said writ pursuant to a stipulation of counsel for the respective parties.

No. 722. Lovell-McConnell Manufacturing Company, petitioner, *v. Automobile Supply Manufacturing Company*. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Order reversed with costs, and cause remanded to the said Circuit Court of Appeals with directions to take such steps as may be necessary by recalling the mandate, if needs be, otherwise to afford the relief essential to give effect to the conclusions expressed in the opinion of this court. Opinion by Mr. Chief Justice White.

No. 589. Easterling Lumber Company et al., plaintiffs in error, *v. S. W. Pierce*. In error to the Supreme Court of the State of Mississippi. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

---

The Chief Justice also announced the following orders of the court:

No. 83. State of Missouri ex rel. St. Joseph Water Company, plaintiffs in error, *v. The City of Seattle*. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Thomas v. Iowa* (209 U. S., 258, 262, 263); *Bowe v. Scott* (233 U. S., 658, 663, 664); (2) *Kansas City Star Co. v. Julian* (215 U. S., 589); *Consolidated Turnpike v. Norfolk, etc., Ry.* (228 U. S., 326, 334); *City of Lewiston v. Chamberlain* (234 U. S., 751).



No. 476. The State of Washington ex rel. Grant Smith et al., plaintiffs in error, *v.* The City of Seattle. In error to the Supreme Court of the State of Washington. Per curiam: Dismissed for want of jurisdiction upon the authority of *Yazoo & Mississippi R'd Co. v. Adams* (180 U. S., 41, 44); *St. Paul Gas Light Co. v. St. Paul* (181 U. S., 142); *Cleveland & Pittsburgh R. R. Co. v. Cleveland* (235 U. S., —, decided Nov. 16, 1914).

No. 523. David Lamar, appellant, *v.* Maurice Splain, United States marshal, etc., et al. Appeal from the Court of Appeals of the District of Columbia. Per curiam: Dismissed for want of jurisdiction upon the authority of *Jones v. Montague* (194 U. S., 147); *Security Life Ins. Co. v. Pruwitt* (200 U. S., 446); *Richardson v. McChesney* (218 U. S., 487, 492).

No. 547. Kansas City, Mexico & Orient Railway Company, plaintiff in error, *v.* The State of Texas. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits.

No. 669. F. T. Rounds et al., plaintiffs in error, *v.* Cloverport Foundry & Machine Company. Ordered that this cause be placed on the summary docket.

No. 699. W. H. Borden, petitioner, *v.* Arctic Lumber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 708. Mary F. Rainey, as administratrix, etc., petitioner, *v.* W. R. Grace & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 711. Universal Film Manufacturing Company, petitioner, *v.* S. Copperman, doing business as Thalia Music Hall, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 714. Porter L. Paylor, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

---

The Chief Justice also announced that the court will take a recess from Monday, the 21st instant, to Monday, January 4 next.

---

No. 536. Chun Kim, appellant, *v.* Samuel W. Backus, Commissioner of Immigration, etc. Motion to dismiss or affirm submitted by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the appellee in support of the motion.

No. ——. George Eberling, appellant, *v.* Thomas W. Morgan, warden of the United States penitentiary. Motion for leave to

docket cause without payment of costs and prosecute case as a poor person submitted by Mr. W. P. Borland, in behalf of Mr. Franz E. Lindquist, for the appellant.

No. 626. Abram Rosenberger, plaintiff in error, *v.* Pacific Express Company. Motion to dismiss submitted by Mr. Isaac N. Watson and Mr. J. L. Minnis for the defendant in error in support of the motion, and by Mr. F. F. Rozzelle and Mr. Arthur F. Smith for the plaintiff in error in opposition thereto.

No. 676. Daniel A. McDougal, plaintiff in error, *v.* Edmond McKay et al. Motion to advance submitted by Mr. Preston C. West in behalf of Mr. Malcolm E. Rosser for the plaintiff in error.

No. 703. The New York Life Insurance Company, petitioner, *v.* Effie J. Gould Dunlevy. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John Spalding Flannery in behalf of Mr. James H. McIntosh and Mr. Edward J. McCutchen for the petitioner.

No. 501. Jones National Bank, plaintiff in error, *v.* Charles E. Yates et al.;

No. 502. Bank of Staplehurst, plaintiff in error, *v.* Charles E. Yates et al.;

No. 503. Utica Bank, plaintiff in error, *v.* Charles E. Yates et al.; and

No. 504. Thomas Bailey, plaintiff in error, *v.* Charles E. Yates et al. Motion to advance submitted by Mr. Joseph R. Webster in behalf of counsel.

No. 393. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* R. W. Glenn. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Frederick S. Tylor for the defendant in error in support of the motion, and by Mr. P. A. Willcox for the plaintiff in error in opposition thereto.

No. 366. Chan Kum, appellant, *v.* Samuel W. Backus, Commissioner of Immigration. Appeal from the District Court of the United States for the Northern District of California. Dismissed with costs, and mandate granted, on motion of counsel for the appellant.

No. 546. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Laurence B. Finn et al., etc. Argument continued by Mr. Edward W. Hines for the appellees, and concluded by Mr. William A. Colston for the appellant.

No. 552. The United States, plaintiff in error, *v.* Erie Railroad Company. Argued by Mr. Assistant Attorney General Wallace for the plaintiff in error, and by Mr. Rush Taggart for the defendant in error.

No. 591. Pennsylvania Company, appellant, *v.* The United States et al. Three counsel allowed to argue orally for the appellees, on motion of Mr. Solicitor General Davis for the appellees.

Argument commenced by Mr. Frederic D. McKenney for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 15, will be as follows: Nos. 591, 441 (and 622), 369, 471 (and 472), 507 (and 508), 541, 580, 647, 499, and 604.



# SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 15, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Isidore Beaudrias, of Yonkers, N. Y., and Charles Albert Se Legue, of Loganport, Ind., were admitted to practice.

No. 591. Pennsylvania Company, appellant, *v.* The United States et al. Leave granted to file a brief for the Interstate Commerce Commission, on motion of Mr. Charles W. Needham in that behalf.

No. 591. Pennsylvania Company, appellant, *v.* The United States et al. Argument continued by Mr. Frederic D. McKenney for the appellant, by Mr. William A. Glasgow, jr., for the Rochester, Buffalo and Pittsburgh Railway Company, by Mr. Charles W. Needham for the Interstate Commerce Commission, by Mr. Solicitor General Davis for the United States, and concluded by Mr. F. D. McKenney for the appellant.

No. 441. W. S. Tyler Company, appellant, *v.* Ludlow-Saylor Wire Company. Argued by Mr. C. C. Linthicum for the appellant, and submitted by Mr. James P. Dawson and Mr. William E. Garver for the appellee.

No. 622. W. S. Tyler Company, petitioner, *v.* Ludlow-Saylor Wire Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Anthony Usina for the petitioners and Mr. James P. Dawson for the respondent.

No. 369. Wilmington Transportation Company, plaintiff in error, *v.* Railroad Commission of California. Argument commenced by Mr. Edward E. Bacon for the plaintiff in error, and continued by Mr. Max Thelen for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 16, will be as follows: Nos. 369, 471 (and 472), 507 (and 508), 541, 580, 647, 499, 604, 496, 456 (and 457).



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 16, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Thomas C. Daggett, of St. Paul, Minn.; James Manahan, of Minneapolis, Minn.; Hollins N. Randolph, of Atlanta, Ga.; and Gales P. Moore, of Bristol, Conn., were admitted to practice.

No. 369. Wilmington Transportation Company, plaintiff in error, *v.* Railroad Commission of California. Argument continued by Mr. Max Thelen for the defendant in error and concluded by Mr. Edward E. Bacon for the defendant in error.

No. 471. George Burdick, plaintiff in error, *v.* The United States, and

No. 472. William L. Curtin, plaintiff in error, *v.* The United States. Argument commenced by Mr. Henry A. Wise for the plaintiffs in error, continued by Mr. Solicitor General Davis for the defendant in error, and concluded by Mr. Henry A. Wise for the plaintiffs in error.

No. 507. Frank C. Stettler, plaintiff in error, *v.* Edwin V. O'Hara et al., and

No. 508. Elmira Simpson, plaintiff in error, *v.* Edwin V. O'Hara et al. Argument commenced by Mr. Rome G. Brown for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 17, will be as follows: Nos. 507 (and 508), 541, 580, 647, 499, 604, 496, 456 (and 457), 597, and 598.

# SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 17, 1914.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

George S. Hobart, of Jersey City, N. J., and William Butler, of New York City, were admitted to practice.

No. 496. Geneva Furniture Manufacturing Company, appellant, *v.* S. Karpen & Brothers, etc., et al. Submitted by Mr. T. A. Banning and Mr. Samuel W. Banning for the appellant, and by Mr. Levy Mayer, Mr. Isaac H. Mayer, Mr. John H. Lee, and Mr. Philip C. Dyrenforth for the appellees.

No. 507. Frank C. Stottler, plaintiff in error, *v.* Edwin V. O'Hara et al.; and

No. 508. Elmira Simpson, plaintiff in error. *v.* Edwin V. O'Hara et al. Argument continued by Mr. A. M. Crawford and Mr. Louis D. Brandeis for the defendants in error, and concluded by Mr. C. W. Fulton for the plaintiffs in error.

No. 541. *The United States v. Sherman & Sons Company.* Argument commenced by Mr. Assistant Attorney General Warren for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 18, will be as follows: Nos. 541, 580, 647, 499, 604, 456 (and 457), 597, 598, 14, and 111.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 18, 1914.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

J. H. Barwise, jr., of Fort Worth, Tex.; Theodore C. Klotz, of Hammond, Ind.; William C. Crane, of New York City; and Ernest C. Carman, of Minneapolis, Minn., were admitted to practice.

No. 678. *The Greenleaf Johnson Lumber*, appellant, *v. Lindley M. Garrison, Secretary of War, et al.* Motion to advance submitted by Mr. Solicitor General Davis for the appellees in support of the motion, and by Mr. John L. Jeffries for the appellant in opposition thereto.

No. 111. *Marie Cardonnel*, appellant, *v. Samuel W. Backus, Commissioner of Immigration, etc.* Appeal from the District Court of the United States for the Northern District of California. Dismissed with costs, pursuant to the tenth rule.

No. 541. *The United States v. Sherman & Sons Company*. Argument continued by Mr. Thomas M. Lane and Mr. James M. Beck for *Sherman & Sons Company*, and concluded by Mr. Assistant Attorney General Warren for the United States.

No. 580. *The United States*, plaintiff in error, *v. The Erie Railroad Company*. Argument commenced by Mr. Assistant Attorney General Underwood for the plaintiff in error, continued by Mr. George S. Hobart and Mr. Gilbert Collins for the defendant in error, and concluded by Mr. Assistant Attorney General Underwood for the plaintiff in error.

No. 647. Lieutenant Colonel Daniel C. Stearns, appellant, *v. Brigadier General George H. Wood*. Argued by Mr. Hubert J. Turney for the appellee, and submitted by Mr. Harvey R. Keeler and Mr. Fred C. Geiger for the appellant.

It is ordered by the court that all the cases on the assignment for to-day not disposed of, viz, 499, 604, 456 (and 457), 597, 598, and 14. be, and they are hereby, reassigned for argument on Monday, January 4, next, at the head of the call for that day.

Adjourned until Monday next at 12 o'clock.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 21, 1914.

---

Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

James A. Smiser, of Columbia, Tenn.; Frank E. Dunbar, of Lowell, Mass.; Edgar J. Laner, of New York City; and August Kuhn, of New York City, were admitted to practice.

No. 59. William Sizemore et al., plaintiffs in error, *v.* Foil M. Brady. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 514. Holman A. Drew, sheriff of Coos County, State of New Hampshire, appellant, *v.* Harry Kendall Thaw. Appeal from the District Court of the United States for the District of New Hampshire. Final order reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

---

Mr. Justice McKenna announced the following orders of the court:

No. 501. Jones National Bank, plaintiff in error, *v.* Charles E. Yates et al.;

No. 502. Bank of Staplehurst, plaintiff in error, *v.* Charles E. Yates et al.;

No. 503. Utica Bank, plaintiff in error, *v.* Charles E. Yates et al.; and

No. 504. Thomas Bailey, plaintiff in error, *v.* Charles E. Yates et al. Motion to advance granted, and cases assigned for argument on Tuesday, February 23 next.

No. 676. Daniel A. McDougal, plaintiff in error, *v.* Edmond McKay et al. Motion to advance granted, and case assigned for argument on Tuesday, February 23 next, after the cases heretofore assigned for that day.



No. 678. The Greenleaf Johnson Lumber Company, appellant, *v.* Lindley M. Garrison, Secretary of War, et al. Motion to advance granted, and case assigned for argument on Tuesday, February 23 next, after the cases heretofore assigned for that day.

No. 393. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* R. W. Glenn. Motion to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 536. Chun Kim, appellant, *v.* Samuel W. Backus, Commissioner of Immigration, etc. Motion to dismiss or affirm denied without prejudice.

No. 626. Abram Rosenberger, plaintiff in error. *v.* Pacific Express Company. Motion to dismiss denied.

No. 703. New York Life Insurance Company, petitioner, *v.* Effie J. Gould Dunlevy. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

---

No. 111. Marie Cardonnel, appellant, *v.* Samuel W. Backus, Commissioner of Immigration, etc. Mandate granted, on motion of Mr. Solicitor General Davis for the appellee.

No. 732. E. I. du Pont de Nemours Powder Company, petitioner, *v.* William H. Schlottman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick de C. Faust and Mr. William H. Button for the petitioner, and by Mr. L. Laaffin Kellogg and Mr. Abram J. Rose for the respondent.

No. 728. Stanley Brown, petitioner, *v.* Pacific Coast Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles F. Consaul and Mr. Charles C. Heltman for the petitioner.

No. 733. Lehigh Valley Coal Company, petitioner, *v.* Stanislaw Yensavage. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles W. Pierson and Allan McCulloh for the petitioner, and by Mr. George C. Holt and Mr. Alvin C. Cass for the respondent.

No. 4, Original. The State of North Carolina, complainant, *v.* The State of Tennessee. Time within which to name commissioners herein extended for 60 days, on joint request of counsel and on motion of Mr. Frederick S. Tyler in their behalf.

No. 509. Seaboard Air Line Railway, plaintiff in error, *v.* Ella M. Thornton, as administratrix, etc. Motion to dismiss or affirm submitted by Mr. William N. Graydon for the defendant in error in

support of the motion, and by Mr. Joseph J. Darlington for the plaintiff in error in opposition thereto.

No. 559. Erie Railroad Company, plaintiff in error, *v.* Joseph Solomon. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Emil J. Anderson for the defendant in error in support of the motion, and by Mr. Cecil D. Hine for the plaintiff in error in opposition thereto.

Adjourned until Monday, January 4, 1915, at 12 o'clock.

The day call for Monday, January 4, will be as follows: Nos. 499, 604, 456 (and 457), 597, 598, 14, 630, 423, 628, 648, 493 (and 494), and 645.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 4, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

---

The Chief Justice said:

“Gentlemen of the bar: It is my painful duty to announce that since we last met the marshal of the court, Maj. Wright, has died. This day 27 years ago he entered upon the performance of his duties as marshal of this court, and from that time until a few hours ago, when he was called to his last account, with that modesty, simplicity, and honorable devotion to duty exhibited in so many instances by the children of that great school out of which he came—the Military Academy of West Point—he discharged the responsibilities resting upon him as the marshal of this court. In war and in peace he exemplified in his life a patient, simple, brave, single-minded, and devoted performance of public duty. Therefore, as a token of the affection we bore him and of the respect we had for him, we shall do nothing to-day but hear motions to admit and other motions and adjourn until to-morrow morning.”

---

Morrison Shafroth, of Denver, Colo.; James F. Laurence, of Sapulpa, Okla.; Herman M. Langworthy, of Kansas City, Mo.; Walter N. Seligsberg, of New York City; and Jacob Schechter, of New York City, were admitted to practice.

No. 739. The United States, petitioner, *v.* Mrs. Rudolph H. Theurer et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Davis for the petitioner and by Mr. Henry P. Dart for the respondents.

No. 93. David Shapiro, plaintiff in error, *v.* The United States of America. Mandate granted, on motion of Mr. Solicitor General Davis in behalf of opposing counsel.

No. 194. The United States ex rel. Edward L. Chott, plaintiff in error, *v.* Thomas Ewing, Commissioner of Patents, et al. Herbert

Wright substituted as a party defendant in error in the place of A. G. Wilkinson, on motion of Mr. Solicitor General Davis in behalf of counsel for the plaintiff in error.

No. 730. James J. Fletcher et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals for the District of Columbia submitted by Mr. James A. O'Shea and Mr. Henry E. Davis for the petitioners, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 750. David P. Clark, petitioner, *v.* The Schieble Toy & Novelty Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Melville Church and Mr. H. A. Toulmin for the petitioner, and by Mr. William R. Wood for the respondent.

No. 704. Farmers & Mechanics' National Bank of Philadelphia *v.* Ridge Avenue Bank et al. Motion for a writ of certiorari to bring up the whole record and cause submitted by Mr. J. Frank Staley and Mr. John F. Lewis for the Farmers & Mechanics' National Bank of Philadelphia.

No. 280. Louisville & Nashville Railroad Company, appellant, *v.* The United States et al. Motion to advance submitted by Mr. William A. Colston for the appellant.

No. 673. Louisville & Nashville Railroad Company et al., appellants, *v.* The United States et al. Motion to advance submitted by Mr. William A. Colston for the appellants.

No. 721. Charles C. Moore et al., petitioners, *v.* F. L. Donahoo et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Evans Browne, Mr. E. J. McCutchen, Mr. Alexander Britton, Mr. A. Crawford Greene, and Mr. F. W. Clements for the petitioners, and by Mr. Jeremiah F. Sullivan for the respondents.

No. 717. The Denver Chemical Manufacturing Company, petitioner, *v.* Thomas Lilley et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Henry D. Estabrook for the petitioner.

No. 648. Joplin Mercantile Company et al., petitioners, *v.* The United States. Leave granted to Mr. C. B. Stuart, Mr. A. C. Cruce, and Mr. M. K. Cruce to file a brief herein as amici curiæ on motion of Mr. J. W. Bailey in their behalf.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 5, will be as follows: Nos. 499, 604, 456 (and 457), 597, 598, 14, 630, 423, 628, 648, 493 (and 494), and 645.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 5, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

McCawley Baird, of Olney, Ill.; Archibald R. Tisdale, of Boston, Mass.; R. S. Rowland, of Olney, Ill.; Bruce A. Campbell, of East St. Louis, Ill.; R. P. Hill, of Marion, Ill.; Rudolph W. Lotz, of Chicago, Ill.; and James W. Freeman, of Great Falls, Mont., were admitted to practice.

No. 77. John T. Hendrick, plaintiff in error, *v.* The State of Maryland. In error to the Circuit Court of Prince Georges County, State of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 516. Norfolk & Western Railway Company, plaintiff in error, *v.* Sarah E. Holbrook, administratrix, etc. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Western District of Virginia for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice McKenna, Mr. Justice Day, and Mr. Justice Hughes.

No. 546. Louisville & Nashville Railroad Company, appellant, *v.* Laurence B. Finn et al. Appeal from the District Court of the United States for the Eastern District of Kentucky. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 68. Edwin J. Mercelis et al., appellants, *v.* John A. Wilson et al. Appeal from the District Court of the United States for Porto Rico. Decree affirmed with costs. Opinion by Mr. Justice Lamar.

No. 78. James M. Hull, jr., trustee, *v.* Mrs. M. J. Dicks. On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit. Question certified answered in the affirmative. Opinion by Mr. Justice Lamar.

No. 454. John A. S. Brown et al., appellants, *v.* Austin B. Fletcher, etc., et al.; and

No. 455. The Provident Life & Trust Company et al., appellants, *v.* Austin B. Fletcher, etc., et al. Appeals from the District Court of the United States for the Southern District of New York. Decrees reversed with costs, and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 28. The South Covington & Cincinnati Street Railway Company, plaintiff in error, *v.* City of Covington et al. In error to the Court of Appeals of the State of Kentucky. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 62. The People of the State of New York ex rel. Cornell Steamboat Company, plaintiff in error, *v.* William H. Sohmer, as comptroller of the State of New York. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 97. Henry A. Gilbert, administrator, etc., plaintiff in error, *v.* Emma S. David, administratrix, etc., et al. In error to the District Court of the United States for the District of Connecticut. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 511. The Jeffrey Manufacturing Company, plaintiff in error, *v.* Harry O. Blagg, by Joseph M. Downing, his next friend. In error to the Supreme Court of the State of Ohio. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 358. Martin Lawlor et al., plaintiffs in error, *v.* Dietrich E. Loewe et al. In error to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the District of Connecticut. Opinion by Mr. Justice Holmes.

No. 381. J. D. Lankford et al., etc., appellants, *v.* Platte Iron Works Company. Appeal from the District Court of the United States for the Western District of Oklahoma. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Pitney, Mr. Justice Day, Mr. Justice Van Devanter, and Mr. Justice Lamar.

No. 418. American Water Softener Company, appellant, *v.* J. D. Lankford et al. etc. Appeal from the District Court of the United States for the Eastern District of Oklahoma. Decree affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Pitney, Mr. Justice Day, Mr. Justice Van Devanter, and Mr. Justice Lamar.

No. 446. W. S. Farish, appellant, *v.* State Banking Board of the State of Oklahoma et al.; and

No. 447. State Banking Board of the State of Oklahoma et al., appellants, *v.* W. S. Farish. Appeals from the District Court of the United States for the Eastern District of Oklahoma. Decree affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting in No. 446: Mr. Justice Pitney, Mr. Justice Day, Mr. Justice Van Devanter, and Mr. Justice Lamar. Mr. Justice Pitney, Mr. Justice Day, Mr. Justice Van Devanter, and Mr. Justice Lamar concur in the result in No. 447.

No. 104. Maryland Steel Company of Baltimore County, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and cause remanded with direction to dismiss the counter petition of the Government and to enter judgment for the appellant in the amount claimed by it. Opinion by Mr. Justice McKenna. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 552. The United States, plaintiff in error, *v.* Erie Railroad Company. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice McKenna.

---

The Chief Justice announced the following orders of the court:

No. 736. George Ebeling, appellant, *v.* Thomas W. Morgan, warden, etc. Motion for leave to proceed in forma pauperis granted.

No. 509. Seaboard Air Line Railway, plaintiff in error, *v.* Ella M. Thornton, as administratrix, etc.; and

No. 559. Erie Railroad Company, plaintiff in error, *v.* Joseph Solomon. Ordered that these cases be placed on the summary docket.

No. 728. Stanley Brown, petitioner, *v.* Pacific Coast Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 732. E. I. du Pont de Nemours Powder Company, petitioner, *v.* William H. Schlottman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 733. Lehigh Valley Coal Company, petitioner, *v.* Stanislaw Yensavage. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

*Order.*—It is ordered by the court that Frank K. Green be, and he is hereby, appointed marshal of this court in the place of John Montgomery Wright, deceased.

No. 754. Emerson & Norris Company, petitioner, *v.* Simpson Brothers Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. L. S. Bacon in behalf of Mr. R. A. Parker for the petitioner, and by Mr. F. L. Emery for the respondent.

No. 456. Mutual Film Corporation, appellant, *v.* The Industrial Commission of Ohio et al.; and

No. 457. The Mutual Film Company, appellant, *v.* The Industrial Commission of Ohio. Leave granted to file brief of the Universal Film Manufacturing Company as amicus curiae, on motion of Mr. Jacob Schechter in that behalf.

No. 178. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* H. Aton Piano Company. In error to the Circuit Court of Sauk County, State of Wisconsin. Dismissed, on motion of counsel for the plaintiff in error.

No. 179. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Charles G. Uber et al. In error to the Supreme Court of the State of Wisconsin. Dismissed, on motion of counsel for the plaintiff in error.

No. 645. J. J. Borden et al., plaintiffs in error *v.* The United States. Submitted by Mr. Edward M. Cleary and Mr. John L. McNab for the plaintiffs in error, and by Mr. Assistant Attorney General Warren for the defendant in error.

No. 499. The United States of America by James C. McReynolds, Attorney General of the United States, plaintiff in error and appellant, *v.* the Louisville & Nashville Railroad Company. Argument commenced by Mr. Solicitor General Davis for the plaintiff in error and appellant, continued by Mr. Helm Bruce for the defendant in error and appellee, and continued by Mr. Joseph W. Folk for the plaintiff in error and appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 6, will be as follows: Nos. 499, 604, 456 (and 457), 597, 598, 14, 630, 423, 628, 648, 493 (and 494).





## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 6, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

Robert H. Cook, of Saginaw, Mich.; Elmer Ray Jones, of Los Angeles, Cal.; Max Fullmore Goldstein, of Atlanta, Ga.; George Yarbrough Harrell, of Lumpkin, Ga.; Russell Lord Tarbox, of New York City; and Frank W. Taft, of San Francisco, Cal., were admitted to practice.

No. 176. Philadelphia & Reading Railway Company, plaintiff in error, v. J. Goldman. In error to the Court of Law and Chancery of the city of Norfolk, State of Virginia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 499. The United States of America, by James C. McReynolds, Attorney General of the United States, plaintiff in error and appellant, v. Louisville & Nashville Railroad Company. Argument concluded by Mr. Joseph W. Folk for the plaintiff in error and appellant.

No. 604. David Yost v. Dallas County. Argument commenced by Mr. Harry J. Cantwell for David Yost, continued by Mr. John S. Haymes for Dallas County, and concluded by Mr. Harry J. Cantwell for David Yost.

No. 456. Mutual Film Corporation, appellant, v. The Industrial Commission of Ohio et al.;

No. 457. The Mutual Film Company, appellant, v. The Industrial Commission of Ohio et al.; and

No. 597. The Mutual Film Corporation of Missouri, appellant, v. George H. Hodges, governor, et al. Argument commenced by Mr. William B. Sanders for the appellants, and continued by Mr. Robert M. Morgan for the appellees in Nos. 456 and 457, and by Mr. Walter N. Seligsberg for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 7, will be as follows: Nos. 456 (and 457 and 597), 598, 14, 630, 423, 628, 648, 493 (and 494), 112 (and 362 and 363), and 113.



# SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 7, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

H. C. Carter, of San Antonio, Tex., and R. F. Whitehead, of Washington, D. C., were admitted to practice.

No. 113. Vicksburg Water Works Company, plaintiff in error, *v.* E. Ford. In error to the Supreme Court of the State of Mississippi. Dismissed with costs, pursuant to the tenth rule.

No. 456. Mutual Film Corporation, appellant, *v.* the Industrial Commission of Ohio et al.;

No. 457. The Mutual Film Company, appellant, *v.* the Industrial Commission of Ohio et al.; and

No. 597. The Mutual Film Corporation of Missouri, appellant, *v.* George H. Hodges, governor, et al. Argument concluded by Mr. Walter N. Seligsberg for the appellants.

No. 598. The United States, plaintiff in error, *v.* Luther Jerome Smull. Argued by Mr. Assistant Attorney General Knaebel for the plaintiff in error. No appearance for the defendant in error.

No. 14. The George N. Pierce Company, petitioner, *v.* Wells, Fargo & Company. Reargued by Mr. Alfred L. Becker for the petitioner and by Mr. Charles W. Pierson for the respondent.

No. 630. The United States, petitioner, *v.* C., B. & Q. R. R. Co. Argument commenced by Mr. Assistant Attorney General Underwood for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 8, will be as follows: Nos. 630, 423, 628, 648, 493 (and 494), 112 (and 362 and 363), 117, 331 (and 616), 118, and 120.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 8, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

James Graden Skinner, of Chicago, Ill.; Louis Quarles, of Milwaukee, Wis.; William Ryan, of Madison, Wis.; Theo. W. Brazeau, of Grand Rapids, Mich.; and Charles H. McDonald, of Wittenberg, Wis.; were admitted to practice.

No. 104. Maryland Steel Company of Baltimore County, appellant, *v.* The United States. Mandate granted on motion of Mr. W. D. Davidge for the appellant.

No. 630. The United States, petitioner, *v.* Chicago, Burlington & Quincy R. R. Co. Argument continued by Mr. Assistant Attorney General Underwood for the petitioner and by Mr. H. M. Langworthy for the respondent, and concluded by Mr. Assistant Attorney General Underwood for the petitioner.

No. 423. Illinois Central Railroad Company, appellant, *v.* C. L. De Fuentes et al., etc. Argument commenced by Mr. Blewett Lee for the appellant, continued by Mr. Wylie M. Barrow for the appellees, and concluded by Mr. Blewett Lee for the appellant.

No. 628. The United States, plaintiff in error, *v.* Clara Holte. Argued by Mr. Assistant Attorney General Wallace for the plaintiff in error. No appearance for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 11, will be as follows: Nos. 648, 493 (and 494), 112 (and 362 and 363), 117, 331 (and 616), 118, 120, 121 (and 122), 123, and 124.



## SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 11, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

A. W. Lafferty, of Portland, Oreg.; Frank G. Mirick, of Pueblo, Colo.; John F. Neal, of Boston, Mass.; Charles Arthur Barnard, of Washington, D. C.; Evan Shelby, of New York City; and Robert Tombs Neill, of El Paso, Tex., were admitted to practice.

No. 347. The Arizona & New Mexico Railway Company, plaintiff in error, *v.* Thomas P. Clark. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the District of Arizona. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Hughes and Mr. Justice Day.

No. 27. Wadley Southern Railway Company, plaintiff in error, *v.* The State of Georgia. In error to the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 6. Dowagiac Manufacturing Company, petitioner, *v.* Minnesota Moline Plow Company et al.; and

No. 7. Dowagiac Manufacturing Company, petitioner, *v.* Ernest F. Smith et al. On writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decrees reversed without costs and causes remanded to the District Court of the United States for the District of Minnesota, with directions to recommit the cases to a master in order that the questions involved in the original reference may be heard anew upon the evidence heretofore taken, and such further evidence as may be submitted, and for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter. (Mr. Justice McReynolds did not participate in the consideration or decision of these cases.)

No. 79. G. W. Wathen, appellant, *v.* Jackson Oil & Refining Company. Appeal from District Court of the United States for the Southern District of Mississippi. Decree affirmed with costs. Opinion by Mr. Justice Hughes.

The Chief Justice announced the following orders of the court:

No. 280. Louisville & Nashville Railroad Company, appellant, *v.* The United States et al.; and

No. 673. Louisville & Nashville Railroad Company et al., appellants, *v.* The United States et al. Motions to advance granted, and causes assigned for argument on Tuesday, February 23d next, after the cases heretofore assigned for that day.

No. 704. Farmers & Mechanics National Bank, of Philadelphia, *v.* Ridge Avenue Bank et al. Motion for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit to bring up whole record denied.

No. 717. The Denver Chemical Manufacturing Company, petitioner, *v.* Thomas Lilley et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 721. Charles C. Moore et al., petitioners, *v.* F. L. Donahoo et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 730. James J. Fletcher et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 739. The United States, petitioner, *v.* Mrs. Rudolph H. Theurer et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 750. David P. Clark, petitioner, *v.* The Schieble Toy & Novelty Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 754. Emerson & Norris Company, petitioner, *v.* Simpson Brothers Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

---

No. 133. The United States, plaintiff in error, *v.* The Hiawassee Lumber Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General Davis for the plaintiff in error.

No. 331. The United States, plaintiff in error, *v.* Frederick W. Hvoslef et al., etc. Leave granted to file brief herein as amicus curiae, on motion of Mr. Simon Lyon in that behalf.

Nos. 493 and 494. The United States, appellant, *v.* Erie Railroad Company. Leave granted to file brief on behalf of the Interstate Commerce Commission within two days, on motion of Mr. Joseph W. Folk in that behalf.

No. 595. W. V. Tanner, as attorney general of the State of Washington at al., appellants, *v.* John T. Little et al.; and

No. 618. F. S. Pitney, plaintiff in error, *v.* The State of Washington. Motions to advance for hearing with No. 318 submitted by Mr. Blackburn Esterline in behalf of counsel.

No. 755. Alaska Gastineau Mining Company, petitioner, *v.* Alaska Treadwell Gold Mining Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. C. Carpenter in behalf of Mr. K. R. Babbitt, Mr. Lewis P. Shackelford, and Mr. Albert Fink for the petitioner, and by Mr. Curtis H. Lindley, Mr. Henry Eickhoff, and Mr. Harvey M. Friend for the respondents.

No. 725. Charles E. Houston et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Evans Browne, Mr. S. H. Piles, Mr. James B. Howe, Mr. Wickliffe B. Stratton, Mr. Alexander Britton, and Mr. Francis W. Clements for the petitioners, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 594. George D. Collins, appellant, *v.* James A. Johnston, warden of the State prison of the State of California at San Quentin, etc. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of the appellant.

No. 761. Trenton Oil Cloth & Linoleum Company, petitioner, *v.* Henry W. Munroe et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Russell Lord Tarbox for the petitioner and by Mr. Sol. M. Stroock for the respondents.

No. 310. T. U. Vaughn, plaintiff in error, *v.* The State of South Carolina. Motion for leave to proceed in forma pauperis submitted by Mr. John C. Gittings in behalf of counsel for the plaintiff in error.

No. 123. Twin City Separator Company et al., plaintiffs in error, *v.* Chicago, Milwaukee & St. Paul Railway Company et al. In error to the Supreme Court of the State of Minnesota. Dismissed with costs pursuant to the tenth rule.

No. 710. Seaboard Air Line Railway, plaintiff in error, *v.* Clara V. Padgett, administratrix, etc. Motion to dismiss or affirm or place on the summary docket submitted by Mr. W. Boyd Evans for the defendant in error in support of the motion and by Mr. Jo-Berry S. Lyles for the plaintiff in error in opposition thereto.

No. 648. Joplin Mercantile Company et al., petitioners, *v.* The United States. Argued by Mr. Paul A. Ewert for the petitioners and by Mr. Assistant Attorney General Wallace for the respondent.

Nos. 493 and 494. The United States, plaintiff in error, *v.* Erie Railroad Company. Argument commenced by Mr. Assistant to the Attorney General Todd for the plaintiff in error and continued by Mr. George F. Brownell for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 12, will be as follows: Nos. 493 (and 494), 112 (and 362 and 363), 117, 331 (and 616), 118, 120, 121 (and 122), 124, 80, and 125.

○

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 12, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Carlyle Shelly Littleton, of Chattanooga, Tenn.; William Thomas White, of Birmingham, Ala.; Frank Shelly White, jr., of Birmingham, Ala.; and W. B. Price, of Forest, Ohio, were admitted to practice.

No. 127. The United States of America, appellant, *v.* Charles F. Noble et al. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Charles A. Keigwin, in behalf of counsel for the appellees.

Nos. 493 and 494. The United States, appellant, *v.* Erie Railroad Company. Argument continued by Mr. George F. Brownell, for the appellee, and concluded by Mr. Assistant to the Attorney General Todd, for the appellant.

No. 112. F. A. Miller, plaintiff in error, *v.* F. P. Wilson, sheriff, etc.; and

Nos. 362 and 363. William B. Bosley et al., trustees, etc., et al., appellants, *v.* John P. McLaughlin, labor commissioner of the State of California, et al. Argument commenced by Mr. J. F. Bowie, for the appellants in Nos. 362 and 363, continued by Mr. William Denman and Mr. Louis D. Brandeis, for the defendants in error and appellees, and concluded by Mr. J. F. Bowie, for the appellants in Nos. 362 and 363, and case No. 112 submitted on brief by Mr. Frank P. Flint and Mr. Henry S. Van Dyke, for the plaintiff in error.

No. 117. The United States, plaintiff in error, *v.* Emery, Bird, Thayer Realty Company. Argument commenced by Mr. Solicitor General Davis, for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 13, will be as follows: Nos. 117, 331 (and 616), 118, 120, 121 (and 122), 124, 80, 125, 126, and 129.





## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 13, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

James H. Duffy, of Boston, Mass., was admitted to practice.

No. 117. The United States, plaintiff in error, *v.* Emery, Bird, Thayer Realty Company. Arguments continued by Mr. Solicitor General Davis for the plaintiff in error, by Mr. Albert R. Strother for the defendant in error, and concluded by Mr. Solicitor General Davis for the plaintiff in error.

No. 331. The United States, plaintiff in error, *v.* Frederick W. Hvoslef et al., etc. Argued by Mr. Solicitor General Davis for the plaintiff in error, and by Mr. Everett P. Wheeler for the defendant in error.

No. 616. The Thames & Mercey Marine Insurance Company, Ltd., plaintiff in error, *v.* The United States. Argued by Mr. Everett P. Wheeler for the plaintiff in error, and by Mr. Solicitor General Davis for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 14, will be as follows: Nos. 118, 120, 121 (and 122), 124, 80, 125, 126, 129, 130, and 131.



# SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 14, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Abraham H. Weinstein, of Boston, Mass.; William R. Gentry, of St. Louis, Mo.; George Safford, of St. Louis, Mo.; and Charles W. Scrutchin, of Bemidji, Minn., were admitted to practice.

No. 568. The Chicago & Alton Railroad Company, appellant, *v.* The United States. Motion to advance submitted by Mr. Benjamin Carter for the appellant.

No. 131. Eliza K. Sneed, plaintiff in error, *v.* John S. Sneed. In error to the Superior Court of Cochise County, State of Arizona. Dismissed with costs, pursuant to the tenth rule.

No. 118. Illinois Central Railroad Company, plaintiff in error, *v.* Mulberry Hill Coal Company. Argued by Mr. Blewett Lee for the plaintiff in error, and submitted by Mr. Fred B. Merrills for the defendant in error.

No. 120. James H. Duffy, appellant, *v.* William Charak, trustee, etc. Argument commenced by Mr. James H. Duffy pro se, continued by Mr. William Charak for the appellee, and concluded by Mr. James H. Duffy pro se.

No. 121. Paul Heyman et al., etc., plaintiffs in error, *v.* W. P. Hays, county clerk, etc., et al.; and

No. 122. Southern Operating Company et al., plaintiffs in error, *v.* W. P. Hays, county clerk, etc., et al. Argument commenced by Mr. C. S. Littleton for the plaintiffs in error, and continued by Mr. Frank M. Thompson and Mr. J. B. Sizer for the defendant in error, and concluded by Mr. J. J. Lynch for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 15, will be as follows: Nos. 124, 80, 125, 126, 129, 130, 132, 134, 135, and 136.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 15, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

William W. Arnold, of Robinson, Ill., was admitted to practice.

No. 132. The City of Monroe, plaintiff in error, *v.* The State of Louisiana *ex rel.* the Parish Board of School Directors of the Parish of Ouachita, La. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. H. Garland Dupré in behalf of counsel for the plaintiff in error.

No. 124. The A. J. Phillips Company, plaintiff in error, *v.* Grand Trunk Western Railway Company *et al.* Argument commenced by Mr. Edward H. S. Martin for the plaintiff in error, continued by Mr. L. C. Stanley for the defendants in error, and concluded by Mr. George M. Stephen for the plaintiff in error.

No. 125. The United States, plaintiff in error, *v.* The United States Fidelity & Guaranty Company of Baltimore, Md., *et al.* Argued by Mr. Solicitor General Davis for the plaintiff in error and by Mr. J. Kemp Bartlett for the defendants in error.

No. 126. The Board of County Commissioners of the City and County of Denver, petitioner, *v.* The Home Savings Bank. Argued by Mr. Charles R. Brock for the petitioner and by Mr. John M. Zane for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 18, will be as follows: Nos. 80, 129, 130, 134, 135, 136, 138, 139, 140, and 141.



## SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 18, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Horace Henry White, of Alexandria, La.; John Gillespie Jackson, of New York City; J. Howell Green, of Atlanta, Ga.; Albert L. Roper, of Norfolk, Va.; Gustave Jones, of Newport, Ark.; and Alexander W. Smith, jr., of Atlanta, Ga., were admitted to practice.

No. 110. Simon Lesser, plaintiff in error, *v.* James R. Gray. In error to the Court of Appeals of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 647. Lieutenant Colonel Daniel C. Stearns, appellant, *v.* Brigadier General George H. Wood. Appeal from the District Court of the United States for the Northern District of Ohio. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 102. John T. Reynolds, plaintiff in error, *v.* William M. Fewell. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 103. John H. Shellenbarger, plaintiff in error, *v.* William M. Fewell. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 604. Davis Yost *v.* Dallas County. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit. Questions certified answered in the negative. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna and Mr. Justice Pitney.

No. ——. Robert D. Kinney, plaintiff in error, *v.* Plymouth Rock Squab Company. Motion for leave to proceed in forma pauperis denied. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. 568. Chicago & Alton Railroad Company, appellant, *v.* The United States. Motion to advance granted, and case assigned for

argument on Tuesday, February 23d next, after the cases heretofore assigned for that day.

No. 594. George D. Collins, appellant, *v.* James A. Johnston, Warden, etc. Motion to advance granted, and cause assigned for argument on Tuesday, February 23d next, after the cases heretofore assigned for that day.

No. 595. W. V. Tanner, as Attorney General, etc., et al., appellants, *v.* John T. Little et al.; and

No. 618. F. S. Pitney, plaintiff in error, *v.* The State of Washington. Motion to advance for hearing with No. 318 granted.

No. 710. Seaboard Air Line Railway, plaintiff in error, *v.* Clara V. Padgett, administratrix, etc. Ordered placed on the summary docket.

No. 725. Charles E. Houston et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 755. Alaska Gastineau Mining Company, petitioner, *v.* Alaska Treadwell Gold Mining Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 761. The Trenton Oil Cloth & Linoleum Company, petitioner, *v.* Henry W. Munroe et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 705. Charles M. McMahon et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James Scarlet and Mr. William E. Mason for the petitioners and by Mr. Solicitor General Davis for the respondent.

No. 752. The Ford Motor Company, petitioner, *v.* Daniel Donaldson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Francis V. S. Oliver, jr., in behalf of Mr. William Butler for the petitioner and by Mr. George F. Hickey for the respondent.

No. 632. W. H. Sawyer et al., appellants, *v.* Raymond S. Gray et al. Motion to advance submitted by Mr. Evans Browne for the appellants.

Nos. 770 & 771. Max Schaeffer, trading as Max Schaeffer Company, petitioner *v.* Otis A. Mygatt et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Evans Browne in behalf of Mr. Philip C. Dyrenforth, Mr. John H. Lee, and Mr. Hillary C. Messimer for the petitioner, and by Mr. Howard Taylor for the respondents.

No. 767. Actiesselskabet Ingrid, as owner, etc., et al., petitioners, *v.* The Central Railroad Company of New Jersey et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. G. B. Craighill in behalf of Mr. J. Parker Kirlin and Mr. John M. Woolsey for the petitioners, and by Mr. Robert Thorne, Mr. Charles E. Miller, Mr. William H. Button, and Mr. J. P. Laffey for the respondents.

No. 753. Susie A. Tyrrell, as administratrix of the estate of Conrad E. Tyrrell, deceased, petitioner, *v.* The District of Columbia. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Levi H. David and Mr. Alexander Wolf for the petitioner, and by Mr. Conrad H. Syme for the respondent.

No. 715. Ramapo Water Company, appellant, *v.* The City of New York et al. Motion to advance submitted by Mr. Carroll G. Walter for the appellant.

No. 747. Norfolk Sand & Gravel Corporation, petitioner, *v.* Ohio Locomotive Crane Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit, submitted by Mr. Frank S. Bright, in behalf of Mr. Thomas W. Shelton for the petitioner, and by Mr. William H. White, jr., for the respondent.

No. 139. Glenn Knapp, plaintiff in error, *v.* Alexander-Edgar Lumber Company. Submitted by Mr. H. H. Grace for the plaintiff in error, and by Mr. C. B. Bird and Mr. M. B. Rosenberry for the defendant in error.

No. 80. R. P. Williams et al. *v.* United States Fidelity & Guaranty Company. Argument commenced by Mr. J. Howell Green for the plaintiff in error, continued by Mr. Alex. W. Smith, jr., for the defendant in error, and concluded by Mr. Alex. C. King for the plaintiff in error.

No. 129. The People of the State of New York ex rel. Interborough Rapid Transit Company, plaintiff in error, *v.* William Sohmer, comptroller of the State of New York. Argument commenced by Mr. George W. Wickersham for the plaintiff in error, and continued by Mr. Franklin Kennedy for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 19, will be as follows: Nos. 129, 130, 134, 135, 136, 138, 140, 141, 142, and 143.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 19, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Hardie B. Walmsley, of New York City; Henry H. Chaffe, of New Orleans, La.; A. E. Dempsey, of Leavenworth, Kans.; and Union C. De Ford, of Youngstown, Ohio, were admitted to practice.

No. 134. Jay Fox, plaintiff in error, *v.* The State of Washington. Leave granted to counsel for defendant in error to file brief herein within five days, on motion of Mr. W. L. Jones in behalf of counsel.

No. 775. Leo M. Frank, appellant, *v.* C. Wheeler Mangum, sheriff of Fulton County, Ga. Supersedeas order entered, on motion of Mr. Fulton Brylawski in behalf of counsel for the appellant.

No. 143. John B. Gleason, petitioner, *v.* Harry K. Thaw. Submitted by Mr. John B. Gleason, pro se, and by Mr. William A. Stone for the respondent.

No. 129. The People of the State of New York ex rel. Interborough Rapid Transit Company, plaintiff in error, *v.* William Sohmer, comptroller of the State of New York. Argument continued by Mr. Franklin Kennedy for the defendant in error, and concluded by Mr. Ralph Norton for the plaintiff in error.

No. 130. Iowa Central Railway Company, plaintiff in error, *v.* L. M. Bacon, administrator, etc. Submitted by Mr. William H. Bremner and F. M. Miner for the plaintiff in error, and by Mr. E. Elmer Mitchell for the defendant in error.

No. 134. Jay Fox, plaintiff in error, *v.* The State of Washington. Submitted by Mr. Gilbert E. Roe for the plaintiff in error, and by Mr. W. V. Tanner for the defendant in error.

No. 135. Wilson Cypress Company, appellant, *v.* Enrique del Pozo y Marcos et al. Argument commenced by Mr. John C. Cooper for the appellant, and concluded by Mr. William W. Dewhurst for the appellees.

No. 136. Grant Timber & Manufacturing Company, plaintiff in error, *v.* George W. Gray. Argument commenced by Mr. Horace H. White for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 20, will be as follows: Nos. 136, 138, 140, 141, 142, 144, 145, 146, 147, and 148.





## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 20, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Wilbur F. Earp, of New York City, was admitted to practice.

No. 147. Toledo, St. Louis & Western Railroad Company, plaintiff in error, *v.* Otto E. Slavin. Submitted by Mr. Clarence Brown for the plaintiff in error, with leave to counsel for the defendant in error to file brief within five days.

No. 136. Grant Timber & Manufacturing Company, plaintiff in error, *v.* George W. Gray. Argument concluded by Mr. Horace H. White for the plaintiff in error, and submitted by Mr. Patrick H. Loughran for the defendant in error.

No. 138. American Car & Foundry Company, plaintiff in error, *v.* Agnes Kettelhake. Argued by Mr. William R. Gentry for the plaintiff in error and by Mr. George Safford for the defendant in error.

No. 140. Henry L. Coe, plaintiff in error, *v.* Armour Fertilizer Works. Submitted by Mr. W. A. Carter for the plaintiff in error and by Mr. O. K. Reaves for the defendant in error.

No. 141. Elisa Gallardy y Seary et al., appellants, *v.* James R. Noble et al. Argued by Mr. Frederic R. Coudert for the appellants and by Mr. N. B. K. Pettingill for the appellees.

No. 142. Henry Henkel et al., plaintiffs in error, *v.* The United States. Argument commenced by Mr. Thomas J. Walsh for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 21, will be as follows: Nos. 142, 144, 145, 146, 148, 149, 150, 151 (and 152, 154, 155, and 156), 153, and 157.



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 21, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Harry H. Parsons, of Missoula, Mont., and Leo P. Harlow, of Washington, D. C., were admitted to practice.

No. 142. Henry Henkel et al., plaintiffs in error, *v.* The United States. Argument continued by Mr. Thomas J. Walsh for the plaintiffs in error, by Mr. Assistant Attorney General Wallace for the defendant in error, and concluded by Mr. Thomas J. Walsh for the plaintiffs in error.

No. 144. Washington, Alexander & Mount Vernon Railway Company, plaintiff in error, *v.* Edward A. Downey. Argument commenced by Mr. John S. Barbour for the plaintiff in error and continued by Mr. Edmund Burke for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 22, will be as follows: Nos. 144, 145, 146, 148, 149, 150, 151 (and 152, 154, 155, and 156), 153, 157, and 158.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 22, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Cornelius W. Pendleton, jr., of Los Angeles, Cal.; Henry S. Dotenheim, of New York City; and Cornelius A. Boyd, of Ogden, Utah, were admitted to practice.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Supplemental report of commissioner presented and ordered to be filed, on motion of Mr. Charles E. Littlefield, the commissioner.

No. 153. Louis Reinman et al., plaintiffs in error, *v.* The City of Little Rock et al. Submitted by Mr. Morris M. Cohn, for the plaintiffs in error, and by Mr. J. Merrick Moore, for the defendants in error.

No. 157. George F. Kreitlein, plaintiff in error, *v.* Charles Ferger. Submitted by Mr. John B. Elam, for the plaintiff in error, with leave to the defendant in error to file brief hereafter.

No. 144. Washington, Alexandria & Mount Vernon Railway Company, plaintiff in error, *v.* Edward A. Downey. Argument continued by Mr. Edmund Burke, for the defendant in error, and concluded by Mr. John C. Gittings, for the plaintiff in error.

No. 145. M. Kirmeyer, plaintiff in error, *v.* The State of Kansas. Argued by Mr. A. E. Dempsey, for the plaintiff in error, and submitted by Mr. John S. Dawson, for the defendant in error.

No. 146. Lehman, Stern & Co. (Ltd.), plaintiff in error, *v.* S. Gumbel & Co. (Ltd.). Argued by Mr. Henry H. Chaffe, for the plaintiff in error, and by Mr. Monte M. Lemann, for the defendants in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 25, will be as follows: Nos. 148, 149, 150, 151 (and 152, 154, 155, and 156), 158, 159 (and 46), 160, 161, 162, and 163.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 25, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Michael J. Ryan, of Philadelphia, Pa.; Edgar W. Lank, of Philadelphia, Pa.; Frederick F. Beller, of Washington, D. C.; and Andreas Ueland, of Minneapolis, Minn., were admitted to practice.

No. 48. T. B. Coppage, plaintiff in error, *v.* The State of Kansas. In error to the Supreme Court of the State of Kansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Day and Mr. Justice Hughes. Dissenting: Mr. Justice Holmes.

No. 34. Ephraim Simon, appellant, *v.* The Southern Railway Company. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Louisiana. Opinion by Mr. Justice Lamar.

No. 450. The United States, appellant, *v.* Benjamin F. Jones, jr., sole administrator, etc. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Van Devanter. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 120. James H. Duffy, appellant, *v.* William Charak, trustee, etc. Appeal from the United States Circuit Court of Appeals for the First Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Massachusetts for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 126. The Board of County Commissioners of the city and county of Denver, petitioner, *v.* The Home Savings Bank. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the District of Colorado. Opinion by Mr. Justice Holmes.

No. 471. George Burdick, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the Southern District of New York. Judgment reversed, and cause remanded with directions to dismiss the proceedings in contempt and discharge Burdick from custody. Opinion by Mr. Justice McKenna. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 472. William L. Curtin, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the Southern District of New York. Judgment reversed, and cause remanded with directions to dismiss the proceedings in contempt and discharge Curtin from custody. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

---

The Chief Justice announced the following orders of the court:

No. 310. T. U. Vaughan, plaintiff in error, *v.* The State of Kansas. Motion for leave to proceed in forma pauperis granted.

No. 632. W. H. Sawyer et al., appellants, *v.* Raymond S. Gray et al. Motion to advance for hearing after cases Nos. 334 to 348 granted.

No. 715. Ramapo Water Company, appellant, *v.* The City of New York et al. Ordered that this case be placed on the summary docket.

No. 753. Susie A. Tyrrell, as administratrix, etc., petitioner, *v.* The District of Columbia. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 705. Charles M. McMahan et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 747. Norfolk Sand & Gravel Corporation, petitioner, *v.* Ohio Locomotive Crane Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 752. The Ford Motor Company, petitioner, *v.* Daniel Donaldson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 767. Aktiesselskabet Ingrid, etc., owner, etc., petitioners, *v.* The Central Railroad Company of New Jersey et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 770. Max Schaeffer, trading as Max Schaeffer Company, petitioner, *v.* Otis A. Mygatt et al. Petition for a writ of certiorari to

the United States Circuit Court of Appeals for the Second Circuit denied.

No. 771. Max Schaeffer, trading as Max Schaeffer Company, petitioner, *v.* Otis A. Mygatt et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

---

The Chief Justice also announced that the court will take a recess from Monday, February 1st, to Tuesday, February 23d next.

---

No. 536. Chun Kim, appellant, *v.* Samuel W. Backus, Commissioner of Immigration, etc. Motion to advance submitted by Mr. Solicitor General Davis for the appellee.

No. 685. Thomas W. Morgan, warden of the United States Penitentiary at Leavenworth, Kans., appellant, *v.* Alfonso J. Devine, etc., et al. Motion to advance submitted by Mr. Solicitor General Davis for the appellant.

No. 748. The United States, plaintiff in error, *v.* William Rabinowich. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 785. The United States, petitioner, *v.* New York & Oriental Steamship Company, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Davis for the petitioner, and by Mr. J. Parker Kirlin and Mr. John M. Woolsey for the respondent.

No. 568. Chicago & Alton Railroad Company, appellant, *v.* The United States. Motion to reassign submitted by Mr. Solicitor General Davis for the appellee.

No. 759. The Yazoo & Mississippi Valley Railroad Company, appellant, *v.* The United States. Motion to advance submitted by Mr. Alexander Britton for the appellant.

No. 766. Houston & Texas Central Railroad Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William R. Harr in behalf of Mr. Cecil H. Smith for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 744. Alexander Eccles & Company, petitioners, *v.* The Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Oscar R. Houston and Mr. Howard S. Harrington for the petitioners, and by Mr. Gregory L. Smith and Mr. Henry L. Stone for the respondent.

No. 736. George Ebeling, appellant, *v.* Thomas W. Morgan, warden of the United States Penitentiary at Leavenworth, Kans. Motion to advance submitted by Mr. W. P. Borland, in behalf of counsel for the appellant.

No. 775. Leo M. Frank, appellant, *v.* C. Wheeler Mangum, sheriff of Fulton County, Ga. Motion to advance submitted by Mr. Fulton Brylawski for the appellant.

No. 781. Augustus C. Buzby, doing business under the firm name of Keystone Lubricating Company, petitioner, *v.* Keystone Oil & Manufacturing Company. Petition for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit submitted by Mr. Edwin C. Brandenburg, Mr. Alvin H. Culver, and Mr. Wells M. Cook for the petitioner, and by Mr. Francis W. Parker and Mr. Donald M. Carter for the respondent.

No. —, Original. *Ex parte* in the matter of James J. Fletcher et al., petitioners. Motion for leave to file a petition for a writ of habeas corpus submitted by Mr. James A. O'Shea and Mr. Henry E. Davis for the petitioners.

No. 495. Olympia Mining & Milling Company, Limited, plaintiff in error, *v.* Abner G. Kerns. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. James H. Forney for the defendant in error in support of the motion, and by Mr. Charles E. Miller for the plaintiff in error in opposition thereto.

No. 782. Goshen Manufacturing Company, petitioner, *v.* Hubert A. Myers Manufacturing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Fred L. Chappell for the petitioner.

No. 335. Peter H. Anderson et al., plaintiffs in error, *v.* Swedish Evangelical Mission Covenant of America et al. Motion to dismiss or to transfer to the summary docket submitted by Mr. John Barton Payne, Mr. Silas H. Strawn, Mr. Harris F. Williams, and Mr. James Hamilton Lewis for the defendants in error in support of the motion, and by Mr. Axel Chytraus, Mr. John J. Healy, and Mr. E. Allen Frost for the plaintiffs in error in opposition thereto.

No. 148. Southern Express Company, plaintiff in error, *v.* Emil J. Stehli et al. Argued by Mr. Robert C. Alston for the plaintiff in error. No counsel appeared for the defendants in error.

No. 149. William McCoach, collector, etc., petitioner, *v.* Dundas F. Pratt et al., etc. Argued by Mr. Assistant Attorney General Wallace for the petitioner, and by Mr. Walter C. Noyes for the respondents.

No. 150. Josephine P. McGowan, executrix, etc., et al., appellants, *v.* Emily E. Parish, executrix, etc. Argument commenced by Mr. Clarence R. Wilson for the appellant, continued by Mr. Leigh Robinson for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 26, will be as follows: Nos. 150, 151 (and 152, 154, 155, and 156), 158, 159 (and 46), 160, 161, 162, 163, 164, and 165.





## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 26, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

Edward E. Stowell, of New York City; Fred A. Wright, of Scottsbluff, Nebr.; W. T. Hunt, of Wagoner, Okla.; and Charles T. Hughes, of San Francisco, Cal., were admitted to practice.

No. 150. Josephine P. McGowan, executrix, etc., et al., appellants, *v.* Emily E. Parish, executrix, etc. Argument continued by Mr. Leigh Robinson for the appellee and concluded by Mr. J. J. Darlington for the appellants.

Nos. 151, 152, 154, 155, and 156. Wright-Blodgett Company, Limited, appellant, *v.* The United States. Argument commenced by Mr. J. Blanc Monroe for the appellant and continued by Mr. Assistant Attorney General Knaebel for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 27, will be as follows: Nos. 151 (and 152, 154, 155, and 156), 158, 159 (and 46), 160, 161, 162, 163, 164, 165, and 166.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 27, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

Herbert R. Macmillan, of Salt Lake City, Utah; Delbert M. Tibbetts, of Guthrie, Okla.; and Edward Damon Baldwin, of The Dalles, Oreg., were admitted to practice.

No. 163. Cuno H. Rudolph et al., Commissioners of the District of Columbia, petitioners, *v.* Lynchburg Investment Corporation et al. Retirement of Cuno H. Rudolph, John A. Johnston, and Chester Harding as Commissioners of the District of Columbia suggested, and the appearance of Oliver P. Newman, Louis Brownlow, and Charles W. Kutz, their successors in office, as the parties petitioners in this cause, filed and entered on motion of Mr. Conrad H. Syme for the petitioners.

No. 450. The United States, appellant, *v.* Benjamin F. Jones, jr., administrator, etc. Mandate granted, on motion of Mr. L. T. Michener in behalf of counsel for the appellee.

No. 147. Toledo, St. Louis & Western Railroad Company, plaintiff in error, *v.* Otto E. Slavin. Leave granted to file reply brief within five days, on motion of Mr. Evans Browne in behalf of counsel for the plaintiff in error.

Nos. 151, 152, 154, 155, and 156. Wright-Blodgett Company, Limited, appellant, *v.* The United States. Argument continued by Mr. J. Blanc Monroe for the appellant, and concluded by Mr. Assistant Attorney General Knaebel for the appellee.

No. 158. St. Louis Southwestern Railway Company, plaintiff in error, *v.* Spring River Stone Company. Submitted by Mr. S. H. West, Mr. E. A. Haid, and Mr. Roy F. Britton for the plaintiff in error, and by Mr. Thomas Hackney for the defendant in error.

Nos. 159 and 46. The Linn & Lane Timber Company et al., appellants, *v.* The United States. Argument commenced by Mr. John Lind for the appellants, and continued by Mr. Assistant Attorney General Knaebel for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 28, will be as follows: Nos. 159 (and 46), 160, 161, 162, 163, 164, 165, 166, 167, and 168.



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 28, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Jacob Johnson, of Spring City, Utah; Meier Steinbrink, of Brooklyn, N. Y.; Eugene Herbert Clay, of Marietta, Ga.: and Clyde V. Ailey, of New Castle, Pa., were admitted to practice.

No. 306. Spokane & Inland Empire Railroad Company, plaintiff in error, *v.* Spokane County et al. In error to the Supreme Court of the State of Washington. Dismissed on motion of counsel for the plaintiff in error.

Nos. 159 and 46 The Linn & Lane Timber Company et al., appellants, *v.* The United States. Argument continued by Mr. Assistant Attorney General Knaebel for the appellee, by Mr. John Lind for the appellants, and concluded by Mr. Assistant Attorney General Knaebel for the appellee.

No. 160. A. A. Truskett et al., appellants, *v.* Fred D. Closser. Argument commenced by Mr. James A. Veasey for the appellants, continued by Mr. G. T. Stanford and Mr. Eugene Mackey for the appellee, and concluded by Mr. James A. Veasey for the appellants.

No. 161. William A. Wright, comptroller general of Georgia, appellant, *v.* The Central of Georgia Railway Company. Argument commenced by Mr. John C. Hart for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 29, will be as follows: Nos. 161, 162, 163, 164, 165, 166, 168, 169, 170, and 171.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 29, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Gertrude E. Leonard, of Washington, D. C.; Florence Etheridge, of Andover, Mass.; Katherine Horan, of Muskogee, Okla.; Helen F. Hill, of Laurel, Md.; Edmund Roy Hill, of Laurel, Md.; C. W. Ramseyer, of Bloomfield, Iowa; Russell A. Sears, of Boston, Mass.; Abraham E. Pinanski, of Boston, Mass.; and Wallace Muir, of Lexington, Ky., were admitted to practice.

No. 149. William McCoach, collector, etc., petitioner *v.* Dundas F. Pratt et al., etc. Leave to file an additional brief herein granted, on motion of Mr. Solicitor General Davis for the petitioner.

No. —, Original. Ex parte in the matter of James J. Fletcher et al., petitioners. Leave to file brief in opposition to the petition for writ of habeas corpus herein granted, on motion of Mr. Solicitor General Davis in that behalf.

No. 161. William A. Wright, comptroller general of Georgia, appellant, *v.* The Central of Georgia Railway Company. Argument continued by Mr. T. M. Cunningham, jr., and Mr. A. R. Lawton, for the appellee, and concluded by Mr. Samuel H. Sibley for the appellant.

No. 162. William A. Wright, comptroller general of the State of Georgia, petitioner, *v.* Louisville & Nashville Railroad Company et al. Argued by Mr. Alex. C. King for the respondents and cross petitioners and by Mr. Samuel H. Sibley for the petitioner.

Adjourned until Monday next at 12 o'clock.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 1, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Ralph Barnett, of New York City; Morris Jablow, of New York City; W. Russell Carr, of Uniontown, Pa.; J. H. Hawthorne, of Jonesboro, Ark.; and Jay Comstock, of Cleveland, Ohio, were admitted to practice.

No. 423. Illinois Central Railroad Company, appellant, *v. C. L. De Fuentes et al.*, etc. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree reversed with costs, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 369. Wilmington Transportation Company, plaintiff in error, *v. Railroad Commission of California*. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 136. Grant Timber & Manufacturing Company, plaintiff in error, *v. George W. Gray*. In error to the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 141. Elisa Gallardo y Seary et al., appellants, *v. James R. Noble et al.* Appeal from the District Court of the United States for the district of Porto Rico. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 628. The United States, plaintiff in error, *v. Clara Holte*. In error to the District Court of the United States for the Eastern District of Wisconsin. Judgment reversed and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Lamar and Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

The Chief Justice announced the following orders of the court:

No. —, Original. *Ex parte* in the matter of James J. Fletcher et al., petitioners. Motion for leave to file petition for writ of habeas corpus denied.

No. 568. The Chicago & Alton Railroad Company, appellant, *v.* The United States. Motion to reassign granted, and case set for hearing on Monday, April 5th next.

No. 536. Chun Kim, appellant, *v.* Samuel W. Backus, commissioner, etc. Ordered that this case be placed on the summary docket.

No. 685. Thomas W. Morgan, warden, etc., appellant, *v.* Alfonso J. Devine, alias Ollie Devine, et al. Motion to advance granted, and case assigned for argument on Monday, April 5th next, after the case heretofore assigned for that day.

No. 736. George Ebeling, appellant, *v.* Thomas W. Morgan, warden, etc. Motion to advance granted, and case assigned for argument on Monday, April 5th next, after the cases heretofore assigned for that day.

No. 748. The United States, plaintiff in error, *v.* William Rabino-wich. Motion to advance granted, and case assigned for argument on Monday, April 5th next, after the cases heretofore assigned for that day.

No. 759. The Yazoo & Mississippi Valley Railroad Company, appellant, *v.* The United States. Motion to advance and assign for hearing after case No. 568 granted.

No. 775. Leo M. Frank, appellant, *v.* C. Wheeler Mangum, sheriff, etc. Motion to advance granted, and case assigned for argument on Tuesday, February 23d next, after the cases heretofore assigned for that day.

No. 679. Oregon & California Railroad Company et al. *v.* The United States. Petition for a writ of certiorari to bring up the whole record and cause granted.

No. 782. Goshen Manufacturing Company, petitioner, *v.* Hubert A. Myers Manufacturing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 785. The United States, petitioner, *v.* New York & Oriental Steamship Company, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 744. Alexander Eccles & Company, petitioners, *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 766. Houston & Texas Central Railroad Company, petitioner, *v. The United States*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 781. Augustus C. Buzby, etc., petitioner, *v. Keystone Oil & Manufacturing Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

---

*Order.*—It is ordered by the court that the cases heretofore placed on the summary docket, viz, Nos. 643, 669, 509, 559, 710, 715, and 536, be assigned for argument on Tuesday, February 23d next, at the head of the call for that day.

---

No. 712. Frederick W. Ellis, appellant. *v. The Interstate Commerce Commission*. Motion to advance submitted by Mr. Solicitor General Davis for the appellee.

No. 757. International Harvester Company of New Jersey et al., appellants, *v. The United States*. Motion to advance submitted by Mr. Solicitor General Davis for the appellee.

No. 480. Paine Lumber Company, Limited, et al., appellants, *v. Elbridge N. Neal, individually, etc., et al.* Motion to advance submitted by Mr. Daniel Davenport for the appellants.

No. 798. Charles T. Dunbar, petitioner, *v. Orleans-Kenner Electric Railway Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. H. Genes Dufour for the petitioner.

No. 763. Lewis, Leonhardt & Company, petitioners. *v. Southern Railway Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. G. W. Pickle and Mr. W. T. Kennerly for the petitioners, and by Mr. Claudian B. Northrop and Mr. Leon Jourolman for the respondent.

No. 501. Jones National Bank, plaintiff in error, *v. Charles E. Yates et al.*;

No. 502. Bank of Staplehurst, plaintiff in error, *v. Charles E. Yates et al.*;

No. 503. Utica Bank, plaintiff in error, *v. Charles E. Yates et al.*; and

No. 504. Thomas Bailey, plaintiff in error, *v. Charles E. Yates et al.*

Motion to reassign for argument on Monday, April 5th, submitted by Mr. A. B. Hayes for the plaintiffs in error.

No. 149. William McCoach, collector, etc., petitioner, *v.* Dundas F. Pratt et al., etc. Leave granted to file supplemental brief, on motion of Mr. H. T. Newcomb for the respondents.

No. 275. Elias Roberts, by his guardian, etc., plaintiff in error, *v.* William Underwood et al. Motion to advance for hearing with case No. 199 submitted by Mr. F. W. Clements in behalf of counsel for the plaintiff in error.

No. 797. Boston Elevated Railway Company, petitioner, *v.* Paul Boyton Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. F. W. Clements, Mr. Alexander Britton, and Mr. Evans Browne for the petitioner, and by Mr. Samuel J. Elder and Mr. Hugh W. Ogden for the respondent.

No. 768. Pacific Mail Steamship Company, petitioner, *v.* Ed. Schmidt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William R. Harr, in behalf of Mr. George A. Knight and Mr. Charles J. Heggerty for the petitioner, and by Mr. John L. McNab for the respondent.

No. 788. The City of Philadelphia, petitioner, *v.* Welsbach Street Lighting Company of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Francis V. S. Oliver in behalf of Mr. Michael J. Ryan and Mr. E. W. Lank for the petitioner.

Adjourned until Tuesday, February 23, at 12 o'clock.

The day call for Tuesday, February 23, will be as follows: Nos. 643, 669, 509, 559, 710, 715, 536, 501 (and 502, 503, and 504), 676, 678, 280, 673, 594, and 775.





# SUPREME COURT OF THE UNITED STATES.

TUESDAY, FEBRUARY 23, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Charles Losee, of Newark, N. J.; Jeremiah O'Donoghue, of Emmitsburg, Md.; Franklin Brockson, of Clayton, Del.; Moses Miller, of Port Chester, N. Y.; William Baruch, of Port Chester, N. Y.; John Lyles Glenn, of Chester, S. C.; D. W. McNamara, of Montello, Wis.; Hugh M. Dorsey, of Atlanta, Ga.; Charles W. Atwater, of New York City; Raymond Benjamin, of San Francisco, Cal.; Leroy A. Manchester, of Youngstown, Ohio; Fayette B. Dow, of Washington, D. C.; William Edward Smith, of San Juan, P. R.; John A. Maguire, of Lincoln, Nebr.; George A. Neeley, of Hutchinson, Kans.; and A. Scott Thompson, of Miami, Okla., were admitted to practice.

No. 80. R. P. Williams et al., plaintiffs in error, *v.* United States Fidelity & Guaranty Company. In error to the Court of Appeals of the State of Georgia. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 143. John B. Gleason, petitioner, *v.* Harry K. Thaw. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McReynolds.

No. 125. The United States, plaintiff in error, *v.* The United States Fidelity & Guaranty Company, of Baltimore, Md., et al. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment of the Circuit Court of Appeals reversed, and judgment of Circuit Court of the United States for the Southern District of California affirmed, and cause remanded to the District Court of the United States for the Southern District of California. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 648. Joplin Mercantile Company et al., petitioners, *v.* The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed and cause remanded to the District Court of the United States for the Western District of Missouri. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 278. The United States *v.* The Midwest Oil Company et al. On certificate from and writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree of District Court of United States for District of Wyoming reversed and cause remanded for further proceedings. Opinion by Mr. Justice Lamar. Dissenting: Mr. Justice Day, Mr. Justice McKenna, and Mr. Justice Van Devanter. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 107. Southern Railway Company, plaintiff in error, *v.* The Railroad Commission of Indiana. In error to the Supreme Court of Indiana. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 147. Toledo, St. Louis & Western Railroad Company, plaintiff in error, *v.* Otto E. Slavin. In error to the Supreme Court of the State of Ohio. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 146. Lehman, Stern & Company (Ltd.), plaintiff in error, *v.* S. Gumbel & Company, Limited. In error to the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 434. Henry E. Meeker, surviving partner of the firm of Meeker & Company, petitioner, *v.* Lehigh Valley Railroad Company. On a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment of Circuit Court of Appeals reversed and judgment of District Court of United States for Eastern District of Pennsylvania modified by eliminating allowance of \$10,000 as attorney's fee for services before Interstate Commerce Commission, and as so modified affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 435. Henry E. Meeker, petitioner, *v.* Lehigh Valley Railroad Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment of Circuit Court of Appeals reversed, and judgment of District Court of the United States for Eastern District of Pennsylvania modified by eliminating allowance of \$2,500 as attorney's fee for services before Interstate

Commerce Commission, and, as so modified, affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 598. The United States, plaintiff in error, *v.* Luther Jerome Smull. In error to the District Court of the United States for the District of Oregon. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Hughes. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 112. F. A. Miller, plaintiff in error, *v.* F. P. Wilson, sheriff, etc. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

Nos. 362 and 363. William B. Bosley et al., appellants, *v.* John P. McLaughlin, labor commissioner of the State of California, et al. Appeals from the District Court of the United States for the Northern District of California. Decrees affirmed with costs. Opinion by Mr. Justice Hughes.

Nos. 151, 152, 154, 155, and 156. Wright-Blodgett Company (Ltd.), appellant, *v.* The United States. Appeals from the United States Circuit Court of Appeals for the Fifth Circuit. Decrees affirmed, and causes remanded to the District Court of the United States for the Western District of Louisiana. Opinion by Mr. Justice Hughes. (Mr. Justice McReynolds took no part in the consideration and decision of these cases.)

No. 138. American Car & Foundry Company, plaintiff in error, *v.* Agness Kettelhake. In error to the St. Louis Court of Appeals, State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 130. Iowa Central Railway Company, plaintiff in error, *v.* L. M. Bacon, administrator, etc. In error to the Supreme Court of the State of Iowa. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 99. Globe Bank & Trust Company of Paducah, Ky., appellant, *v.* Arthur Y. Martin, trustee, etc.;

No. 100. First National Bank of Paducah, Ky., appellant, *v.* Arthur Y. Martin, trustee, etc.; and

No. 101. Old State National Bank of Evansville, Ind., appellant, *v.* Arthur Y. Martin, trustee, etc. Appeals from the United States Circuit Court of Appeals for the Sixth Circuit. Decrees affirmed with costs, and causes remanded to the District Court of the United States for the Western District of Kentucky. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Pitney and Mr. Justice McReynolds.

No. 292. Arthur Y. Martin, trustee, etc., et al., petitioners, *v.* Globe Bank & Trust Company of Paducah et al. Petition for a writ of certiorari denied. Opinion by Mr. Justice Day.

No. 14. The George N. Pierce Company, petitioner, *v.* Wells Fargo Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Western District of New York. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Pitney.

No. 513. Rail and River Coal Company, appellant, *v.* Wallace D. Yaple et al. Appeal from the District Court of the United States for the Northern District of Ohio. Decree affirmed with costs. Opinion by Mr. Justice Day.

No. 499. The United States, etc., plaintiff in error and appellant, *v.* Louisville & Nashville Railroad Company. In error to and appeal from the District Court of the United States for the Western District of Kentucky. Judgment affirmed. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 591. Pennsylvania Company, appellant, *v.* The United States et al. Appeal from the District Court of the United States for the Western District of Pennsylvania. Decree affirmed. Opinion by Mr. Justice Day. Dissenting: Mr. Chief Justice White. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 134. Jay Fox, plaintiff in error, *v.* The State of Washington. In error to the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 456. Mutual Film Corporation, appellant, *v.* The Industrial Commission of Ohio et al. Appeal from the District Court of the United States for the Northern District of Ohio. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 457. Mutual Film Company, appellant, *v.* The Industrial Commission of Ohio et al. Appeal from the District Court of the United States for the Northern District of Ohio. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 597. The Mutual Film Corporation of Missouri, appellant, *v.* George H. Hodges, governor, etc., et al. Appeal from the District Court of the United States for the District of Kansas. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

Nos. 493 and 494. The United States, appellant, *v.* Erie Railroad Company. Appeals from the District Court of the United States for the Southern District of New York. Decrees affirmed. Opinion

by Mr. Justice McKenna. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 160. A. A. Truskett et al., appellants, *v.* Fred D. Closser. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 452. The United States, appellant, *v.* The Terminal Railroad Association of St. Louis et al.; and

No. 572. The Terminal Railroad Association of St. Louis et al., appellants, *v.* The United States. Appeals from the District Court of the United States for the Eastern District of Missouri. Modified and affirmed. Opinion by Mr. Chief Justice White. (Mr. Justice Holmes and Mr. Justice McReynolds took no part in the consideration or decision of these cases.)

No. 567. Evens & Howard Fire Brick Company et al., appellants, *v.* The United States. Appeal from the District Court of the United States for the Eastern District of Missouri. Decree affirmed. Opinion by Mr. Chief Justice White. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 495. Olympia Mining & Milling Company (Ltd.), plaintiff in error, *v.* Abner G. Kerns. In error to the Supreme Court of the State of Idaho. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 71. D. R. Wilder Manufacturing Company, plaintiff in error, *v.* Corn Products Refining Company. In error to the Court of Appeals of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 121. Paul Heyman et al., plaintiffs in error, *v.* W. P. Hays, county clerk, et al. In error to the Supreme Court of the State of Tennessee. Reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 122. Southern Operating Company et al., plaintiffs in error, *v.* W. P. Hays, county clerk, et al. In error to the Supreme Court of the State of Tennessee. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court.

No. 144. Washington, Alexandria and Mount Vernon Railway Company, plaintiff in error *v.* Edward A. Downey. In error to the Court of Appeals of the District of Columbia. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 645. J. J. Brolan et al., plaintiffs in error, *v.* The United States. In error to the District Court of the United States for the

Northern District of California. Dismissed for the want of jurisdiction. Opinion of Mr. Chief Justice White. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

---

The Chief Justice also announced the following orders of the court:

No. 148. Southern Express Company, plaintiff in error, *v. Emil J. Stehli et al.* In error to the Supreme Court of the State of North Carolina. Per curiam: Judgment reversed with costs, and case remanded for further proceedings upon the authority of *Adams Express Company v. Croninger* (226 U. S., 491); *Wells, Fargo & Co. v. Neiman-Marcus Co.* (227 U. S., 469); *Kansas Southern Railway v. Carl* (227 U. S., 639); *Chicago, Rock Island & Pacific Railway Co. v. Cramer* (232 U. S., 490); *Seaboard Air Line Railway Co. v. J. M. Pace Mule Co.* (234 U. S., 751).

No. 335. Peter H. Anderson et al., plaintiffs in error, *v. Nels O. Hultberg et al.* In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Deming v. Carlisle Packing Co.* (226 U. S., 102, 105); *Consolidated Turnpike v. Norfolk, etc., Railway Co.* (228 U. S., 596, 600); see *White Star Mining Co. v. Hultberg* (205 U. S., 540) *Anderson et al. v. Swedish Evangelical Mission Covenant of America et al.* (235 U. S., —).

No. 501. Jones National Bank, plaintiff in error, *v. Charles E. Yates et al.*;

No. 502. Bank of Staplehurst, plaintiff in error, *v. Charles E. Yates et al.*;

No. 503. Utica Bank, plaintiff in error, *v. Charles E. Yates et al.*; and

No. 504. Thomas Bailey, plaintiff in error, *v. Charles E. Yates et al.* Motion to reassign cases for April 5th next granted.

No. 676. Daniel A. McDougal, plaintiff in error, *v. Edmund McKay et al.* Reassigned for argument with case No. 199.

No. 275. Elias Roberts, by his guardian, etc., plaintiff in error, *v. William Underwood et al.* Motion to advance for argument with No. 199 granted.

No. 480. Paine Lumber Company (Ltd.) et al., appellants, *v. Elbridge N. Neal*, individually and as secretary, etc., et al.;

No. 712. Frederick W. Ellis, appellant, *v. The Interstate Commerce Commission*; and

No. 757. International Harvester Company of New Jersey, etc., et al., appellants, *v. The United States.* Motions to advance granted

and cases assigned for argument on Monday, April 5th next, after the cases heretofore assigned for that day.

No. 768. Pacific Mail Steamship Company, petitioner, *v.* Ed Schmidt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 763. Louis Leonhardt & Company, petitioner, *v.* Southern Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 788. The City of Philadelphia, petitioner, *v.* Welsbach Street Lighting Company of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 797. Boston Elevated Railway Company, petitioner, *v.* Paul Boynton Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 798. Charles T. Dunbar, petitioner, *v.* Orleans-Kenner Electric Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 39. The United States et al., appellants, *v.* Louisville & Nashville Railroad Company et al. Motion to reform decree and mandate submitted by Mr. Solicitor General Davis for the appellants.

No. 679. Oregon & California Railroad Company et al. *v.* The United States. Motion to advance submitted by Mr. Solicitor General Davis for the United States.

No. 813. Oliver P. Newman, plaintiff in error, *v.* The United States of America ex rel. William J. Frizzell. Petition for a writ of certiorari herein submitted by Mr. John W. Davis, Mr. J. H. Ralston, Mr. William E. Richardson, and Mr. Conrad H. Syme for the plaintiff in error in support of the petition, and by Mr. Joseph W. Bailey and Mr. A. A. Birney for the defendant in error in opposition thereto.

No. 477. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* Louise Alexander, administratrix, etc. Motion to dismiss or affirm or to place on the summary docket submitted by Mr. D. W. McNamara for the defendant in error in support of the motion, and by Mr. William A. Hayes for the plaintiff in error in opposition thereto.

No. 439. Samuel C. Scotten et al., appellants, *v.* Charles E. Littlefield, trustee, etc. Motion to re-form decree submitted by Mr. Thorn-dike Saunders for the appellants.

No. 783. Ashepoo Fertilizer Company, petitioner, *v.* W. H. Townsend et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. George F. von Kolnitz for the petitioner, and by Mr. W. H. Townsend for the respondents.

No. 807. James Lansburg et al., petitioners, *v.* Myron M. Parker et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Alexander Wolf, Mr. Levi H. David, and Mr. Charles H. Merillat for the petitioners, and by Mr. J. J. Darlington and Mr. John Ridout for the respondents.

No. 802. A. Y. Jameson, petitioner, *v.* United States Farm Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Jackson H. Ralston in behalf of Mr. M. H. Boutelle and Mr. Charles B. Elliott for the petitioner.

No. 822. Pocahontas Distilling Company (Inc.), petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Robert H. Talley and Mr. John A. Lamb for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 787. Andrew A. Nicrosi, etc., et al., petitioners, *v.* John B. Nicrosi et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William Henry White for the petitioners, and by Mr. John M. Chilton for the respondents.

No. 4, Original. State of North Carolina, complainant, *v.* The State of Tennessee. Motion for the appointment of commissioners, etc., submitted by Mr. Frederick S. Tyler in behalf of counsel.

No. 679. Oregon & California Railroad Company et al., *v.* The United States. Suggestion as to date for the hearing of the cause submitted by Mr. A. A. Hoehling in behalf of counsel for the Oregon & California Railroad Company, with leave to Mr. A. W. Lafferty to file suggestions on behalf of certain parties within three days.

No. 491. Hilma Nelson, plaintiff in error, *v.* Richard G. Wood. Petition for a writ of certiorari herein submitted by Mr. A. J. H. Frank of counsel for the plaintiff in error.

No. 813. Oliver P. Newman, plaintiff in error, *v.* The United States of America ex rel. William J. Frizzell. Motion to dismiss submitted by Mr. Joseph W. Bailey and Mr. A. A. Birney for the defendant in error in support of the motion, and by Mr. Jackson H. Ralston, Mr. William E. Richardson, Mr. John W. Davis, and Mr. Conrad H. Syme for the plaintiff in error in opposition thereto.

No. 789. Max G. Cohen, appellant, *v.* The United States. Motion to advance submitted by Mr. Joseph W. Bailey for the appellant.



No. 498. E. B. Johnson, plaintiff in error, *v.* F. E. Riddle. Motion to dismiss or affirm submitted by Mr. C. B. Stuart, Mr. W. A. Ledbetter, and Mr. A. C. Cruce for the defendant in error in support of the motion, and by Mr. C. B. Ames for the plaintiff in error in opposition thereto.

No. 538. The Kansas City Southern Railway Company, plaintiff in error, *v.* Sam E. Leslie, administrator, etc. Motion to dismiss or affirm, and for damages submitted by Mr. W. P. Feazel for the defendant in error in support of the motion, and by Mr. James B. McDonough, and Mr. Samuel W. Moore for the plaintiff in error in opposition thereto.

No. 713. Seaboard Air Line Railway, plaintiff in error, *v.* W. B. Tilghman. Motion to dismiss or affirm or place on the summary docket submitted by Mr. William C. Douglas and Mr. Clyde A. Douglas for the defendant in error in support of the motion, and by Mr. Murray Allen for the plaintiff in error in opposition thereto.

No. 779. Norfolk Southern Railroad Company, plaintiff in error, *v.* Walter G. Ferebee. Motion to dismiss or affirm or place on the summary docket submitted by Mr. William C. Douglas and Mr. Clyde A. Douglas for the defendant in error in support of the motion, and by Mr. John H. Small for the plaintiff in error in opposition thereto.

No. 669. F. T. Rounds et al., plaintiffs in error, *v.* Cloverport Foundry & Machine Company. Submitted by Mr. William T. Ellis for the plaintiffs in error, and by Mr. Claude Mercer for the defendants in error.

No. 536. Chun Kim, appellant, *v.* Samuel W. Backus, commissioner of immigration, etc. Reassigned for argument on Monday, April 5th next, after the cases heretofore assigned for that day.

No. 643. American Surety Company of New York, plaintiff in error, *v.* George S. Schultz. Argued by Mr. Charles F. Carusi for the plaintiff in error, and by Mr. Abram J. Rose for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 24, 1915, will be as follows: Nos. 509, 559, 710, 715, 678, 280, 673, 594, 775, and 127.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, FEBRUARY 24, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Samuel Cunningham, of Indiana, Pa.; George B. Bush, of Riverside, Cal.; Clyde Smith, of Dixon, Ill.; Hortense Ward, of Houston, Tex.; William Henry Ward, of Houston, Tex.; Harold A. Kingsbury, of Bristol, Conn.; Nathan Newby, of Los Angeles, Cal.; Marshall W. Bell, of Murphy, N. C.; Lesly L. Hudson, of Elko, Nev.; William C. Hughes, of Oklahoma City, Okla.; Augustine Lonergan, of Hartford, Conn.; Frederick S. Deitrick, of Cambridge, Mass.; Addison Ely, jr., of Rutherford, N. J.; and John J. Mitchell, of Marlboro, Mass., were admitted to practice.

No. 1, Original. The State of Georgia, complainant, *v.* Tennessee Copper Company et al. Motion to assign for argument submitted by Mr. Warren Grice for the complainant.

No. 509. Seaboard Air Line Railway, plaintiff in error, *v.* Ella M. Thornton, as administratrix, etc. Argument commenced by Mr. J. J. Darlington for the plaintiff in error, continued by Mr. W. N. Graydon for the defendant in error, and concluded by Mr. J. L. Glenn for the plaintiff in error.

No. 559. Erie Railroad Company, plaintiff in error, *v.* Joseph Solomon. Argued by Mr. Leroy Manchester for the plaintiff in error, and by Mr. E. J. Anderson for the defendant in error.

No. 710. Seaboard Air Line Railway, plaintiff in error, *v.* Clara V. Padgett, administratrix, etc. Argued by Mr. J. B. S. Lyles for the plaintiff in error, and by Mr. W. Boyd Evans for the defendant in error.

No. 715. Ramapo Water Company, appellant, *v.* The City of New York, etc. Argued by Mr. Carroll G. Walter for the appellant, and by Mr. Louis C. White for the appellee.

No. 678. The Greenleaf Johnson Lumber Company, appellant, *v.* Lindley M. Garrison, Secretary of War, et al. Argument commenced by Mr. J. L. Jeffries for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 25, will be as follows: Nos. 678, 594, 775, 280, 673, 127, 133, 163, 164, and 165.

# SUPREME COURT OF THE UNITED STATES.

THURSDAY, FEBRUARY 25, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Leonard Haas, of Atlanta, Ga.; Charles S. Northup, of Toledo, Ohio; Edward F. Spitz, of New York City; and Samuel D. Hewlett, of Atlanta, Ga., were admitted to practice.

No. 705. Charles M. McMahon et al., petitioners, *v.* The United States. Amended petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. George C. Scott in behalf of Mr. William E. Mason for the petitioners.

No. 166. St Louis & San Francisco Railroad Co., plaintiff in error, *v.* Fannie M. Conarty, administratrix, etc. Leave granted to Mr. Samuel W. Moore, Mr. Frank H. Moore, and Mr. James B. McDonough to file brief herein as amici curiae, on motion of Mr. Evans Browne in their behalf.

No. 164. Peggie Woodward et al., plaintiffs in error, *v.* Robert P. De Graffenried. Submitted by Mr. William R. Lawrence, Mr. F. W. Clements, and Mr. George S. Ramsey for the plaintiffs in error and by Mr. Joseph C. Stone and Mr. Thomas H. Owen for the defendant in error.

No. 678. The Greenleaf-Johnson Lumber Co., appellant, *v.* Lindley M. Garrison, Secretary of War, et al. Argument continued by Mr. J. L. Jeffries for the appellant, by Mr. Assistant Attorney General Underwood for the appellees, and concluded by Mr. J. L. Jeffries for the appellant.

No. 594. George D. Collins, appellant, *v.* James A. Johnston, warden, etc. Argued by Mr. Raymond Benjamin for the appellee and submitted by Mr. George D. Collins pro se.

No. 775. Leo M. Frank, appellant, *v.* C. Wheeler Mangum, sheriff. Argument commenced by Mr. Louis Marshall for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 26, will be as follows: Nos. 775, 127, 133, 280, 673, 163, 165, 166, 167, and 168.

## SUPREME COURT OF THE UNITED STATES.

---

FRIDAY, FEBRUARY 26, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Daniel Thew Wright, of Washington, D. C.; John F. Smithers, of Providence, R. I.; Henry C. Peeples, of Atlanta, Ga.; H. Leroy Austin, of Albany, N. Y.; Frederick L. Leckie, of Cleveland, Ohio; John Franklin, of El Paso, Tex.; and Hubert Bruce Fuller, of Cleveland, Ohio, were admitted to practice.

No. 127. The United States, appellant, *v.* Charles F. Noble et al. Death of John M. Cooper, one of the appellees herein, suggested, and the appearance of W. W. Wyatt and T. Connor, executors of the estate of said John M. Cooper, deceased, as parties appellees herein, filed and entered on motion of Mr. A. Scott Thompson, their solicitor.

No. 775. Leo M. Frank, appellant, *v.* C. Wheeler Mangum, sheriff. Argument continued by Mr. Louis Marshall for the appellant, by Mr. Warren Grice for the appellee, and concluded by Mr. Hugh M. Dorsey for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 1, will be as follows: Nos. 280, 673, 127, 133, 163, 165, 166, 167, 168, and 169.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 1, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Bert Cohen, of New York City; S. B. Avis, of Charleston, W. Va.; James Wesley Bryan, of Seattle, Wash.; Herbert Kimball MacGeary, of Deadwood, S. Dak.; James J. M. O'Leary, of Wheeling, W. Va.; Edward H. Kubitz, of Chicago, Ill.; Perry J. Lewis, of San Antonio, Tex.; William C. Cannon, of New York City; and Edward M. Grout, of New York City, were admitted to practice.

No. 145. *M. Kirmeyer, plaintiff in error, v. The State of Kansas.* In error to the Supreme Court of the State of Kansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 149. *William McCoach, collector, etc., petitioner, v. Dundas F. Pratt et al., executors, etc.;* on writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Van Devanter. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

---

The Chief Justice announced the following orders of the court:

No. 509. *Seaboard Air Line Railway, plaintiff in error, v. Ella M. Thornton, as administratrix, etc.* In error to the Supreme Court of the State of South Carolina. Per curiam: Judgment reversed with costs, and cause remanded for further proceedings upon the authority of *Seaboard Air Line v. Horton* (233 U. S., 492).

No. 1, Original. *The State of Georgia, complainant, v. The Tennessee Copper Company et al.* Motion to assign for hearing granted and case set for argument on Monday, April 5th, next, after the cases heretofore assigned for that day.

No. 39. The United States of America et al., appellants, *v.* Louisville & Nashville Railroad Company et al. Motion to reform the decree and mandate herein granted.

No. 439. Samuel C. Scotten et al., appellants, *v.* Charles E. Littlefield, trustee, etc. Motion to reform the decree herein denied.

No. 789. Max G. Cohen, appellant, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, April 5th, next, after the cases heretofore assigned for that day.

No. 679. Oregon & California Railroad Company et al. *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, April 19th, next, at the head of the call for that day.

No. 477. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* Louise Alexander, administratrix, etc. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits.

No. 498. E. B. Johnson et al., plaintiffs in error, *v.* F. E. Riddle. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits.

No. 813. Oliver P. Newman, plaintiff in error, *v.* The United States of America ex rel. A. J. Frizzell. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 538. The Kansas City Southern Railway Company, plaintiff in error, *v.* Sam E. Leslie, administrator, etc.;

No. 713. Seaboard Air Line Railway, plaintiff in error, *v.* W. B. Tilghman; and

No. 779. Norfolk Southern Railroad Company, plaintiff in error, *v.* Walter G. Ferebee. Ordered that these cases be placed on the summary docket.

No. 491. Hilma Nelson, plaintiff in error, *v.* Richard G. Wood. Petition for a writ of certiorari herein denied.

No. 705. Charles M. McMahon et al., petitioners, *v.* The United States of America. Amended petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 783. Ashpoo Fertilizer Company, petitioner, *v.* W. H. Townsend et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 787. Andrew A. Nicrosi, etc., et al., petitioners, *v.* John B. Nicrosi et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 802. A. Y. Jameson, petitioner, *v.* The United States Farm Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 807. James Lansburgh et al., petitioners, *v.* Myron M. Parker et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 822. Pocahontas Distilling Company, Incorporated, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

---

No. 801. Ali Gegiow et al., petitioners, *v.* Bryon H. Uhe, as acting commissioner of immigration at the port of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Corry M. Stadden, in behalf of Mr. Abram I. Elkus, Mr. Max J. Kohler, Mr. Ralph Barnett, and Mr. Morris Jablow for the petitioners, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondents.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Motion to set case for hearing granted, and cause assigned for argument on Monday, April 19th next, after the case heretofore assigned for that day, on motion of Mr. John Garland Pollard for the complainant. Ordered that exceptions to the special master's report be filed on or before March 20th, on motion of Mr. John Garland Pollard for the complainant. Leave granted to file the exceptions of the bondholders to the special master's report on motion of Mr. Holmes Conrad in that behalf.

No. —, Original. Commonwealth of Virginia, complainant, *v.* John Pierpont Morgan. Motion for leave to file bill of complaint and for process submitted by Mr. John Garland Pollard for the complainant.

No. 816. Cecelia Lukens Pooler et al., petitioners, *v.* Jennie Hyne; and

No. 817. Cecelia Lukens Pooler et al., petitioners, *v.* Silas Hyne. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Edward H. Kubitz for the petitioners, and by Mr. G. V. Menzies for the respondents. Appearance of Mr. Lawrence Y. Sherman for the petitioners withdrawn on motion of Mr. Edward F. Kubitz for the petitioner.

No. 676. Daniel A. McDougal, plaintiff in error, *v.* Edmond McKay et al. Leave to Mr. John B. Meserve to file brief herein as *amicus curiæ* granted on motion of Mr. F. W. Clements in that behalf.

No. 451. Sadie A. Stead, executrix, etc., et al., appellants, *v.* Isabella M. Curtis et al. Motion to dismiss or affirm or to place on the

summary docket submitted by Mr. A. A. Birney, in behalf of Mr. J. C. Campbell, for the appellees in support of the motion, and by Mr. Horace W. Philbrook for the appellants in opposition thereto.

No. 827. Frisco Lumber Company, petitioner, *v.* O. E. Hodge et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. Edward Wright, in behalf of Mr. William T. Hutchings, for the petitioner.

No. 790. The Texas & Pacific Railway Company, plaintiff in error, *v.* Miss May Marcus; and

No. 791. The Texas & Pacific Railway Company, plaintiff in error, *v.* M. J. Murphy. Motions to dismiss or affirm submitted by Mr. S. P. Jones for the defendants in error in support of the motions, and by Mr. F. H. Prendergast for the plaintiff in error in opposition thereto.

No. 834. New York, Susquehanna & Western Railroad Company, petitioner, *v.* Annie Thierer; and

No. 835. New York, Susquehanna & Western Railroad Company, petitioner, *v.* Joseph Thierer. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William C. Cannon, in behalf of Mr. Frederic B. Jennings for the petitioner, and by Mr. Abram J. Rose for the respondents.

No. 320. The Eastern Railway Company of New Mexico et al., plaintiffs in error, *v.* George W. Littlefield et al., etc. Motion to dismiss submitted by Mr. W. A. Dunn and Mr. D. T. Bomar for the defendants in error in support of the motion, and by Mr. Gardiner Lathrop, Mr. Robert Dunlap, and Mr. A. H. Culwell for the plaintiffs in error in opposition thereto.

No. 407. Central Vermont Railway Company, plaintiff in error, *v.* Mary Theresa White, administratrix, etc. Motion to dismiss or affirm and for damages submitted by Mr. Warren R. Austin for the defendant in error in support of the motion, and by Mr. P. J. Farrell for the plaintiff in error in opposition thereto.

No. 482. The Texas & Pacific Railway Company, plaintiff in error, *v.* Clara Hill. Motion to dismiss or affirm and for damages or to place on the summary docket submitted by Mr. H. C. Carter for the defendant in error in support of the motion, and by Mr. T. D. Cobbs and Mr. George Thompson for the plaintiff in error in opposition thereto.

No. 280. Louisville & Nashville Railroad Company, appellant, *v.* The United States et al. Appeal from the United States Commerce Court. Decree reversed upon confession of error, and cause remanded to the District Court of the United States for the Western



District of Kentucky for further proceedings in conformity to law, on motion of Mr. Solicitor General Davis for The United States.

No. 673. Louisville & Nashville Railroad Company et al., appellants, *v.* The United States et al. Argument commenced by Mr. William A. Colston for the appellant, continued by Mr. Solicitor General Davis for The United States, by Mr. Charles W. Needham for The Interstate Commerce Commission, and concluded by Mr. William A. Colston for the appellants. Leave granted to file brief in behalf of The City of Nashville et al. within 10 days, on motion of Mr. A. G. Ewing, jr., in that behalf; and leave to file reply thereto within one week thereafter, on motion of Mr. William A. Colston for the appellant.

No. 127. The United States, appellant, *v.* Charles F. Noble et al. Argument commenced by Mr. Assistant Attorney General Knaebel for the appellant, and continued by Mr. A. S. Thompson, jr., and Mr. E. V. Thompson for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 2, will be as follows: Nos. 127, 133, 163, 165, 166, 167, 168, 169, 170, and 171.



## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 2, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

Albert M. Fuller, of Pittsburgh, Pa.; Walter L. Gleason, of New Orleans, La.; James Robinson Price, of Albemarle, N. C.; H. Robert Fowler, of Elizabethtown, Ill.; Lawrence B. Stringer, of Lincoln, Ill.; Edward Everett Denison, of Marion, Ill.; and Robert J. Travis, of Savannah, Ga., were admitted to practice.

No. 297. The United States of America *ex rel.* William N. Prender, plaintiff in error, *v.* Oliver P. Newman et al., commissioners, etc. In error to the Court of Appeals of the District of Columbia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 127. The United States, appellant, *v.* Charles F. Noble et al. Argument continued by Mr. E. V. Thompson for the appellees, and concluded by Mr. Assistant Attorney General Knaebel for the appellant.

No. 133. The United States, plaintiff in error, *v.* The Hiawassee Lumber Company. Argued by Mr. Assistant Attorney General Knaebel for the plaintiff in error, and by Mr. Marshall W. Bell and Mr. James H. Merrimon for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 3, will be as follows: Nos. 163, 165, 166, 167, 168, 169, 170, 171, 172, and 173.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 3, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Matthew Mansfield Neely, of Fairmont, W. Va.; Lewis A. McGowan, of Providence, R. I.; Ralph E. Stevens, of Denver, Colo.; John H. Gillett, of Hammond, Ind.; and Dallas Flannagan, of New York City, were admitted to practice.

No. 789. Max G. Cohen, appellant, *v.* The United States. Motion to dismiss submitted by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the appellee in support of the motion, and by Mr. Thomas Mannix for the appellant in opposition thereto.

No. 813. Oliver P. Newman, plaintiff in error, *v.* The United States of America *ex rel.* William J. Frizzell. Motion to advance submitted by Mr. A. A. Birney for the defendant in error.

No. 163. Cuno H. Rudolph et al., Commissioner of the District of Columbia, petitioners, *v.* Lynchburg Investment Corporation et al. Argument commenced by Mr. Conrad H. Syme for the petitioners, continued by Mr. John W. Cox and Mr. W. C. Sullivan for the respondents, and concluded by Mr. James Francis Smith for the petitioners.

No. 165. Producers Oil Company, plaintiff in error, *v.* Lydia Hanzen et al. Submitted by Mr. E. H. Farrar for the plaintiff in error, and by Mr. David T. Watson and Mr. Eugene Mackey for the defendants in error.

No. 166. St. Louis & San Francisco Railroad Company, plaintiff in error, *v.* Fannie M. Conarty, administratrix, etc. Submitted by Mr. W. F. Evans and Mr. Thomas P. Littlepage for the plaintiff in error, and by Mr. Samuel R. Chew for the defendant in error.

No. 167. George R. Robinson, plaintiff in error, *v.* The Baltimore & Ohio Railroad Company. Argument commenced by Mr. Levi H. David for the plaintiff in error, and continued by Mr. John W. Yerkes for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 4, will be as follows: Nos. 167, 168, 169, 170, 171, 172, 173, 174, 175, and 177.



# SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 4, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

John Raum, of Washington, D. C.; Frederick Hulse, of New York City; Charles Maitland Beattie, of New York City; William J. Kearns, of Newark, N. J.; Thomas H. Peeples, of Columbia, S. C.; and B. F. Adams, of Albuquerque, N. Mex., were admitted to practice.

No. 174. Kapiolani Estate, Limited, appellant, *v.* Mary H. Atcherly et al. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. F. W. Clements in behalf of counsel.

No. 167. George R. Robinson, plaintiff in error, *v.* The Baltimore & Ohio Railroad Company. Argument continued by Mr. John W. Yerkes for the defendant in error, and concluded by Mr. Levi H. David for the plaintiff in error.

No. 168. The People of the State of Illinois ex rel. John B. Gaskill, plaintiff in error, *v.* Forest Home Cemetery Co. of Chicago et al. Argument commenced by Mr. George W. Wilbur for the plaintiff in error, continued by Mr. Wallace D. Herrick for the defendants in error, and concluded by Mr. George W. Wilbur for the plaintiff in error.

No. 169. River Side and Dan River Cotton Mills, Incorporated, plaintiff in error, *v.* Williamson Menefee, etc. Argued by Mr. F. P. Hobgood, jr., for the plaintiff in error. No appearance for the defendant in error.

No. 170. David McCormick, appellant, *v.* City of Oklahoma City et al. Argument commenced by Mr. B. F. Burwell for the appellant, continued by Mr. Claude Weaver for the appellees, and concluded by Mr. B. F. Burwell for the appellant.

No. 171. George W. Caldwell et al., plaintiffs in error, *v.* Carl E. Bauer et al. Argument commenced by Mr. William J. Whinery for the plaintiff in error.

No. ——. William E. Heim et al., plaintiffs in error, *v.* Edward E. McCall et al., as public service commission, first district, City of New York. Injunction ordered. Announced by Mr. Chief Justice White.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 5th, will be as follows: Nos. 171, 172, 173, 175, 177, 181, 183, 184, 185, and 186.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 5, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

C. L. Prince, of Cheraw, S. C., was admitted to practice.

No. 280. Louisville & Nashville Railroad Company, appellant, *v.* The United States et al. Mandate granted on motion of Mr. W. A. Colston for the appellant.

No. 186. Nampa & Meridian Irrigation District, plaintiff in error, *v.* City of Nampa et al. In error to the Supreme Court of the State of Idaho. Dismissed with costs on authority of counsel for the plaintiff in error.

No. 171. George W. Caldwell et al., plaintiffs in error, *v.* Carl E. Bauer et al. Argument continued by Mr. William J. Whinery for the plaintiffs in error, by Mr. John W. Gillett for the defendants in error, and concluded by Mr. William J. Whinery for the plaintiffs in error.

No. 172. Joe Malloy, plaintiff in error, *v.* The State of South Carolina. Argued by Mr. Charles L. Prince for the plaintiff in error and by Mr. F. H. Dominick for the defendant in error.

No. 173. Detroit Trust Company, trustee, etc., appellant, *v.* The Pontiac Savings Bank et al. Argued by Mr. Bernard B. Selling for the appellant and submitted by Mr. Harrison Geer for the appellees.

No. 175. The American Seeding Machine Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Argued by Mr. J. E. Bowman for the plaintiff in error. No brief filed for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 8, will be as follows: Nos. 177, 181, 183, 184, 185, 187, 188, 189, 190, and 191.

\*



# SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 8, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

E. W. Myler, of Iola, Kans.; Richard T. Eddy, of Washington, D. C.; Owen J. Roberts, of Philadelphia, Pa.; Charles L. McKeehan, of Philadelphia, Pa.; James F. McKinney, of New York City; Coy Burnett, of Portland, Oreg.; Charles D. Chamberlin, of Cleveland, Ohio; and Thomas J. Christian, of Newport News, Va., were admitted to practice.

No. 91. The Michigan Central Railroad Company, plaintiff in error, *v.* The Michigan Railroad Commission. In error to the Supreme Court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 420. Northern Pacific Railway Company, plaintiff in error, *v.* State of North Dakota on relation of T. F. McCue, attorney general.

No. 421. Minneapolis, St. Paul & Sault Ste. Marie Ry. Co., plaintiff in error, *v.* State of North Dakota on relation of T. F. McCue, attorney general. In error to the Supreme Court of the State of North Dakota. Judgments reversed with costs and causes remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Hughes. Dissenting, Mr. Justice Pitney.

No. 197. Norfolk & Western Railway Company, plaintiff in error, *v.* W. G. Conley, attorney general of West Virginia, et al. In error to the Circuit Court of Kanawha County, State of West Virginia. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Hughes. Dissenting, Mr. Justice Pitney.

Nos. 46 and 159. The Linn & Lane Timber Company et al., appellants, *v.* The United States. Appeals from the United States Circuit Court of Appeals for the Ninth Circuit. Decrees affirmed and causes remanded to the District Court of the United States for the District of Oregon. Opinion by Mr. Justice Holmes.

No. 715. Ramapo Water Company, appellant, *v.* City of New York et al. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the Court:

No. 168. The People of the State of Illinois ex rel. John B. Gaskill, plaintiffs in error, *v.* Forest Home Cemetery Company of Chicago et al. In Error to the Supreme Court of the State of Illinois. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *Eustis v. Bolles*, 150 U. S., 361; *Yazoo & Miss. R. R. v. Brewer*, 231 U. S., 245, 249; *Holden Land Co. v. Interstate Trading Co.*, 233 U. S., 536, 541; (2) *Deming v. Carlisle Packing Co.*, 226 U. S., 102, 105; *Consol. Turnpike v. Norfolk, &c., Ry.*, 228 U. S., 596, 599-600; *Ennis Water Works v. Ennis*, 233 U. S., 652, 658.

No. 171. George W. Caldwell et al., plaintiffs in error, *v.* Carl E. Bauer et al. In error to the Supreme Court of the State of Indiana. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *Eustis v. Bolles*, 150 U. S. 361; *Yazoo & Miss. R. R. v. Brewer*, 231 U. S. 245, 249; *Holden Land Co. v. Interstate Trading Co.*, 233 U. S. 536, 541; (2) *Chesapeake & Ohio Ry. Co. v. McDonald*, 214 U. S. 191, 193; *Seaboard Air Line Ry. v. Duvall*, 225 U. S. 477, 481; *Rowe v. Scott*, 233 U. S. 658, 663, 664; *Cleveland & Pittsburgh R. R. v. Cleveland*, 235 U. S. 50.

No. 789. Max G. Cohen, appellant, *v.* The United States. Appeal from the District Court of the United States for the Western District of Washington. *Per curiam*: Final order affirmed upon the authority of *Kaizo v. Henry*, 211 U. S. 146, 148; *Harlan v. McGourin*, 218 U. S. 442, 445, 448; *Glasgow v. Moyer*, 225 U. S. 420, 428, 429; *Henry v. Henkel*, 235 U. S. 219, 229. See *Cohen v. United States*, 235 U. S. 696.

No. —, Original. Commonwealth of Virginia, complainant, *v.* John Pierpont Morgan. Motion for leave to file bill granted, and process ordered to issue.

No. 813. Oliver P. Newman, plaintiff in error, *v.* The United States of America ex rel. William J. Frizzell. Motion to advance granted, and case assigned for argument on Monday, April 5 next, after the cases heretofore assigned for that day.

No. 407. Central Vermont Railway Company, plaintiff in error, *v.* Mary Theresa White, administratrix, etc.; and

No. 791. The Texas & Pacific Railway Company, plaintiff in error, *v.* M. J. Murphy. Ordered that these cases be placed on the summary docket.

No. 451. Sadie A. Stead, executrix, etc., et al., appellants, *v.* Isabella M. Curtiss et al. Motion to dismiss or affirm or place on summary docket denied in the absence of a printed record or adequate abstract, but without prejudice.



No. 801. Ali Gegiow et al., petitioners, *v.* Byron H. Uhl, as acting commissioner of immigration of the port of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 816. Cecelia Lukens Pooler et al., petitioners, *v.* Jennie Hyne; and

No. 817. Cecelia Lukens Pooler et al., petitioners, *v.* Silas Hyne. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 827. Frisco Lumber Company, petitioner, *v.* O. E. Hodge et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 834. New York, Susquehanna & Western R. R. Co., petitioner, *v.* Annie Thierer; and

No. 835. New York, Susquehanna & Western R. R. Co., petitioner, *v.* Joseph Thierer. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 860. William E. Heim et al., plaintiffs in error, *v.* Edward E. McCall et al., etc. Injunctive order of March 4 modified.

No. 697. Manuel Cerecedo et al., plaintiffs in error, *v.* The United States. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Solicitor General Davis for the defendant in error in support of the motion, and by Mr. Paul Fuller and Mr. Howard Thayer Kingsbury for the plaintiff in error in opposition thereto.

No. 860. William E. Heim et al., plaintiffs in error, *v.* Edward E. McCall et al., etc. Motion to advance submitted by Mr. Thomas E. O'Brien for the plaintiffs in error.

No. 862. Clarence A. Crane, plaintiff in error, *v.* The People of the State of New York. Motion to advance submitted by Mr. Thomas E. O'Brien in behalf of counsel.

No. 848. Carrie Cushman et al., petitioners, *v.* Warren-Scharf Asphalt Paving Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles T. Tittman in behalf of Mr. Marquis Eaton and Mr. Joseph H. Defrees for the petitioners, and by Mr. Morris M. Townley for the respondent.

No. 166. St. Louis & San Francisco Railroad Company, plaintiff in error, *v.* Fannie M. Conarty, administratrix, etc. Leave granted to counsel for defendant in error to file an additional brief within four days, on motion of Mr. Thomas P. Littlepage in his behalf.

No. 217. C. & G. Merriam Company, appellant, *v.* Syndicate Publishing Company. Motion to dismiss submitted by Mr. George X.

McLanahan in behalf of Mr. Hugh A. Bayne for the appellee in support of the motion, and by Mr. William B. Hale for the appellant in opposition thereto.

No. 544. Charles Hartwell Chater, a minor, etc., et al., appellant, *v.* Albert W. Carter, trustee, etc., et al. Motion to advance to be heard after case No. 174 submitted by Mr. Evans Browne in behalf of counsel.

No. 825. The Hart Steel Company et al., petitioners, *v.* The Railroad Supply Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Evans Browne in behalf of Mr. Frank F. Reed, Mr. Edward S. Rogers, and Mr. Frederick P. Fish for the petitioners.

No. , Original. Ex parte in the matter of Helen C. Sheckels, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. John Raum for the petitioner.

No. 190. The Dalton Adding Machine Company, appellant, *v.* The State Corporation Commission of the Commonwealth of Virginia et al. Submitted by Mr. Thomas A. Banning for the appellant, and by Mr. John Garland Pollard and Mr. C. B. Garnett for the appellees.

No. 177. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* The State of Wisconsin. Argument commenced by Mr. Frank B. Kellogg for the plaintiff in error, continued by Mr. Walter Drew for the defendant in error, and concluded by Mr. Frank B. Kellogg for the plaintiff in error.

No. 181. Louisville & Nashville Railroad Company, plaintiff in error, *v.* G. A. Maxwell. Submitted by Mr. John B. Keeble for the plaintiff in error, and by Mr. John A. Pitts and Mr. K. T. McConico for the defendant in error.

No. 183. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Western Union Telegraph Company. Argument commenced by Mr. Victor Leovy for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 9, will be as follows: Nos. 183, 184, 185, 187, 188, 189, 191, 192, 193, and 194.



## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 9, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Sam Rayburn, of Bonham, Tex.; Walter B. Scott, of Fort Worth, Tex.; Charles B. Robinson, of Orlando, Fla.; Lee B. Ewing, of Nevada, Mo.; Shrader P. Howell, of Jefferson City, Mo.; and Burgess E. Sapp, of Mount Vernon, Ohio, were admitted to practice.

No. 188. Holland City Gas Company, appellant, *v.* The City of Holland. Appeal from the District Court of the United States for the Western District of Michigan. Dismissed with costs, on authority of counsel for the appellant.

No. 183. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Western Union Telegraph Company. Argument continued by Mr. Victor Leovy for the plaintiff in error, by Mr. Rush Taggart for the defendant in error, and concluded by Mr. John G. Johnson for the plaintiff in error.

No. 184. J. G. Davis, plaintiff in error, *v.* The Commonwealth of Virginia. Argument commenced by Mr. John Winston Read for the plaintiff in error, continued by Mr. Christopher B. Garnett for the defendant in error, and concluded by Mr. Thomas J. Christian for the plaintiff in error.

No. 185. S. J. Sligh, plaintiff in error, *v.* James A. Kirkwood, sheriff, etc. Argument commenced by Mr. Charles B. Robinson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 10, will be as follows: Nos. 185, 187, 189, 191, 192, 193, 194, 195 (and 196), 198, and 199 (and 275 and 676).

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 10, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

S. Duncan Bradley, of Washington, D. C.; Lewis Williamson Lake, of Baltimore, Md.; J. Philip Roman, of Cumberland, Md.; Walter C. Capper, of Cumberland, Md.; and R. Stuart Knapp, of Washington, D. C., were admitted to practice.

No. 568. The Chicago & Alton Railroad Company, appellant, *v.* The United States; and

No. 759. The Yazoo & Mississippi Valley Railroad Company, appellant, *v.* The United States. Leave granted Mr. R. Stuart Knapp and Mr. F. Carter Pope to file brief herein as *amici curiæ*, on motion of Mr. F. Carter Pope in that behalf.

No. 185. S. J. Sligh, plaintiff in error, *v.* James A. Kirkwood, as sheriff, etc. Argument concluded by Mr. Charles B. Robinson for the plaintiff in error. Leave granted to counsel for the defendant in error to file brief within five days.

No. 187. Mallinckrodt Chemical Works, plaintiff in error, *v.* The State of Missouri at the relation of Seebert G. Jones, etc. Argued by Mr. Shepard Barclay for the plaintiff in error, and by Mr. Lee B. Ewing for the defendant in error.

No. 189. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* J. B. Vosburg. Submitted by Mr. Gardiner Lathrop and Mr. Robert Dunlap for the plaintiff in error, and by Mr. Arthur M. Jackson for the defendant in error.

No. 191. The Cumberland Glass Manufacturing Company, plaintiff in error, *v.* Charles DeWitt, trading as Charles DeWitt & Company. Argument commenced by Mr. Henry H. Dinneen for the plaintiff in error, continued by Mr. Thomas G. Hayes and Mr. Lewis W. Lake for the defendant in error, and concluded by Mr. Arthur L. Jackson for the plaintiff in error.

No 194. The United States ex rel. Edward L. Chott, plaintiff in error, *v.* Thomas Ewing, Commissioner of Patents, et al. Argument commenced by Mr. Joshua R. H. Potts for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 11, will be as follows: Nos. 194, 192, 193, 195 (and 196), 198, 199 (and 275 and 676), 200, 201, 202, and 203.



## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 11, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Andrew Lees, of La Crosse, Wis., and Harvey C. McClintock, of Pittsburgh, Pa., were admitted to practice.

No. 200. William Chapman, plaintiff in error, *v.* George Zobelein. Submitted by Mr. Ernest E. Wood for the plaintiff in error, and by Mr. Edward P. Wehrle for the defendant in error.

No. 202. The Southern Pacific Co., appellant, *v.* The United States. Submitted by Mr. A. A. Hoehling, jr., for the appellant, and by Mr. Assistant Attorney General Thompson for the appellee.

No. 203. The United Surety Co., plaintiff in error, *v.* American Fruit Product Co. Passed, to be restored to the call under the provisions of Section 9, Rule 26, on motion of Mr. A. H. Ferguson for the plaintiff in error.

No. 194. The United States *ex rel.* Edward L. Chott, plaintiff in error, *v.* Thomas Ewing, Commissioner of Patents, et al. Argument continued by Mr. Joshua R. H. Potts for the plaintiff in error, by Mr. Assistant Attorney General Warren for the defendants in error, and concluded by Mr. Joshua R. H. Potts for the plaintiff in error.

No. 192. The New Orleans Tax Payers' Protective Association et al., plaintiffs in error, *v.* The Sewerage and Water Board of New Orleans. Argued by Mr. Charles Louque for the plaintiffs in error, and by Mr. Walter L. Gleason for the defendant in error.

No. 193. Tony Rossi, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Argument commenced by Mr. H. C. McClintock for the plaintiff in error, continued by Mr. Thomas W. Dickey for the defendant in error, and concluded by Mr. H. C. McClintock for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 12, will be as follows: Nos. 195 (and 196), 198, 199 (and 275 and 676), 201, 204, 205, 206, 208, 212, and 213.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 12, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

John T. Pearson, of Duluth, Minn., R. A. Hollister, of Oshkosh, Wis., Chas. L. Bartlett, of Chicago, Ill., and Robert H. Turner, of Washington, D. C., were admitted to practice.

No. 166. St. Louis & San Francisco Railroad Co., plaintiff in error, *v.* Fannie M. Conarty, Adm'x, etc. Leave to file brief of Mr. E. B. Kinsworthy and Mr. Edward J. White as *amici curiæ* granted, on motion of Mr. R. B. Brown in that behalf.

No. 676. Daniel A. McDougal, plaintiff in error, *v.* Edmond McKay et al. Leave to file brief of Mr. E. G. McAdams and Mr. Norman R. Haskell as *amici curiæ* granted, on motion of Mr. F. W. Clements in that behalf.

No. 212. Washington-Virginia Railway Co., plaintiff in error, *v.* Real Estate Trust Company of Philadelphia. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 195. The State of South Carolina ex rel. Phoenix Mutual Life Insurance Company, plaintiff in error, *v.* Fitz H. McMaster, as Insurance Commissioner, etc.; and

No. 196. The State of South Carolina ex rel. Louis Sherfesee et al., plaintiffs in error, *v.* Fitz H. McMaster, as Insurance Commissioner, etc. Argument commenced by Mr. T. Moultrie Mordecai for the plaintiffs in error, continued by Mr. F. H. Dominick for the defendant in error, and concluded by Mr. T. Moultrie Mordecai for the plaintiffs in error.

No. 198. Chicago, Burlington & Quincy Railroad Company, plaintiff in error, *v.* Railroad Commission of Wisconsin. Argument commenced by Mr. Robert Bruce Scott for the plaintiff in error, continued by Mr. Walter Drew for the defendant in error, and concluded by Mr. Andrew Lees for the plaintiff in error.

No. 199. Lena Pigeon et al., plaintiffs in error, *v.* William Buck et al.;

No. 275. Elias Roberts, by his guardian, etc., plaintiff in error, *v.* William Underwood et al.; and

No. 676. Daniel A. McDougal, plaintiff in error, *v.* Edmond McKay et al. Argument commenced by Mr. M. E. Rosser for the plaintiffs in error.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, March 15, will be as follows: Nos. 198<sup>7</sup> (and 275 and 676), 201, 204, 205, 206, 208, 213, 214, 219, and 51.





# SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 15, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Alonzo J. Edgerton, of St. Paul, Minn.; Frank L. Cliff, of Ortonville, Minn.; Lawrence C. McBride, of Dallas, Tex.; Charles B. Parkhill, of Tampa, Fla.; Richard J. Roberts, of El Reno, Okla.; Will G. Graves, of Spokane, Wash.; William H. Watson, of Pensacola, Fla.; Alvin A. Morris, of Pittsburgh, Pa.; and O. E. Holman, of St. Paul, Minn., were admitted to practice.

No. 124. The A. J. Phillips Company, plaintiff in error, *v.* Grand Trunk Western Railway Company et al. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Eastern District of Michigan. Opinion by Mr. Justice Lamar.

No. 135. Wilson Cypress Company, appellant, *v.* Enrique del Pozo y Marcos et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed with costs and cause remanded to the District Court of the United States for the Southern District of Florida for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 170. David McCormick, appellant, *v.* The City of Oklahoma City et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 175. The American Seeding Machine Company, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. —, original. *Ex parte* In the matter of Helen C. Sheckels, petitioner. Motion for leave to file petition for writ of mandamus denied.

No. 544. Charles Hartwell Chater, a minor, etc., et al., appellants, *v.* Alfred W. Carter, trustee, et al. Motion to advance and assign for argument after No. 174 granted.

No. 860. William E. Heim et al., plaintiffs in error, *v.* Edward E. McCall et al., etc.; and

No. 862. Clarence A. Crane, plaintiff in error, *v.* The People of the State of New York. Motions to advance granted, and cases assigned for argument on Tuesday, October 12 next.

No. 217. G. & C. Merriam Company, appellant, *v.* The Syndicate Publishing Company. Motion to dismiss postponed to the hearing of the case on the merits.

No. 697. Manuel Cerecedo et al., plaintiffs in error, *v.* The United States. Motion to dismiss or affirm postponed to the hearing of the case on the merits.

No. 825. The Hart Steel Company et al., petitioners, *v.* The Railroad Supply Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 848. Carrie Cushman et al., petitioners, *v.* Warren-Scharf Asphalt Paving Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

---

The Chief Justice also announced that the court will take a recess from Monday, the 22d instant, to Monday, April 5 next.

---

No. 686. The Export & Import Lumber Company, appellant, *v.* The Port Banga Lumber Company. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Clement L. Bouve and Mr. James Ross for the appellee in support of the motion, and by Mr. A. D. Gibbs for the appellant in opposition thereto.

No. 233. The Milwaukee Electric Railway & Light Company, plaintiff in error, *v.* The Railroad Commission of Wisconsin. Motion for leave to file brief of Mr. Daniel W. Hoan as *amicus curiæ* granted, on motion of Mr. Walter Drew in that behalf.

No. 219. The State ex rel. Willis J. Roussel, plaintiff in error, *v.* Jared Y. Sanders, governor, et al. Continued per stipulation of counsel.

No. 51. Nancy Neron Longpre et al., plaintiffs in error, *v.* Clemente Diaz y Quinones. Submitted by Mr. H. H. Scoville and Mr. J. R. F. Savage for the plaintiffs in error, and by Mr. Francis H. Dexter for the defendant in error.

No. 199. Lena Pigeon et al., plaintiffs in error, *v.* William Buck et al.

No. 275. Elias Roberts, by his guardian, etc., plaintiff in error, *v.* William Underwood et al.; and

No. 676. Daniel A. McDougal, plaintiff in error, *v.* Edmond McKay et al. Argument continued by Mr. M. E. Rosser for the plaintiffs in error, by Mr. George S. Ramsey, by Mr. H. H. Rogers for the defendants in error, and concluded by Mr. M. E. Rosser for the plaintiffs in error, and submitted by Mr. Lewis C. Lawson for the plaintiff in error in No. 199, by Mr. H. A. Ledbetter for the plaintiff in error in No. 275, and by Mr. James R. Wood for the defendant in error in No. 275.

No. 9, original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Argument of motion to dismiss commenced by Mr. Preston C. West, in support of the motion, and continued by Mr. John C. Thompson in opposition thereto.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 16, will be as follows: Nos. 201, 204, 205, 206, 208, 213, 214, 217, 220, and 221.



# SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 16, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

---

Isaac O. Pickering, of Olathe, Kansas, was admitted to practice.

---

No. 568. The Chicago & Alton Railroad Company, appellant, *v.* The United States. Leave to file brief on behalf of M., St. P. & S. S. M. Ry. Co. as *amicus curie* granted on motion of Mr. L. T. Michener in that behalf.

No. 221. The Long-Bell Lumber Company, appellant, *v.* Walter B. Moses. Continued, per stipulation.

No. 9, Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Argument continued by Mr. John C. Thompson and Mr. Michael G. Eberlein in opposition to motion to dismiss, and concluded by Mr. Preston C. West in support of same.

No. 201. Louisville & Nashville Railroad Company, plaintiff in error, *v.* L. M. Rhoda, administrator, etc. Argument commenced by Mr. A. C. Blount for the plaintiff in error, continued by Mr. W. H. Watson for the defendant in error, and concluded by Mr. A. C. Blount for the plaintiff in error.

No. 204. George B. Christie et al., etc., appellants, *v.* The United States. Argument commenced by Mr. George A. King for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 17, will be as follows: Nos. 204, 205, 206, 208, 213, 214, 217, 220, 222, and 223.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 17, 1915.  

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

---

C. D. Corum, of St. Louis, Mo.; Charles M. Hay, of St. Louis, Mo.; Elliott H. Jones, of Kansas City, Mo.; Joseph T. Pence, of Boise, Idaho; and Gerry L. Brooks, of Portland, Me., were admitted to practice.

---

No. 204. George B. Christie et al., etc., appellants, *v.* The United States. Argument continued by Mr. George A. King for the appellants, by Mr. Assistant Attorney General Thompson for the appellee, and concluded by Mr. Frank Boughton Fox for the appellant.

No. 205. Stewart Mining Company, plaintiff in error, *v.* Ontario Mining Company et al. Argument commenced by Mr. Milton S. Gunn for the plaintiff in error, and continued by Mr. Myron A. Folsom and Mr. John P. Gray for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 18, will be as follows: Nos. 205, 206, 208, 213, 214, 217, 220, 222, 223, and 224.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 18, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Charles L. Bartlett, of Macon, Ga.; Proctor Knott Owens, of Detroit, Mich., and Henry W. Moore, of Terre Haute, Ind., were admitted to practice.

No. 205. Stewart Mining Company, plaintiff in error, *v.* Ontario Mining Company et al. Argument concluded by Mr. Charles S. Thomas for the plaintiff in error.

No. 206. Spokane & Inland Empire R. R. Co., plaintiff in error, *v.* Mary Elizabeth Whitley. Argued by Mr. W. G. Graves for the plaintiff in error and by Mr. John P. Gray for the defendant in error.

No. 208. Lewis E. Smoot, appellant, *v.* The United States. Argument commenced by Mr. William G. Johnson for the appellant and continued by Mr. Assistant Attorney General Thompson for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 19, will be as follows: Nos. 208, 213, 214, 217, 220, 222, 223, 224, 225, and 226 (and 227, 228, 229, and 230).

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 19, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Thomas Dignan, of Glasgow, Mont.; Helge O. H. Murray, of Washington, D. C.; and Louis M. Spencer, of Detroit, Mich., were admitted to practice.

No. 375. P. J. Carlin Construction Company, plaintiff in error, *v.* Guerini Stone Company. In error to the District Court of the United States for Porto Rico. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 208. Lewis E. Smoot, appellant, *v.* The United States. Argument continued by Mr. Assistant Attorney General Thompson for the appellee, and concluded by Mr. William G. Johnson for the appellant.

No. 213. Hartford Life Insurance Co., Hartford, Conn., plaintiff in error, *v.* Eliza Ibs. Argued by Mr. Frederick W. Lehmann for the plaintiff in error and by Mr. O. E. Holman for the defendant in error.

No. 214. The Chicago and Alton Railroad Co., plaintiff in error, *v.* Henry A. Tranbarger. Argued by Mr. Elliott H. Jones for the plaintiff in error and by Mr. Charles M. Hay for the defendant in error.

Adjourned until Monday next at 12 o'clock.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 22, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Roy R. Clark, of Muskogee, Okla.; Robert H. Patton, of New York City; Nathan Bilder, of Newark, N. J.; and Harrison L. Schmitt, of Minneapolis, Minn., were admitted to practice.

No. 158. St. Louis Southwestern Railway Company, plaintiff in error, *v.* Spring River Stone Company. In error to the Springfield Court of Appeals of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 441. W. S. Tyler Company, appellant, *v.* Ludlow-Saylor Wire Company. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 622. W. S. Tyler Company, petitioner, *v.* Ludlow-Saylor Wire Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. Opinion by Mr. Justice McReynolds.

No. 331. The United States, plaintiff in error, *v.* Frederick W. Hvoslef and William S. Walsh, survivors of William Bennett. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice Hughes. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 88. Great Northern Railway Company, plaintiff in error, *v.* James A. Hower, individually and as trustee; Anna H. Hower, wife of James A. Hower; Nonpareil Consolidated Copper Company et al. In error to the Supreme Court of the State of Washington. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Day.



No. 161. William A. Wright, Comptroller General of Georgia, appellant. *v.* The Central of Georgia Railway Company. Appeal from the District Court of the United States for the Northern District of Georgia. Decree affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Hughes, Mr. Justice Pitney, and Mr. Justice McReynolds. (Mr. Justice Lamar took no part in the consideration or decision of this case.)

No. 162. William A. Wright, Comptroller General of the State of Georgia, petitioner. *v.* Louisville & Nashville Railroad Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree modified and affirmed with costs and cause remanded to the District Court of the United States for the Northern District of Georgia. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Hughes, Mr. Justice Pitney, and Mr. Justice McReynolds. (Mr. Justice Lamar took no part in the consideration or decision of this case.)

No. 163. Oliver P. Newman et al., commissioners, etc., petitioners, *v.* Lynchburg Investment Corporation and Holmes Central Realty Corporation et al. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 184. J. G. Davis, plaintiff in error, *v.* The Commonwealth of Virginia. In error to the Supreme Court of Appeals of the State of Virginia. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 190. The Dalton Adding Machine Company, appellant, *v.* The State Corporation Commission of the Commonwealth of Virginia et al. Appeal from the District Court of the United States for the Eastern District of Virginia. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 710. Seaboard Air Line Railway Company, plaintiff in error, *v.* Clara V. Padgett, administratrix, etc. In error to the Supreme Court of the State of South Carolina. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the Court:

No. 4, Original. The State of North Carolina, complainant *v.* The State of Tennessee. Pursuant to the decree of this court of November 9th last, and of the agreement of counsel for the respective parties, W. D. Hale, D. B. Burns, and Joseph Hyde Pratt are appointed commissioners to permanently mark the boundary line between the States of North Carolina and Tennessee, and decree entered giving directions governing the marking said line.

No. 9, Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Motion to dismiss overruled without prejudice and leave given the defendant to answer within thirty days.

*Order.*—It is ordered by the court that the cases heretofore placed on the summary docket, viz, Nos. 538, 713, 779, 407, and 791, be, and the same are hereby, assigned for argument on Monday, April 19th, at the head of the call for that day.

---

No. 697. Manuel Cerecedo et al., plaintiffs in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Davis for the defendant in error in support of the motion and by Mr. Howard Thayer Kingsbury for the plaintiff in error in opposition thereto.

No. 165. Producers Oil Company, plaintiff in error, *v.* Lydia Hanzen et al. Leave granted to file an additional brief on behalf of the defendants in error on motion of Mr. Eugene Mackey for the defendants in error.

No. 687. George G. Johnson, as Treasurer of the State of South Dakota, appellant, *v.* Wells Fargo & Company; and

No. 688. George G. Johnson, as Treasurer of the State of South Dakota, appellant, *v.* James C. Fargo, etc. Motions to advance submitted by Mr. Samuel Herrick in behalf of counsel.

No. 878. Le Roy Brazee, plaintiff in error, *v.* The People of the State of Michigan. Motion for a restraining order submitted by Mr. Proctor Knott Owens for the plaintiff in error.

Adjourned until Monday, April 5, at 12 o'clock.

The day call for Monday, April 5, will be as follows: Nos. 568, 759, 685, 736, 748, 501 (and 502, 503, and 504), 536, 480, 712, 757, 1 Original, and 813.



## SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 5, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

J. A. Drake, of Atlanta, Ga.; Orville L. Dines, of Denver, Colo.; John Woodward Satterwhite, of Los Angeles, Cal.; Leslie Roy Naftzger, of Indianapolis, Ind.; Frank E. Bishop, of Lincoln, Nebr.; Merritt E. Haviland, of New York City; Seth Shepard, jr., of Dallas, Tex.; Stanleigh P. Friedman, of New York City; Clarence E. Mehlhope, of Chicago, Ill.; and Walter F. Schuyler, of Chicago, Ill., were admitted to practice.

No. 172. Joe Malloy, plaintiff in error, *v.* The State of South Carolina. In error to the Supreme Court of the State of South Carolina. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 173. Detroit Trust Company, trustee, etc., *v.* The Pontiac Savings Bank et al. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Michigan. Opinion by Mr. Justice McReynolds.

No. 139. Glenn Knapp, plaintiff in error, *v.* Alexander-Edger Lumber Company. In error to the Circuit Court of Bayfield County, State of Wisconsin. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 153. Louis Reinman et al., plaintiffs in error, *v.* The City of Little Rock et al. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 76. The Pennsylvania Railroad Company, plaintiff in error, *v.* Puritan Coal Mining Company. In error to the Supreme Court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 320. The Eastern Railway Company of New Mexico et al., plaintiffs in error, *v.* George W. Littlefield et al. In error to the Supreme Court of the State of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Lamar.

No. 643. American Surety Company of New York, plaintiff in error, *v.* George S. Schultz. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 541. The United States *v.* Sherman & Sons Company. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Questions answered: 1. As to the question marked 1, we hold that the importer is not concluded by the reliquidation order, and when suit is brought for the amount claimed to be due he may file his plea and be heard in his defense as in other cases, even though he did not file a protest and make the payment required in the case of the original liquidation. 2. The question marked 2, we answer, no. 3. To the question marked 3, we answer, no—the Government in such a suit being obliged to conform to the general rule of pleading where recovery is sought on the ground of fraud. Opinion by Mr. Justice Lamar. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 200. William Chapman, plaintiff in error, *v.* George Zobelein. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 86. Joseph F. Guffey et al., petitioners, *v.* James A. Smith et al. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Eastern District of Illinois with directions that the accounting and the decree be conformed to the views expressed in the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 87. Joseph F. Guffey et al., petitioners, *v.* Susannah Smith et al. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Eastern District of Illinois with directions that the accounting and the decree be conformed to the views expressed in the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 616. The Thames & Mersey Marine Insurance Company, Limited, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the Southern District of New York. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Hughes. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 181. Louisville & Nashville Railroad Company, plaintiff in error, *v.* G. A. Maxwell. In error to the Supreme Court of the State of Tennessee. Judgment reversed with costs, and cause remanded

for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Hughes. Dissenting: Mr. Justice McReynolds.

No. 127. The United States, appellant, *v.* Charles F. Noble et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Hughes. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 167. George R. Robinson, plaintiff in error, *v.* The Baltimore & Ohio Railroad Co. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 142. Henry Henkel et al., plaintiffs in error, *v.* The United States. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the District of Montana. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 185. S. J. Sligh, plaintiff in error, *v.* James A. Kirkwood, as sheriff of Orange County, Fla. In error to the supreme Court of the State of Florida. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 195. The State of South Carolina ex rel. Phoenix Mutual Life Insurance Company, plaintiff in error, *v.* Fitz H. McMaster, as insurance commissioner, etc.; and

No. 196. The State of South Carolina ex rel. Louis Sherfese and Frank F. Covington, plaintiffs in error, *v.* Fitz H. McMaster, as insurance commissioner, etc. In error to the Supreme Court of the State of South Carolina. Judgments affirmed with costs. Opinion by Mr. Justice Day.

No. 117. The United States, plaintiff in error, *v.* Emery, Bird, Thayer Realty Company. In error to the District Court of the United States for the Western District of Missouri. Judgment affirmed. Opinion by Mr. Justice Holmes. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 192. The New Orleans Taxpayers' Protective Association et al., plaintiffs in error, *v.* The Sewerage and Water Board of New Orleans. In error to the Supreme Court of the State of Louisiana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 208. Lewis E. Smoot, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

---

The Chief Justice announced the following orders of the Court:

No. 687. George G. Johnson, treasurer of South Dakota, appellant, *v.* Wells, Fargo & Company.

No. 688. George G. Johnson, treasurer of South Dakota, appellant, *v.* James C. Fargo, individually, etc. Motions to advance granted, and cases assigned for argument on Tuesday, October 11 next, after the cases heretofore assigned for that day.

No. 697. Manuel Cerecedo et al., plaintiffs in error, *v.* The United States. Motion to advance granted, and cause assignment for argument on Tuesday, October 11, next, after the cases heretofore assigned for that day.

No. 878. LeRoy Brazee, plaintiff in error, *v.* The People of the State of Michigan. Motion for restraining order denied.

---

No. 785. The United States, petitioner, *v.* New York & Oriental Steamship Company, Ltd. Motion to advance submitted by Mr. Solicitor General Davis for the petitioner.

No. 903. The Railroad Supply Company, petitioner, *v.* Elyria Iron & Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr. Clarence E. Mehlhope, Mr. C. C. Linthicum, and Mr. Taylor E. Brown for the petitioner.

No. 880. William L. Dayton, trustee, etc., petitioner, *v.* A. H. Stanard, treasurer, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Harvey Riddell for the petitioner.

No. 794. American Bonding Company of Baltimore, Maryland, petitioner, *v.* Arthur H. Brown, as receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Thomas J. Walsh, Mr. C. B. Nolan, and Mr. William Scallon for the petitioner, and by Mr. M. S. Gunn for the respondent.

No. 883. Hedwig Fichtel et al., etc., petitioners, *v.* The Hess-Bright Manufacturing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William A. Redding and Mr. Frederick P.

Fish for the petitioner, and by Mr. Robert Fletcher Rogers for the respondent.

No. 881. Repayment Car Sales Company, petitioner, *v.* Orange County Traction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Martin W. Littleton and Mr. Samuel E. Darby for the petitioner, and by Mr. Clarence P. Byrnes and Mr. Willard M. McEwen for the respondent.

No. 904. Trussed Concrete Steel Company, petitioner, *v.* Thomas Ewing, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. William S. Hodges and Mr. Fred L. Chappell for the petitioner.

No. 731. Edward A. Peters, appellant, *v.* Henry L. Ferris et al. Motion to dismiss submitted by Mr. F. M. Phelps, Mr. George A. Chritton, and Mr. P. C. Dyrenforth for the appellees in support of the motion, and by Mr. William G. Henderson for the appellant in opposition thereto. Motion to advance submitted by Mr. William G. Henderson for the appellant.

No. 910. Continuous Glass Press Company, petitioner, *v.* Schmertz Wire Glass Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. Andrew C. Gray and Mr. Augustus B. Stoughton for the petitioner, and by Mr. Arthur J. Baldwin and Mr. Drury W. Cooper for the respondent.

No. 724. Pacific Live Stock Company, appellant, *v.* John H. Lewis et al., etc., et al. Motion to advance submitted by Mr. Evans Browne for the appellant.

No. 286. John A. S. Brown et al., petitioners, *v.* Austin B. Fletcher, testamentary trustee, etc. Motion to postpone argument submitted by Mr. Charles H. Burr for the petitioners in support of the motion, and by Mr. William P. S. Melvin for the respondent in opposition thereto.

No. 536. Chun Kim, appellant, *v.* Samuel W. Backus, Commissioner of Immigration, etc. Appeal from the District Court of the United States for the Northern District of California. Dismissed with costs, pursuant to the tenth rule.

No. 501. Jones National Bank, plaintiff in error, *v.* Charles E. Yates et al.;

No. 502. Bank of Staplehurst, plaintiff in error, *v.* Charles E. Yates et al.;

No. 503. Utica Bank, plaintiff in error, *v.* Charles E. Yates et al. :  
and

No. 504. Thomas Bailey, plaintiff in error, *v.* Charles E. Yates et al. Argument commenced by Mr. J. J. Thomas for the plaintiffs in error, continued by Mr. Halleck F. Rose for defendants in error in Nos. 501 and 502, and by Mr. Frank E. Bishop for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 6, will be as follows: Nos. 501 (and 502, 503, and 504), 480, 1, Original, 685, 736, 748, 757, 568, 759, 712, and 813.





## SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 6, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Arthur Gray Powell, of Atlanta, Ga.; J. H. Carnahan, of Klamath Falls, Oreg., and Chester J. Gerkin, of Peru, Ind., were admitted to practice.

No. 480. Paine Lumber Company, Limited, et al., appellants, *v.* Elbridge N. Neal, individually and as secretary, etc., et al. Reassigned for argument on Monday, April 26 next.

No. 501. Jones National Bank, plaintiff in error, *v.* Charles E. Yates et al;

No. 502. Bank of Staplehurst, plaintiff in error, *v.* Charles E. Yates et al.;

No. 503. Utica Bank, plaintiff in error, *v.* Charles E. Yates et al.; and

No. 504. Thomas Bailey, plaintiff in error, *v.* Charles E. Yates et al. Argument continued by Mr. Frank E. Bishop for the defendants in error, and concluded by Mr. J. J. Thomas for the plaintiffs in error.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Argument commenced by Mr. Warren Grice for the complainant, continued by Mr. J. A. Fowler and Mr. W. B. Miller for the defendant Ducktown Company, and by Mr. J. A. Drake for the complainant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 7, will be as follows: Nos. 1 Original, 685, 736, 748, 757, 568 (and 759), 712, 813, 217, and 220.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 7, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Robert Collyer Fergus, of Chicago, Ill.; Joseph Gilbert, of Newark, N. Y.; and Philip S. Post, of Chicago, Ill., were admitted to practice.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Argument concluded by Mr. J. A. Drake, for the complainant.

No. 685. Thomas W. Morgan, Warden, etc., appellant, *v.* Alfonso J. Devine et al. Submitted by Mr. Assistant Attorney General Wallace, for the appellant, and by Mr. A. E. Dempsey, for the appellees.

No. 736. George Ebeling, appellant, *v.* Thomas W. Morgan, warden, etc. Argued by Mr. Assistant Attorney General Wallace for the appellee, and submitted by Mr. Franz E. Lindquist and Mr. William P. Borland for the appellant.

No. 748. The United States, plaintiff in error, *v.* William Rabinowich. Argument commenced by Mr. Assistant Attorney General Warren for the appellant, continued by Mr. William R. Harr for the appellee, and concluded by Mr. Assistant Attorney General Warren for the appellant.

No. 757. International Harvester Company of New Jersey, etc., et al., appellants, *v.* The United States. Four hours allowed each side in argument, and three counsel allowed to argue for appellants. Argument commenced by Mr. John P. Wilson for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 8, will be as follows: Nos. 757, 568 (and 759), 712, 813, 217, 220, 222, 223, 224, and 225.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 8, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

No. 757. International Harvester Company of New Jersey, etc., et al., appellants, *v.* The United States. Argument continued by Mr. John P. Wilson for the appellants, by Mr. Attorney General Gregory for the appellee, by Mr. Edgar A. Bancroft for the appellants, and by Mr. Solicitor General Davis for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 9, will be as follows: Nos. 757, 568 (and 759), 712, 813, 217, 220, 222, 223, 224, and 225.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 9, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

William S. Elliott, of Chicago, Ill.; R. Emmett Stewart, of Muskogee, Okla.; Charles M. Polk, of St. Louis, Mo.; and Edward P. Williams, of Galesburg, Ill., were admitted to practice.

No. 757. International Harvester Company of New Jersey, etc., et al., appellants, *v.* The United States. Argument continued by Mr. Solicitor General Davis for the appellee and concluded by Mr. F. B. Kellogg for the appellants.

No. 568. The Chicago & Alton Railroad Company, appellant, *v.* The United States; and

No. 759. The Yazoo & Mississippi Valley Railroad Company, appellant, *v.* The United States. Argument commenced by Mr. Jacob M. Dickinson for the appellants and continued by Mr. Assistant Attorney General Thompson for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 12, will be as follows: Nos. 568 (and 759), 712, 813, 217, 220, 222, 223, 224, 225, 226 (and 227, 228, 229, and 230).



## SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 12, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice Pitney.

Harrison G. Platt, of Portland, Oregon; Pierre M. Brown, of New York City; Homer D. Angell, of Portland, Oregon; Charles H. Broas, of New York City; Vivian Frank Gable, of Philadelphia, Pa.; Alberic A. Archambault, of Providence, R. I.; Charles V. Imlay, of Washington, D. C.; Frank J. Morley, of Minneapolis, Minn.; Ray Rood Allen, of New York City; Alfred Thomas Carton, of Chicago, Ill.; and George E. Reynolds, Pittsburgh, Pa.

No. 150. Josephine P. McGowan, executrix, etc., et al., appellants, *v.* Emily E. Parish, executrix, etc. Appeal from the Court of Appeals of the District of Columbia. Decree reversed with costs, and cause remanded with directions to affirm the decree of the Supreme Court of the District of Columbia and direct the latter court to take further proceedings thereon, if necessary, in accordance with the views expressed in the opinion of this court. Opinion by Mr. Justice Pitney.

No. 129. The People of the State of New York ex rel. Interborough Rapid Transit Company, plaintiff in error, *v.* William Sohmer, comptroller of the State of New York. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 678. The Greenleaf Johnson Lumber Co., appellant, *v.* Lindley M. Garrison, Secretary of War, etc., et al. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. Decree affirmed and cause remanded to the District Court of the United States for the Eastern District of Virginia. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Lamar. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 198. Chicago, Burlington & Quincy Railroad Company, plaintiff in error, *v.* Railroad Commission of Wisconsin. In error to the Supreme Court of the State of Wisconsin. Judgment reversed with costs and cause remanded for further proceedings not incon-

sistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 204. George B. Christie et al., etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment reversed and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McKenna. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 194. The United States ex rel. Edward L. Chott, plaintiff in error, *v.* Thomas Ewing, Commissioner of Patents, et al. In error to the Court of Appeals of the District of Columbia. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 202. The Southern Pacific Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice White. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 482. The Texas & Pacific Railway Company, plaintiff in error, *v.* Clara Hill. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Texas. Opinion by Mr. Chief Justice White.

No. 790. The Texas & Pacific Railway Company, plaintiff in error, *v.* Miss May Marcus. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Texas. Opinion by Mr. Chief Justice White.

No. 169. Riverside & Dan River Cotton Mills, Inc., plaintiff in error, *v.* Williamson Menefee, by his next friend, Mrs. Emma W. Menefee. In error to the Supreme Court of the State of North Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. 201. Louisville & Nashville Railroad Company, plaintiff in error, *v.* L. M. Rhoda, as administrator of the estate of Clarence Rhoda, deceased. In error to the Supreme Court of the State of Florida. *Per curiam*: Judgment reversed upon the authority of Michigan Central R. R. *v.* Vreeland, 227 U. S., 59; American Railroad of Porto Rico *v.* Didricksen, 227 U. S., 145; Gulf, Colorado, etc., Ry. Co. *v.* McGinnis, 228 U. S., 173; Garrett *v.* Louisville & Nashville R. R., 235 U. S., 308.

No. 731. Edward A. Peters, appellant, *v.* Henry L. Ferris & Hunt, Helm, Ferris & Co. Appeal from the District Court of the United States for the Eastern District of Wisconsin. Per curiam: Dismissed for want of jurisdiction upon the authority of *Covington v. First National Bank*, 185 U. S., 270; *Heike v. United States*, 217 U. S., 423; *United States v. Beatty*, 232 U. S., 463. See *Alexander v. United States*, 201 U. S., 117.

No. 724. Pacific Live Stock Company, appellant, *v.* John H. Lewis et al., etc., et al. Motion to advance denied.

No. 286. John A. S. Brown et al., petitioners, *v.* Austin B. Fletcher, as testamentary trustee, etc. Motion to pass denied without prejudice.

No. 880. William L. Dayton, trustee, etc., petitioner, *v.* A. H. Stanard, treasurer, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 903. The Railroad Supply Company, petitioner, *v.* Elyria Iron & Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 794. American Bonding Company, of Baltimore, Maryland, petitioner, *v.* Arthur H. Brown, as receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 883. Hedwig Hichtel et al., etc., petitioners, *v.* The Hess-Bright Manufacturing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 904. Trussed Concrete Steel Company, petitioner, *v.* Thomas Ewing, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 910. Continuous Glass Press Company, petitioner, *v.* Schmertz Wire Glass Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 316. John F. Cubbins, appellant, *v.* Mississippi River Commission et al. Continued per stipulation, on motion of Mr. Solicitor General Davis for the appellees.

No. 887. New Amsterdam Casualty Company, petitioner, *v.* Lucy D. W. Mays. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Wade H. Ellis and Mr. R. Golden Donaldson for the petitioner.

No. 631. J. Mitchell Clark et al., plaintiffs in error, *v.* Lehigh Valley Railroad Company et al. Motion to advance submitted by Mr. Arthur R. Thompson for the plaintiffs in error.

Death of J. Mitchell Clark and J. Armstrong Rawlins suggested by Mr. Arthur R. Thompson for the plaintiffs in error, and motion to be allowed to proceed in the name of William H. Mills, as surviving partner and liquidator of J. Mitchell Clark and J. Armstrong Rawlins, deceased, trading under the firm name of Naylor & Company, as the party plaintiff in error herein, granted.

No. 919. The Washington Post Company et al., petitioners, *v.* James O'Donnell. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Wilton J. Lambert, Mr. J. J. Darlington, and Mr. Rudolph H. Yeatman for the petitioners.

No. 882. McKee Glass Company, petitioner, *v.* Libbey Glass Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit, submitted by Mr. George E. Reynolds and Mr. Robert D. Totten for the petitioner, and by Mr. Thomas Patterson and Mr. Otto Raymond Barnett for the respondent.

No. 921. Furness, Withy & Co., Ltd., petitioner, *v.* Yang-Tsze Insurance Association, Ltd., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. R. R. Allen, Mr. Charles C. Burlingham, and Mr. Norman B. Beecher for the petitioner, and by Mr. James K. Symmers for the respondent.

No. 888. Charles George Arbuthnot et al., partners, etc., petitioners, *v.* Central Trust Company of Illinois, etc., et al.;

No. 889. A. H. O. Dennistoun et al., partners, etc., petitioners, *v.* Central Trust Company of Illinois, etc., et al.; and

No. 890. Arthur Henry Brandt et al., partners, etc., petitioners, *v.* Central Trust Company of Illinois, etc., et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. A. T. Carton, Mr. John M. Zane, Mr. Frank J. Loesch, Mr. Timothy J. Scofield, and Mr. Robert W. Richards for the petitioners, and by Mr. Levy Mayer, Mr. Isaac H. Mayer, and Mr. William B. McIlvane for the respondents.

No. 907. Jackson Collins, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. R. Emmett Stewart and Mr. William O. Beall for the petitioner.

No. 920. Pascal P. Beals et al., etc., et al., petitioners, *v.* Peter R. Sleight, as trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick S. Tyler for the petitioners, and by Mr. Albert H. Harris and Mr. Joseph Gilbert for the respondents.



No. 776. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* J. T. Craft, administrator. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Jackson H. Ralston, Mr. William E. Richardson, and Mr. Gustave Jones for the defendant in error in support of the motion, and by Mr. E. B. Kinsworthy for the plaintiff in error in opposition thereto.

No. 875. Milton Ochs, petitioner, *v.* The Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Frederick F. Beller for the petitioner.

No. 762. F. B. Clark, trustee, etc., appellant, *v.* Claude Hamilton. Motion to dismiss submitted by Mr. Charles M. Wilson for the appellee in support of the motion, and by Mr. D. R. Hite for the appellant in opposition thereto.

No. 568. Chicago & Alton Railroad Company, appellant, *v.* The United States; and

No. 759. Yazoo & Mississippi Valley Railroad Company, appellant, *v.* The United States. Argument continued by Mr. Assistant Attorney General Thompson for the appellee, and concluded by Mr. John G. Johnson for the appellants.

No. 712. Frederick W. Ellis, appellant, *v.* The Interstate Commerce Commission. Argument commenced by Mr. Frank B. Kellogg for the appellant, and continued by Mr. Assistant Attorney General Underwood and Mr. E. W. Hines for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 13, will be as follows: Nos. 712, 813, 217, 220, 222, 223, 224, 225, 226 (and 227, 228, 229, and 230), and 231.



## SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 13, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Gilbert H. Montague, of New York City; John E. Samuelson, of Duluth, Minn.; Francis J. McPartlin, of International Falls, Minn.; Elmer S. Avery, of Lansing, Mich.; and William J. Neale, of Hyattsville, Md., were admitted to practice.

No. 725. Charles E. Houston et al., petitioners, *v.* The United States. Leave granted to withdraw original exhibits, on motion of Mr. Solicitor General Davis for the respondent.

No. 712. Frederick W. Ellis, appellant, *v.* The Interstate Commerce Commission. Argument continued by Mr. E. W. Hines for the appellees and concluded by Mr. Frank B. Kellogg for the appellant.

No. 813. Oliver P. Newman, plaintiff in error, *v.* The United States of America *ex rel* William J. Frizzell. Argument commenced by Mr. Jackson H. Ralston for the plaintiff in error, continued by Mr. Joseph W. Bailey for the defendant in error, and concluded by Mr. John W. Davis for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 14, will be as follows: Nos. 217, 220, 222, 223, 224, 225, 226 (and 227, 228, 229, and 230), 231, 232, and 233.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 14, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Henry Hill Pierce, of New York City; Howell Bartle, of Washington, D. C.; Thos. F. O'Mara, of Terre Haute, Ind.; Ira J. Wilson, of Chicago, Ill.; and Gilbert E. Kemp, of Boston, Mass., were admitted to practice.

No. 217. G. & C. Merriam Company, appellant, *v.* The Syndicate Publishing Company. Argument commenced by Mr. William B. Hale for the appellant, continued by Mr. Hugh A. Bayne for the appellee, and concluded by Mr. William B. Hale for the appellant.

No. 220. M. V. B. Parker, plaintiff in error, *v.* Julia A. McClain, executrix, etc. Submitted by Mr. Edward P. Garnett and Mr. Isaac O. Pickering for the plaintiff in error, and by Mr. W. R. Thurmond for the defendant in error.

No. 222. John P. Herrmann, appellant, *v.* Benjamin F. Edwards et al. Argued by Mr. C. D. Corum for the appellee, and submitted by Mr. Shepard Barclay for the appellant.

No. 223. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* Michael A. Popplar, as administrator, etc. Argued by Mr. M. D. Munn for the plaintiff in error, and submitted by Mr. Samuel A. Anderson for the defendant in error.

Adjourned until Friday next, at 12 o'clock.

The day call for Friday, April 16, will be as follows: Nos. 224, 225, 226 (and 227, 228, 229, and 230), 231, 232, 233, 234 (to 248, inclusive), 632, 249, and 250.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 16, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Richard M. Milburn, of Indianapolis, Ind.; James Mahoney, of Boston, Mass.; and Arthur Crane, of San Francisco, Cal., were admitted to practice.

No. 249. C. L. Carlisle, plaintiff in error, *v.* The State of South Dakota. Submitted by Mr. Melvin Grigsby for the plaintiff in error, and by Mr. Royal C. Johnson, Charles O. Bailey, and John H. Voorhees for the defendant in error.

No. 250. Rosa Gundall, individually, etc., et al., appellants, *v.* The Manhattan Railway Company et al. Continued per stipulation.

No. 224. Ruth Doran, plaintiff in error, *v.* John A. Kennedy et al. Argument commenced by Mr. John E. Samuelson for the plaintiff in error, continued by Mr. F. J. McPartlin for the defendant in error, and concluded by Mr. John E. Samuelson for the plaintiff in error.

No. 225. Great Northern Railway Company, plaintiff in error, *v.* The State of Minnesota *ex rel* Railroad and Warehouse Commission of the State of Minnesota. Argument commenced by Mr. E. C. Lindley for the plaintiff in error, continued by Mr. Lyndon A. Smith for the defendant in error, and concluded by Mr. Sanford H. E. Freund for the plaintiff in error.

Nos. 226, 227, 228, 229, and 230. J. A. E. Pyle, trustee, etc., appellant, *v.* The Texas Transport & Terminal Company et al. Argument commenced by Mr. W. C. Dufour for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 19, will be as follows: Nos. 226 (and 227, 228, 229, and 230), 231, 232, 233, 234 (to 248, inclusive), 632, 252, 538, 713, and 779.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 19, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

David O. Watkins, of Woodbury, N. J.; Joseph J. Summerville, of Woodbury, N. J.; Pedro Capo Rodriguez, of Washington, D. C.; Albert H. Tanner, of Portland, Oreg.; Robert W. Hall, of St. Louis, Mo.; John W. Redmond, of Newport, Vt.; George M. Brown, of Salem, Oreg.; John Mills Day, of Seattle, Wash.; Henry J. Aaron, of Chicago, Ill.; Wilbur R. Turner, of Knoxville, Tenn.; and David S. Rose, of Milwaukee, Wis., were admitted to practice.

No. 775. Leo M. Frank, appellant, *v.* C. Wheeler Mangum, sheriff of Fulton County, Ga. Appeal from the District Court of the United States for the Northern District of Georgia. Final order affirmed with costs. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Holmes and Mr. Justice Hughes.

No. 669. F. T. Rounds and S. A. Jesse, plaintiffs in error, *v.* Cloverport Foundry & Machine Company. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 183. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Western Union Telegraph Company. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna and Mr. Justice Lamar.

The Chief Justice announced the following orders of the court:

No. 249. C. L. Carlisle, plaintiff in error, *v.* The State of South Dakota. In error to the Supreme Court of the State of South Dakota. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Farrell v. O'Brien* (199 U. S. 89, 100), *Fay v. Crozer* (217 U. S. 455), *Hendricks v. United States* (223 U. S. 178, 184). See *Dent v. West Virginia* (129 U. S. 114), *Reetz v. Michigan* (188 U. S. 505), *Watson v. Maryland* (218 U. S. 173), *Collins v. Texas* (223 U. S. 288).

No. 762. F. B. Clark, trustee in bankruptcy of the Smith Automobile Company, a bankrupt, appellant, *v.* Claude Hamilton. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Chapman v. Bowen* (207 U. S. 89), *Blake v. Openyhm* (216 U. S. 322).

No. 631. J. Mitchell Clark et al., plaintiffs in error, *v.* Lehigh Valley Railroad Company et al.; and

No. 776. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* J. T. Craft, administrator, etc. Ordered that these cases be placed on the summary docket and assigned for hearing on Monday, May 10th next.

No. 875. Milton Ochs, petitioner, *v.* The Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 882. McKee Glass Company, petitioner, *v.* The Libbey Glass Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 887. New Amsterdam Casualty Company, petitioner, *v.* Lucy D. W. Mays. Petition for a writ of certiorari to the Court of Appeals for the District of Columbia denied.

No. 888. Charles George Arbuthnot et al., partners, etc., petitioners, *v.* Central Trust Company of Illinois, etc., et al.;

No. 889. A. H. O. Dennistoun et al., partners, etc., petitioners, *v.* Central Trust Company of Illinois, etc., et al.; and

No. 890. Arthur Henry Brandt et al., partners, etc., petitioners, *v.* Central Trust Company of Illinois, etc., et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 907. Jack Collins, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 919. The Washington Post Company et al., petitioners, *v.* James O'Donnell. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 920. Pascal P. Beals et al., etc., et al., petitioners, *v.* Peter R. Sleight, trustees, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 921. Furness, Withy & Company, Ltd., *v.* Yang-Tsze Insurance Association, Ltd., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 801. Ali Gegiow et al., petitioners, *v.* Byron H. Uhl, as Acting Commissioner of Immigration, etc. Motion to advance submitted by Mr. Solicitor General Davis for the respondent.

No. 893. City of Chicago, petitioner, *v.* Chicago Transportation Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. S. A. T. Watkins, Mr. Charles M. Haft, and Mr. John W. Beckwith for the petitioner.

No. 483. Union Pacific Railroad Company, plaintiff in error, *v.* Barbora Zitnik, administratrix, etc. Motion to dismiss or affirm or place on the summary docket submitted by Mr. C. J. Smyth and Mr. Edward P. Smith for the defendant in error in support of the motion, and by Mr. N. H. Loomis for the plaintiff in error in opposition thereto.

No. 917. Jefferson County, Tennessee, petitioner, *v.* The Oak Grove Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Wilbur R. Turner and Mr. G. W. Pickle for the petitioner, and by Mr. Leon Jourolmon for the respondent.

No. 908. Knauth, Nachod & Kuhne, petitioners, *v.* Latham & Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Howell Bartle in behalf of Mr. Arthur von Briesen, Mr. Antonio Knauth, and Mr. Thomas M. Stevens for the petitioner, and by Mr. Walker B. Spencer and Mr. Charles Paine Fenner for the respondent.

No. 867. Hamilton Investment Company, appellant, *v.* Irving L. Ernst, trustee, etc. Petition for a writ of certiorari herein submitted by Mr. H. J. Aaron and Mr. Philip B. Adams for the appellant in support of the petition and by Mr. Emanuel J. Myers for the appellee in opposition thereto.

No. 896. Louis Tapack et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Merritt Lane and Mr. Robert Carey for the petitioners.

No. 918. Medlin Milling Company, petitioner, *v.* Hall-Baker Grain Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. D. T. Bomar and Mr. George Thompson for the petitioner.

No. 603. The Cleveland, Cincinnati, Chicago & St. Louis Railway Company, plaintiff in error, *v.* Edward Dettelbach. Motion to dismiss or affirm submitted by Mr. Jesse A. Fenner for the defendant in error in support of the motion and by Mr. Frank L. Littleton for the plaintiff in error in opposition thereto.

No. 751. Erwin R. Bergdoll, plaintiff in error, *v.* Frank A. Harrigan, trustee, etc. Motion to dismiss or affirm or place on the summary docket submitted by Mr. J. W. Catharine for the defendant in error in support of the motion, and by Mr. Joseph Gilfillan and Mr. George S. Graham for the plaintiff in error in opposition thereto.

No. 535. The State of Montana *ex rel.* General Electric Company, plaintiff in error, *v.* A. M. Alderson, secretary of state of the State Montana. In error to the Supreme Court of the State of Montana. Dismissed with costs, on motion of counsel for the plaintiff in error.

Nos. 226 to 230. J. A. E. Pyle, trustee, etc., appellant, *v.* The Texas Transport & Terminal Company et al. Argument continued by Mr. W. C. Dufour for the appellant, by Mr. Victor Leovy for the appellees, and concluded by Mr. W. C. Dufour for the appellant.

No. 231. Harry C. Booth, plaintiff in error, *v.* The State of Indiana. Argument commenced by Mr. Henry W. Moore for the plaintiff in error, continued by Mr. Richard M. Milburn and Mr. Leslie R. Naftzer for the defendant in error, and concluded by Mr. Henry W. Moore for the plaintiff in error.

No. 232. Chicago and Northwestern Railway Company, plaintiff in error, *v.* William H. Gray. Argument commenced by Mr. Edward M. Smart for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 20, will be as follows: Nos. 232, 233, 234 (to 248, inclusive), 632, 252, 538, 713, 779, 407, and 791.





## SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 20, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

W. M. Gillespie, of Punxsutawney, Pa.; John Walsh, of Washburn, Wis.; J. M. Clarke, of Wheeling, W. Va.; John C. Hendrix, of Sayre, Okla.; and Houston B. Tehee, of Tahlequah, Okla., were admitted to practice.

No. 232. Chicago & Northwestern Railway Company, plaintiff in error, *v.* William H. Gray. Argument continued by Mr. Edward M. Smart for the plaintiff in error, by Mr. Stephen J. McMahon for the defendant in error, and concluded by Mr. Edward M. Smart for the plaintiff in error.

No. 233. The Milwaukee Electric Railway and Light Company, plaintiff in error, *v.* Railroad Commission of Wisconsin. Argument commenced by Mr. Henry H. Pierce for the plaintiff in error and continued by Mr. Walter Drew for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 21, will be as follows: Nos. 233, 234 (to 248, inclusive), 632, 252, 538, 713, 779, 407, 791, and 679.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 21, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

S. Edward Haunestadt, of Lihue, Hawaii, was admitted to practice.

No. 328. Elsie De Wolfe, plaintiff in error, *v.* Continental and Commercial Trust and Savings Bank. In error to the District Court of the United States for the Northern District of Illinois. Dismissed without costs to either party, per stipulation of counsel.

No. 233. The Milwaukee Electric Railway and Light Company, plaintiff in error, *v.* Railroad Commission of Wisconsin. Argument continued by Mr. Walter Drew for the defendant in error and concluded by Mr. Edwin S. Mack for the plaintiff in error.

Nos. 234, 235, 236, and 240. Alfred D. Daniels, appellant, *v.* Frank Johnston et al. Death of D. W. Dineen suggested, and appearance of Elizabeth Dineen, individually and as executrix of the last will and testament of D. W. Dineen, deceased, as a party appellee in these cases, filed and entered on motion of Mr. H. G. Platt in behalf of counsel.

Nos. 234 to 248. Alfred D. Daniels, appellant, *v.* Frank Johnston et al. Three counsel allowed to argue orally for appellees, on motion of Mr. A. W. Lafferty in that behalf. Argument commenced by Mr. Harrison G. Platt for the appellant and continued by Mr. Homer D. Angell for the appellees in Nos. 234, 235, 236, and 240; Mr. J. H. Carnahan for the appellees in Nos. 239, 241, 242, 243, and 244; and Mr. A. W. Lafferty for the appellees in Nos. 237, 238, 245, 246, and 247.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 22, will be as follows: Nos. 234 (to 248, inclusive), 632, 252, 538, 713, 407, 791, 679, and 2 Original.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 22, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Nos. 234 to 248. Alfred D. Daniels, appellant, *v.* Frank Johnston et al. Argument continued by Mr. A. W. Lafferty for the appellees in Nos. 237, 238, 245, 246, and 247, and concluded by Mr. Alexander Britton for the appellant, and submitted by Mr. Will R. King for the appellee in No. 248.

No. 632. W. H. Sawyer et al., appellants, *v.* Raymond S. Gray et al. Argued by Mr. Francis W. Clements for the appellants, and by Mr. H. H. Field for the appellees.

No. 252. The Bruner Oil Company et al., plaintiffs in error, *v.* The Deming Investment Company. Submitted by Mr. George S. Ramsey and Mr. Edgar A. de Meules for the plaintiffs in error, and by Mr. A. J. Biddison for the defendant in error.

No. 538. The Kansas City Southern Railway Company, plaintiff in error, *v.* Sam E. Leslie, administrator, etc. Argued by Mr. James B. McDonough for the plaintiffs in error, and by Mr. W. P. Feazel for the defendant in error.

No. 713. Seaboard Air Line Railway, plaintiff in error, *v.* W. B. Tilghman. Argument commenced by Mr. Murray Allen for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 23, will be as follows: Nos. 713, 779, 407, 791, 679, 2 Original, 212, 174, 544, and 253.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 23, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Harold E. Stonebraker, of Rochester, N. Y., was admitted to practice.

No. 679. Oregon & California Railroad Co. et al. *v.* The United States. Leave to file brief as *amicus curie* granted, on motion of Mr. George M. Brown in behalf of the State of Oregon.

No. 713. Seaboard Air Line Railway, plaintiff in error, *v.* W. B. Tilghman. Argument continued by Mr. W. C. Douglass for the defendant in error and concluded by Mr. Murray Allen for the plaintiff in error.

No. 779. Norfolk Southern Railway Company, plaintiff in error, *v.* Walter G. Ferebee. Argument commenced by Mr. Murray Allen for the plaintiff in error, continued by Mr. Clyde A. Douglass and Mr. William C. Douglass for the defendant in error, and concluded by Mr. Murray Allen for the plaintiff in error.

No. 407. Central Vermont Railway Company, plaintiff in error, *v.* Mary Theresa White, Administratrix, etc. Argument commenced by Mr. J. W. Redmond for the plaintiff in error, continued by Mr. Warren R. Austin for the defendant in error, and concluded by Mr. J. W. Redmond for the plaintiff in error.

No. 791. The Texas & Pacific Railway Company, plaintiff in error, *v.* M. J. Murphy. Argued by Mr. F. H. Prendergast for the plaintiff in error and submitted by Mr. S. P. Jones for the defendant in error.

No. 679. Oregon & California Railroad Company et al. *v.* The United States. Eight hours allowed for argument, on motion of Mr. P. F. Dunne for the railroad company. Argument commenced by Mr. P. F. Dunne for the railroad company.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 26, will be as follows: Nos. 679, 2 Original, 212, 174, 544, 253, 480, 254, 255, and 256.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 26, 1915.

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McKenna, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Albert B. Houghton, of Milwaukee, Wis.; Ralph W. Adair, of Blackfoot, Idaho; William Amalphus Lee, of Blackfoot, Idaho; Henry Ernest Whittemore, of Boston, Mass.; and Joseph A. Shay, of New York City, were admitted to practice.

No. 686. The Export & Import Lumber Company, appellant, *v.* The Port Banga Lumber Company. Appeal from the Supreme Court of the Philippine Islands. Dismissed for want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 676. Daniel A. McDougal, plaintiff in error, *v.* Edmond McKay et al. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 199. Lena Pigeon et al., plaintiffs in error, *v.* William Buck et al. In error to the Supreme Court of the State of Oklahoma; and

No. 275. Elias Roberts, by his guardian, E. I. Wakeman, plaintiff in error, *v.* William Underwood et al. In error to the Supreme Court of the State of Oklahoma. Judgments affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 223. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* Michael A. Popplar, as administrator, etc. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 205. Stewart Mining Company, plaintiff in error, *v.* Ontario Mining Company et al. In error to the Supreme Court of the State of Idaho. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 224. Ruth Doran, plaintiff in error, *v.* John A. Kennedy et al. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 751. Erwin R. Bergdoll, plaintiff in error, *v.* Frank A. Harrigan, trustee, etc. In error to the United States Circuit Court of Appeals for the Third Circuit. *Per curiam*: Judgment affirmed, with costs upon the authority of rule 6, clause 5; *Micas v. Williams*, 104 U. S., 556; *The Alaska*, 130 U. S., 201; *Chanute City v. Trader*, 132 U. S., 210, 214; *Northern Pacific Railroad v. Amato*, 144 U. S., 465, 473, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania.

No. 252. The Bruner Oil Company et al., plaintiffs in error, *v.* The Deming Investment Company. In error to the Supreme Court of the State of Oklahoma. *Per curiam*: Judgment affirmed with costs upon the authority of *Skelton v. Dill*, 235 U. S., 206; *Adkins v. Arnold*, 235 U. S., 417.

No. 801. Ali Geigiow et al., petitioners, *v.* Byron H. Uhl, as Acting Commissioner of Immigration, etc. Motion to advance granted, and case assigned for argument on Tuesday, October 12th next, after the cases heretofore assigned for that day.

No. 483. Union Pacific Railroad Company, plaintiff in error, *v.* Barbora Zitnik, administratrix, etc.; and

No. 603. The Cleveland, Cincinnati, Chicago & St. Louis Railway Company, plaintiff in error, *v.* Edward Dettlebach. Ordered that these cases be placed on the summary docket.

No. 881. Prepayment Car Sales Company, petitioner, *v.* Orange County Traction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 867. Hamilton Investment Company, appellant, *v.* Irving L. Ernst, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 893. The City of Chicago, petitioner, *v.* Chicago Transportation Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 896. Louis Tapack et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 917. Jefferson County, Tennessee, petitioner, *v.* The Oak Grove Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 918. Medlin Milling Company, petitioner, *v.* Hall-Baker Grain Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 908. Knauth, Nachod & Kuhne, petitioners, *v.* Latham & Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 615. Henry La Roque, appellant, *v.* The United States. Motion to advance submitted by Mr. Assistant to the Attorney General Todd for the appellee.

No. 735. The United States of America et al., appellants, *v.* St. Louis, Iron Mountain & Southern Railway Company et al. Motion to advance submitted by Mr. Assistant to the Attorney General Todd for the appellants.

No. 940. Emigdio Tolentino, plaintiff in error, *v.* The United States. In error to the Supreme Court of the Philippine Islands. Docketed and dismissed, on motion of Mr. Assistant to the Attorney General Todd, for the defendant in error.

No. 355. Edward Roby, plaintiff in error, *v.* South Park Commissioners et al. Motion to dismiss or affirm submitted by Mr. Charles J. Kappler, in behalf of Mr. Robert Redfield, Mr. Chauncy W. Martyn, and Mr. Charles L. Bartlett for the defendants in error in support of the motion, and by Mr. Edward Roby for the plaintiff in error in opposition thereto.

No. 465. Frank R. Brushaber, appellant, *v.* Union Pacific Railroad Company; and

No. 868. Tyee Realty Company, plaintiff in error, *v.* Charles W. Anderson, collector, etc.; and

No. 869. Edwin Thorne, plaintiff in error, *v.* Charles W. Anderson, collector, etc. Motion to advance submitted by Mr. Julien T. Davies for the appellant and plaintiffs in error.

No. 924. John Dennett, jr., et al., petitioners, *v.* William H. Sawtelle, judge, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. G. B. Graighill in behalf of Mr. W. M. Seabury for the petitioner, and by Mr. George J. Stoneman for the respondent.

No. 925. Farmers & Merchants Bank, Proenix, petitioner, *v.* Arizona Mutual Savings & Loan Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. G. B. Craighill in behalf of Mr. W. H. Stilwell for the petitioner.

No. 824. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Ohio Valley Tie Company. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Charles W. Needham in behalf of Mr. John Bryce Baskin, Mr. Edward W. Hines and Mr. J. V. Norman for the defendant in error in support of the motion, and by Mr. Helm Bruce and Mr. Henry L. Stone for the plaintiff in error in opposition thereto.

No. 830. William Truax, sr., et al., appellants, *v.* Mike Raich. Motion to advance submitted by Mr. Edward M. Cleary in behalf of counsel for the appellants.

No. 894. Charles T. Suderman et al., etc., petitioners, *v.* Frederick Leyland & Company, Ltd., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. Hilton Jackson in behalf of Mr. James B. Stubbs for the petitioner.

No. 939. The City of New York, petitioner, *v.* The Third National Bank of Jersey City. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. E. Crosby Kindleberger and Mr. Terence Farley for the petitioner and by Mr. L. Laffin Kellogg for the respondent.

No. 256. Charles P. Bowditch et al., plaintiffs in error, *v.* The Jackson Company et al. Continued per stipulation.

No. 683. The Pennsylvania Railroad Company, plaintiff in error, *v.* Keystone Elevator & Warehouse Company. Motion to dismiss or affirm submitted by Mr. M. Hampton Todd for the defendant in error in support of the motion and by Mr. John Hampton Barnes for the plaintiff in error in opposition thereto.

No. 679. Oregon & California Railroad Company et al. *v.* The United States. Argument continued by Mr. P. F. Dunne for the Railroad Company et al., and by Mr. John Mills Day for interveners Hancock et al. and Cameron et al., by Mr. A. W. Lafferty for Snyder et al., and by Mr. Constantine J. Smyth for The United States.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 27, will be as follows: Nos. 679, 2 Original, 212, 174, 544, 253, 480, 254, 255, and 257.





## SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 27, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice Reynolds.

No. 204. George B. Christie et al., etc., appellants, *v.* The United States. Mandate granted, on motion of Mr. Frank Boughton Fox for the appellants.

No. 679. Oregon & California Railroad Company et al. *v.* The United States. Argument continued by Mr. Constantine J. Smyth for the United States and concluded by Mr. John C. Spooner for Union Trust Company.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Eight hours allowed for argument, on motion of Mr. A. A. Lilly for the defendant.

Argument commenced by Mr. Holmes Conrad for bondholding creditors and continued by Mr. Sanford Robinson for bondholding creditors.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 28, will be as follows: Nos. 2 Original, 212, 174, 544, 253, 480, 254, 255, 257, and 258.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 28, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

George W. Williams, of Beckley, W. Va.; Norval J. Cooper, of Altus, Okla., and Ward Prouty, of Newport, Vt., were admitted to practice.

No. 2. Original. The Commonwealth of Virginia, complainant, *v.* The State of West Virginia. Argument continued by Mr. Sanford Robinson for bondholding creditors, by Mr. A. A. Lilly for the defendant, and Mr. Randolph Harrison for the complainant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 29, will be as follows: Nos. 2, original, 212, 174, 544, 253, 480, 254, 255, 257, and 258.

89149—15—101



# SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 29, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Charles Pope Caldwell, of New York City; Richard Saxe Jones, of Minneapolis, Minn.; and Darwin W. Esmond, of Newburgh, N. Y., were admitted to practice.

No. 857. James Clark Distilling Company, appellant, *v.* The Western Maryland Railway Company et al.; and

No. 858. James Clark Distilling Company, appellant, *v.* The American Express Company et al. Motion to advance for hearing with No. 271 submitted by Mr. Joseph S. Grayden for the appellant.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* The State of West Virginia. Argument continued by Mr. W. A. Anderson for the complainant, and concluded by Mr. John H. Holt for the defendant.

No. 212. Washington - Virginia Railway Company, plaintiff in error, *v.* Real Estate Trust Company of Philadelphia. Argument commenced by Mr. William A. Glasgow, jr., for the plaintiff in error.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, April 30, will be as follows: Nos. 212, 174, 544, 253, 480, 254, 255, 257, 258, and 259.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 30, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

John A. Howard, of Wheeling, W. Va., was admitted to practice.

No. 212. Washington-Virginia Railway Company, plaintiff in error, *v.* Real Estate Trust Company of Philadelphia. Argument continued by Mr. William A. Glasgow, jr., for the plaintiff in error, by Mr. John G. Johnson for the defendant in error, and concluded by Mr. William A. Glasgow, jr., for the plaintiff in error.

No. 174. Kapiolani Estate, Limited, appellant, *v.* Mary H. Atcherley et al. Argued by Mr. David L. Withington for the appellant and by Mr. Lyle A. Dickey for the appellees.

No. 544. Charles Hartwell Chater, a minor, etc., et al., appellants, *v.* Alfred W. Carter, trustee, et al. Argument commenced by Mr. David L. Withington for the appellants, and continued by Mr. Robbins B. Anderson for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, May 3, will be as follows: Nos. 544, 253, 480, 254, 255, 257, 258, 259, 260, and 261.



## SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 3, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Forrest Bramble, of Baltimore, Md.; Allan R. Brown, of New York City; A. A. De Ligne, of San Francisco, Cal.; Dallas V. Halverstadt, of Seattle, Wash.; Alfred E. Clark, of Portland, Oreg.; and Elwood D. Fulton, of Uniontown, Pa., were admitted to practice.

No. 140. Henry L. Coe, plaintiff in error, *v.* Armour Fertilizer Works. In error to the Supreme Court of the State of Florida. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 580. The United States, plaintiff in error, *v.* The Erie Railroad Company. In error to the United States Circuit Court of Appeals for the Third Circuit. Judgments of the United States Circuit Court of Appeals and of the District Court of the United States for the District of New Jersey reversed, and cause remanded to the District Court for a new trial. Opinion by Mr. Justice Van Devanter.

No. 232. Chicago & Northwestern Railway Company, plaintiff in error, *v.* William H. Gray. In error to the Supreme Court of the State of Wisconsin. Judgment affirmed with costs nunc pro tunc as of April 20, 1915. Opinion by Mr. Justice Holmes.

No. 231. Harry C. Booth, plaintiff in error, *v.* The State of Indiana. In error to the Supreme Court of the State of Indiana. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 355. Edward Roby, plaintiff in error, *v.* South Park Commissioners et al. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of *Iowa Central Ry. Co. v. Iowa* (160 U. S., 389), *Texas & New Orleans R. R. Co. v. Miller* (221 U. S., 408, 416), *Brinkmeier v. Missouri Pacific Ry. Co.* (224 U. S., 268), *Washington v. Miller* (235 U. S., 422, 429).

No. 465. Frank R. Brushaber, appellant, *v.* Union Pacific Railroad Company;

No. 868. Tyee Realty Company, plaintiff in error, *v.* Charles W. Anderson, collector of internal revenue;

No. 869. Edwin Thorne, plaintiff in error, *v.* Charles W. Anderson, collector of internal revenue;

No. 830. William Truax, sr., et al., appellants, *v.* Mike Raich;

No. 615. Henry La Roque, appellant, *v.* The United States; and

No. 735. The United States of America et al., appellants, *v.* St. Louis, Iron Mountain & Southern Railway Company et al. Motions to advance granted, and cases assigned for argument on Tuesday, October 12th, next, after the cases heretofore assigned for that day.

No. 857. The James Clark Distilling Company, appellant, *v.* The Western Maryland Railway Company et al.; and

No. 858. The James Clark Distilling Company, appellant, *v.* The American Express Company et al. Motion to advance for hearing with case No. 271 granted, the cases to be heard as one case.

No. 824. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Ohio Valley Tie Company. Motion to dismiss or affirm postponed to the hearing of the case on its merits.

No. 894. Charles T. Suderman et al., etc., petitioners, *v.* Frederick Leyland & Company, Ltd., claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 924. John Dennett, jr., et al., petitioners, *v.* William H. Sawtelle, as judge, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 925. Farmers & Merchants Bank, Phoenix, petitioner, *v.* Arizona Mutual Savings & Loan Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 939. The City of New York, petitioner, *v.* The Third National Bank of Jersey City. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

The Chief Justice also announced that the call of the docket will be suspended for the term on Friday, May 14.

No. 579. The United States, plaintiff in error, *v.* Harvey C. Shauver; and

No. 623. Charles W. Anderson, collector of internal revenue, etc., petitioner, *v.* The Forty-two Broadway Company. Motions to advance submitted by Mr. Solicitor General Davis for the plaintiff in error and petitioner.

No. 253. William P. Healy and The Healy Box Corporation, appellants, *v.* The Sea Gull Specialty Company. On suggestion of bankruptcy of Healy Box Corporation, ordered that Theodore Friend Humphrey, trustee, be substituted as a party appellant herein, on motion of Mr. Walter B. Howe in behalf of counsel for the appellants.

No. 953. Southern Pacific Company et al., petitioners, *v.* Darnell-Taenzer Lumber Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles N. Burch for the petitioners.

No. 467. Arizona Copper Company, Ltd., plaintiff in error, *v.* The State of Arizona at the relation of and to the use of John M. Webster, treasurer and ex officio tax collector, etc. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mr. James I. Parker in behalf of Mr. Walter Bennett for the plaintiff in error in support of the motion, and by Mr. George J. Stoneman and Mr. Reese M. Ling for the defendant in error in opposition thereto.

No. 808. Supreme Lodge Knights of Pythias, plaintiff in error, *v.* S. Mims. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Lawrence C. McBride and Mr. Thomas F. West for the defendant in error in support of the motion, and by Mr. James E. Watson, Mr. Ward H. Watson, and Mr. M. M. Crane for the plaintiff in error in opposition thereto.

No. 935. Roy Montgomery, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Daniel W. O'Donoghue for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 593. James Duval and Dora Murff, plaintiffs in error, *v.* The State of Louisiana. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of counsel for the plaintiffs in error.

No. 451. Sadie A. Stead, executrix, etc., et al., appellants, *v.* Isabella M. Curtiss et al. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Arthur A. Birney in behalf of Mr. Joseph C. Campbell, Mr. John S. Partridge, and Mr. C. H. Lovell for the appellees in support of the motion, and by Mr. Horace W. Philbrook for the appellants in opposition thereto.

No. 956. Elvard L. Moses, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Leslie A. Gilmore for the petitioner, with leave to the Solicitor General to file brief for the respondent on or before Friday next.

No. 934. Puget Sound Electric Railway and Puget Sound Traction. Light & Power Co., petitioners, *v.* Nellie M. Rininger et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John Spalding Flannery in behalf of Mr. James B. Howe for the petitioners, and by Mr. Livingston B. Steadman for the respondents.

No. 294. Philip Wagner, Incorporated, plaintiff in error, *v.* Oscar Leser, et al., Judges, etc., et al. Motion to dismiss or affirm submitted by Mr. Alexander Preston for the defendants in error in support of the motion, and by Mr. Charles J. Bonaparte and Mr. George Washington Williams for the plaintiff in error in opposition thereto.

No. 928. Olaf Lie, Master of the Norwegian Steamship *Selja*, etc., petitioner, *v.* San Francisco & Portland Steamship Company, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. L. Russell Alden and Mr. Edmund B. McClanahan for the petitioner, and by Mr. William Denman and Mr. E. J. McCutchen for the respondent.

No. 627. The Manila Investment Company et al., appellants, *v.* Park Trammell et al., as trustees, etc., et al. Motion to dismiss or affirm submitted by Mr. E. J. L'Engle and Mr. Thomas F. West for the appellees, in support of the motion, and by Mr. N. B. K. Pettingill and Mr. Arthur F. Odlin for the appellants in opposition thereto.

No. 852. The Delaware, Lackawanna & Western Railroad Company, plaintiff in error, *v.* Matt Yurkonis. Motion to dismiss or affirm submitted by Mr. George C. Holt for the defendant in error in support of the motion, and by Mr. William S. Jenney and Mr. Everett Warren for the plaintiff in error in opposition thereto.

No. 544. Charles Hartwell Chater, a minor, etc., et al., appellants, *v.* Alfred W. Carter, trustee, et al. Argument concluded by Mr. Robbins B. Anderson for the appellees.

No. 253. William P. Healy et al., appellants, *v.* Sea Gull Specialty Company. Argued by Mr. Randolph Barton, jr., for the appellee, and submitted by Mr. Charles Rosen and Mr. Henry B. Gayley for the appellant.

No. 480. Paine Lumber Company, Ltd., et al., appellants, *v.* Elbridge H. Neal, individually and as secretary, etc., et al. Argument commenced by Mr. Walter Gordon Merritt for the appellants, and continued by Mr. Charles M. Beattie and Mr. Frederick Hulse for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, May 4, will be as follows: Nos. 480, 254, 255, 257, 258, 259, 260, 261 (and 262), 263, and 265.



## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 4, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Hamilton Ward, of Buffalo, N. Y.; Lester F. Gilbert, of Buffalo, N. Y.; and Maurice C. Spratt, of Buffalo, N. Y., were admitted to practice.

No. 265. Marion A. Morse, appellant, *v.* Sidney A. Brown, sheriff. Appeal from the District Court of the United States for the District of Connecticut. Dismissed with costs, pursuant to the tenth rule.

No. 480. Paine Lumber Company, Limited, et al., appellants, *v.* Elbridge H. Neal, individually and as secretary, etc., et al. Argument continued by Mr. Frederick Hulse for the appellees, and concluded by Mr. Daniel Davenport for the appellants.

No. 254. Bruce Neff, plaintiff in error, *v.* R. A. Jackson, sheriff of Hillsboro County. Submitted by Mr. H. A. Herbert and Mr. Benjamin Micou for the plaintiff in error. No appearance for the defendant in error.

No. 255. J. P. Waugh, plaintiff in error, *v.* The Board of Trustees of the University of Mississippi et al. Argued by Mr. A. F. Fox for the plaintiff in error, and by Mr. Jackson H. Ralston for the defendant in error.

No. 257. The New York Central & Hudson River Railroad Company, plaintiff in error, *v.* Bernard J. Carr. Argument commenced by Mr. Maurice C. Spratt for the plaintiff in error, continued by Mr. Hamilton Ward for the defendant in error, and concluded by Mr. Lester F. Gilbert for the plaintiff in error.

No. 258. Booth-Kelly Lumber Company et al., appellants, *v.* The United States. Argument commenced by Mr. A. H. Tanner for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, May 5, will be as follows: Nos. 258, 259, 260, 261 (and 262), 263, 266, 267, 268, 269, and 270.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MAY 5, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, and Mr. Justice McReynolds.

William S. Snyder, of Harrisburg, Pa.; Roger L. Foote, of Chicago, Ill.; and George E. Shelley, of Austin, Tex., were admitted to practice.

No. 775. Leo M. Frank, appellant, *v.* C. Wheeler Mangum, sheriff of Fulton County, Georgia. Mandate granted on motion of Mr. Fulton M. Brylawski for the appellant.

No. 260. Alice R. Thayer, appellant, *v.* The City of Boston et al. Appeal from the District Court of the United States for the District of Massachusetts. Dismissed per stipulation.

No. 258. Booth-Kelly Lumber Company et al., appellants, *v.* The United States. Argument continued by Mr. A. H. Tanner for the appellants, and Mr. Assistant Attorney General Knaebel for the appellee, and concluded by Mr. A. H. Tanner for the appellants.

No. 259. Wells Fargo & Company Express, plaintiff in error, *v.* D. W. Ford. Submitted by Mr. H. M. Garwood for the plaintiff in error. No appearance for the defendant in error.

No. 261. James Sim, petitioner, *v.* William Edenborn; and

No. 262. Thomas P. Alder, petitioner, *v.* William Edenborn. Argument commenced by Mr. Theron G. Strong for the petitioners, continued by Mr. Martin W. Littleton for the respondent, and concluded by Mr. Theron G. Strong for the petitioners.

No. 263. The Equitable Life Assurance Society of the United States, plaintiff in error, *v.* Commonwealth of Pennsylvania. Argument commenced by Mr. Charles W. Pierson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 6, will be as follows: Nos. 263, 266, 267, 268, 269, 270, 271 (and 857 and 858), 272, 273, and 274.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 6, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

David Steckler, of New York City, and Raymond H. Oveson, of Boston, Mass., were admitted to practice.

No. 272. Latta & Terry Construction Company, appellant, *v.* The British steamship "Raithmoor," etc. Passed, per stipulation.

No. 263. The Equitable Life Assurance Society of the United States, plaintiff in error, *v.* Commonwealth of Pennsylvania. Argument continued by Mr. W. S. Snyder for the plaintiff in error, and concluded by Mr. William M. Hargest for the defendant in error.

No. 266. Glenn R. Bothwell, plaintiff in error, *v.* Bingham County, State of Idaho, et al. Argued by Mr. William A. Lee for the plaintiff in error, and by Mr. R. W. Adair and Mr. J. H. Peterson for the defendant in error.

No. 267. State Savings & Commercial Bank, plaintiff in error, *v.* Alden Anderson et al., individually, etc. Argued by Mr. Arthur Crane for the plaintiff in error, and by Mr. A. A. De Ligne for the defendant in error.

No. 268. E. L. Brand, jr., et al., as surviving executors, etc., plaintiffs in error, *v.* The Union Elevated Railroad Company et al. Argument commenced by Mr. Harry S. Mecartney for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 7, will be as follows: Nos. 268, 269, 270, 271 (and 857 and 858), 273, 274, 276, 277, 279, and 281.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 7, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Abraham M. Beitler, of Philadelphia, Pa.; James Beach Beckett, of Chicago, Ill.; Frank M. Hardenbrook, of Jersey City, N. J.; Charles M. Skiles, of David City, Nebr.; and Ralph C. Roper, of David City, Nebr., were admitted to practice.

No. 276. Las Vegas Railway & Power Company et al., plaintiffs in error, *v.* The Trust Company of St. Louis County, Trustee. In error to the Supreme Court of the State of New Mexico. Dismissed with costs, pursuant to the tenth rule.

No. 268. E. L. Brand, jr., et al., as surviving executors, etc., plaintiffs in error, *v.* The Union Elevated Railroad Company et al. Argument continued by Mr. Harry S. Mecartney for the plaintiffs in error, by Mr. Roger L. Foote for the defendants in error, and concluded by Mr. John S. Miller for the plaintiffs in error.

No. 269. The Roman Catholic Church of St. Anthony of Padua, Jersey City, appellant, *v.* The Pennsylvania R. R. Company. Argued by Mr. Frank M. Hardenbrook for the appellant and by Mr. Albert C. Wall for the appellee.

No. 270. Hanover Star Milling Company, petitioner, *v.* D. D. Metcalf. Argument commenced by Mr. Henry Fitts for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, May 10, will be as follows: Nos. 270, 271 (and 857 and 858), 631, 776, 273, 274, 277, 279, 281, and 283.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 10, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

---

James S. Manning, of Raleigh, N. C.; Troy Pace, of Little Rock, Ark.; Edgar L. Clarkson, of Tuscaloosa, Ala.; Edgar M. Morsman, jr., of Omaha, Nebr.; James M. Proctor, of Washington, D. C.; George Leal Genung, of New York City; Stephen C. Upson, of Athens, Ga.; and Julius I. Peyser, of Washington, D. C., were admitted to practice.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company and The Ducktown Sulphur, Copper & Iron Co., Ltd. Order for decree restraining the Ducktown Company from continuing to operate its plant otherwise than upon certain terms and conditions specified in the opinion. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Hughes, Mr. Chief Justice White, and Mr. Justice Holmes.

No. 220. M. V. B. Parker, plaintiff in error, *v.* Julia A. McClain, executrix of the estate of Carey McClain, deceased. In error to the Supreme Court of the State of Kansas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 630. The United States, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment of the Circuit Court of Appeals reversed, and that of the District Court of the United States for the Western District of Missouri affirmed and cause remanded to said District Court. Opinion by Mr. Justice Van Devanter.

No. 191. The Cumberland Glass Manufacturing Company, plaintiff in error, *v.* Charles De Witt, trading as Charles De Witt & Company. In error to the Court of Appeals of the State of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice Day. Dissenting: The Chief Justice, Mr. Justice Hughes, Mr. Justice Lamar, and Mr. Justice McReynolds.

No. 683. The Pennsylvania Railroad Company, plaintiff in error, *v.* Keystone Elevator & Warehouse Company. In error to the Supreme Court of the State of Pennsylvania. Dismissed for want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 712. Frederick W. Ellis, appellant, *v.* The Interstate Commerce Commission. Appeal from the District Court of the United States for the Northern District of Illinois. Decree reversed without prejudice, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. (Mr. Justice Day, while not differing from the general views taken by the court, is of opinion that the nature of the inquiry under section 15 made it proper that all the questions should be answered.)

No. 559. Erie Railroad Company, plaintiff in error, *v.* Joseph Solomon. In error to the Supreme Court of the State of Ohio. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

---

The Chief Justice also announced the following orders of the court:

No. 254. Bruce Neff, plaintiff in error, *v.* R. A. Jackson, sheriff of Hillsboro County. In error to the Supreme Court of the State of Florida. Per curiam: Dismissed for want of jurisdiction upon the authority of *Deming v. Carlisle Packing Co.* (226 U. S., 102), *Consolidated Turnpike v. Norfolk, etc., Ry. Co.* (228 U. S., 596, 600), *Ennis Water Works v. Ennis* (233 U. S., 652, 658). See *Hendrick v. Maryland* (235 U. S., 610).

No. 267. State Savings & Commercial Bank, plaintiff in error, *v.* Alden Anderson et al. In error to the Supreme Court of the State of California. Per curiam: Judgment affirmed, with costs, upon the authority of *Engel v. O'Malley* (219 U. S., 128), *Noble State Bank v. Haskell* (219 U. S., 104).

No. 579. The United States, plaintiff in error, *v.* Harvey C. Shauver.

No. 623. Charles W. Anderson, collector, etc., petitioner, *v.* The Forty-two Broadway Company; and

No. 593. James Duval et al., plaintiffs in error, *v.* The State of Louisiana. Motions to advance granted, and cases assigned for argument on Tuesday, October 12th next, after the cases heretofore assigned for that day.

No. 467. Arizona Copper Company, Ltd., plaintiff in error, *v.* The State of Arizona at the relation of and to the use of John M. Webster, treasurer and ex officio tax collector, etc. Motion for a writ of certiorari, on suggestion of diminution of the record, granted

without prejudice, the matter presented with the motion to stand as a return to the writ.

No. 294. Philip Wagner, Inc., plaintiff in error, *v.* Oscar Leser et al., judge, etc., et al.;

No. 451. Sadie A. Stead, executrix, etc., et al., appellants, *v.* Isabella M. Curtis et al.;

No. 627. The Manila Investment Company et al., appellants, *v.* Park Trammell et al., etc.; and

No. 808. Supreme Lodge Knights of Pythias, plaintiff in error, *v.* S. Mims. Motions to dismiss or affirm in these cases postponed to the hearings on the merits.

No. 928. Olaf Lie, master of the Norwegian steamship *Selja*, etc., petitioner, *v.* San Francisco & Portland Steamship Company, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 934. Puget Sound Electric Railway et al., petitioners, *v.* Nellie M. Rininger et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 935. Roy Montgomery, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 953. Southern Pacific Company et al., petitioners, *v.* Darnell-Taenzer Lumber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 956. Edward L. Moses, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

---

No. 581. John F. Dodge et al., appellants, *v.* James J. Brady, Collector of Internal Revenue. Motion to advance submitted by Mr. Solicitor General Davis for the appellee.

No. 962. The United States, plaintiff in error, *v.* M. J. Barnow. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 972. Duluth & Northern Minnesota Railway Company, appellant, *v.* The United States. In error to the District Court of the United States for the Northern District of Illinois. Docketed and dismissed, on motion of Mr. Solicitor General Davis for the appellee.

No. 969. Charles Benner et al., petitioners, *v.* New York City Railways Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Benjamin S. Catchings, Mr. Charles Benner, and

Mr. John R. Abney for the petitioners, and Mr. Chase Mellen, Mr. Matthew C. Fleming, Mr. Morgan J. O'Brien, Mr. Richard Reid Rogers, Mr. Charles E. Rushmore, Mr. Julien T. Davies, Mr. Brainard Tolles, Mr. A. H. Masten, Mr. William M. Chadbourne, Mr. Fred Geller, and Mr. Bronson Winthrop, for the respondents.

No. 970. The City of New York, petitioner, *v.* New York City Railways Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. E. Crosby Kindleberger and Mr. Terence Farley, for the petitioner, and by Mr. Matthew C. Fleming, Mr. Richard Reid Rogers, Mr. Morgan J. O'Brien, Mr. Charles E. Rushmore, Mr. Arthur H. Masten, and Mr. William M. Chadbourne, for the respondents.

No. 951. Herman W. Van Senden, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Charles Poe for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 966. Hannis Taylor, administrator, etc., petitioner, *v.* William F. Wharton, administrator, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. D. W. Baker and Mr. Hannis Taylor for the petitioner.

No. 971. Rome Miller, plaintiff in error, *v.* Emil J. Strahl. Motion to affirm submitted by Mr. H. C. Brome for the defendant in error in support of the motion, and by Mr. Edgar M. Morsman, jr., for the plaintiff in error in opposition thereto.

No. 938. Sandusky Portland Cement Company, petitioner, *v.* Dixon Pure Ice Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. John S. Barker, Mr. Francis W. Parker, Mr. D. M. Carter, and Mr. Edward H. Brewster for the petitioner, and by Mr. Clyde Smith for the respondent.

No. 943. Tacoma Railway & Power Company, petitioner, *v.* M. G. Henry. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. G. B. Craig-hill in behalf of Mr. James B. Howe for the petitioner, and by Mr. Merritt J. Gordon for the respondent.

No. 329. The American Well Works Company, appellant, *v.* Layne & Bowler Company et al. Motion to dismiss submitted by Mr. Joseph M. Hill in behalf of Mr. Frank Andrews and Mr. J. M. Moore for the appellees in support of the motion.

No. 948. Edward N. Pugh et al., petitioners, *v.* Victor Loisel, trustee, etc. Petition for a writ of certiorari to the United States



Circuit Court of Appeals for the Fifth Circuit submitted by Mr. H. H. Glassie in behalf of Mr. Edward N. Pugh and Mr. Charlton R. Beattie for the petitioners, and by Mr. Edwin T. Merrick for the respondent.

No. 194. The United States ex rel. Edward L. Chott, plaintiff in error, *v.* Thomas Ewing, Commissioner of Patents, et al. Petition for a writ of certiorari herein submitted by Mr. Joshua R. H. Potts for the plaintiff in error, with leave to the Solicitor General to file brief within five days.

No. 836. Albert Amundson, petitioner, *v.* N. J. Folsom, as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William C. Hughes for the petitioner, and by Mr. Charles O. Bailey and Mr. John H. Voorhees for the respondent.

No. 284. William Toop et al., plaintiffs in error, *v.* Ulysses Land Company et al. Motion to reverse *pro forma* without prejudice and to remand cause submitted by Mr. Colley W. Bell in behalf of Mr. Almon W. Bulkley, Mr. Clair E. More, and Mr. J. J. Boucher for the plaintiffs in error. Suggestion by amici curiæ of grounds for dismissal of cause and motion for leave to file brief in case is retained for hearing submitted by Mr. R. C. Roper and Mr. C. M. Skiles in that behalf.

No. 941. Bernard M. L. Ernst, as trustee, etc., petitioner, *v.* Fidelity & Deposit Company of Maryland et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the second circuit submitted by Mr. Julius I. Peyser in behalf of Mr. Henry S. Dottenheim and Mr. John G. Johnson for the petitioner, and by Mr. Frank H. Platt and Mr. George W. Field for the respondents.

No. 718. Southern Railway Company, plaintiff in error, *v.* W. L. Lloyd. Motion to advance submitted by Mr. A. L. Brooks for the defendant in error.

No. 578. Gast Realty & Investment Company and Emily Gast, plaintiffs in error, *v.* Schneider Granite Company. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Hickman P. Rogers for the defendant in error in support of the motion, and by Mr. Robert A. Holland, jr., for the plaintiff in error in opposition thereto.

Nos. 312 and 313. W. Frank Jordan, plaintiff in error, *v.* Fidelity Savings & Trust Company, Inc. In error to the Supreme Court of Appeals of the State of Virginia. Dismissed, each party to pay its own costs in this court, per stipulation.

No. 300. The Allen & Wheeler Company, appellant, *v.* Hanover Star Milling Company. Ordered that this cause be advanced to be heard with No. 270.

No. 270. Hanover Star Milling Company, petitioner, *v.* D. D. Metcalf; and

No. 300. The Allen & Wheeler Company, appellant, *v.* Hanover Star Milling Company. Argument continued by Mr. Henry Fitts for the petitioner in No. 270 and for the respondent in No. 300, and by Mr. Edward Everett Longan and Mr. J. Fred Gilster for the petitioner in No. 300 and the respondent in No. 270, and concluded by Mr. Edgar L. Clarkson for the petitioner in No. 270 and for the respondent in No. 300.

No. 271. Adams Express Company, plaintiff in error, *v.* The Commonwealth of Kentucky;

No. 857. James Clark Distilling Company, appellant, *v.* The Western Maryland Railway Company et al.; and

No. 858. James Clark Distilling Company, appellant, *v.* American Express Company et al. Leave granted to file brief herein as amicus curiæ, on motion of Mr. W. B. Wheeler in that behalf. One hour additional time allowed in the argument. Argument commenced by Mr. Joseph S. Graydon for the plaintiff in error and appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, May 11, will be as follows: Nos. 271 (and 857 and 858), 631, 776, 273, 274, 277, 279, 281, 283, and 284.



## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 11, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

No. 271. Adams Express Company, plaintiff in error, *v.* The Commonwealth of Kentucky;

No. 857. James Clark Distilling Company, appellant, *v.* The Western Maryland Railway Company et al.; and

No. 858. James Clark Distilling Company, appellant, *v.* American Express Company et al. Argument continued by Mr. Joseph S. Graydon for the plaintiff in error and appellant, Mr. James Garnett for the defendant in error in No. 271, Mr. W. B. Wheeler and Mr. Fred O. Blue for the State of West Virginia, appellee in Nos. 857 and 858, and concluded by Mr. Lawrence Maxwell for the plaintiff in error and appellants.

No. 631. William H. Mills, surviving partner, etc., plaintiff in error, *v.* Lehigh Valley Railroad Company et al. Argument commenced by Mr. V. F. Gable for the plaintiff in error, continued by Mr. Henry S. Drinker, jr., for the defendants in error, and concluded by Mr. Arthur R. Thompson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, May 12, will be as follows: Nos. 776, 273, 274, 277, 279, 281, 283, 284, 203, and 285.



## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MAY 12, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Francis Rooney, of New York City, was admitted to practice.

No. 284. William Toop et al., plaintiffs in error, *v.* Ulysses Land Company et al. Motion to reverse *pro forma* without prejudice and remand cause denied. Leave granted to file brief of Mr. R. C. Roper and Mr. C. M. Skiles as *amici curiæ*.

No. 203. The United Surety Company, plaintiff in error, *v.* American Fruit Product Company. Submitted by Mr. Wade H. Ellis, Mr. R. Golden Donaldson, Mr. Charles Cowles Tucker, and Mr. Abner H. Ferguson for the plaintiff in error, and by Mr. George E. Hamilton, Mr. John W. Yerkes, and Mr. John J. Hamilton for the defendant in error.

No. 285. Jose McMicking, appellant, *v.* Robert G. Shields. Submitted by Mr. S. T. Ansell for the appellant. No appearance for the appellee.

No. 776. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* J. T. Craft, administrator, etc. Argued by Mr. Troy Pace for the plaintiff in error and Mr. William E. Richardson for the defendant in error.

No. 273. Charleston & Western Carolina Railway Company, plaintiff in error, *v.* Varnville Furniture Company. Argued by Mr. F. B. Grier for the plaintiff in error. No appearance for the defendant in error.

No. 274. W. T. Price, plaintiff in error, *v.* The People of the State of Illinois. Argument commenced by Mr. Trafford N. Jayne for the plaintiff in error, continued by Mr. Lester H. Strawn for the defendant in error, and concluded by Mr. Trafford N. Jayne for the plaintiff in error.

No. 277. Patsy Perryman et al., plaintiffs in error, *v.* Peggy Woodward. Argument commenced by Mr. B. B. Blakeney for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 13, will be as follows: Nos. 277, 279, 281, 283, 284, 286, 287, 288 (and 289 and 290), 291, and 293.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 13, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Victor H. Myers, of Waynesboro, Pa., was admitted to practice.

No. 279. Lumber Underwriters of New York et al., petitioners, *v.* O. C. Rife et al. Suggestion of death of O. C. Rife and appearance of Robert Lockwood, jr., administrator, etc., as a party respondent herein filed and entered per stipulation of counsel, and on motion of Mr. R. Lee Bartels for the petitioners.

No. 277. Patsy Perryman et al., plaintiffs in error, *v.* Peggy Woodward. Argument concluded by Mr. B. B. Blakeney for the plaintiffs in error and submitted by Mr. J. C. Stone for the defendant in error.

No. 279. Lumber Underwriters of New York et al., petitioners, *v.* Robert Lockwood, jr., administrator, etc., et al. Argued by Mr. R. Lee Bartels for the petitioner and by Mr. Caruthers Ewing for the respondent.

No. 281. Ida Richardson Hood et al., appellants, *v.* J. B. McGehee et al. Submitted by Mr. E. Howard McCaleb for the appellants and by Mr. John P. Tillman for the appellees.

No. 283. D. J. McDonald et al., petitioners, *v.* J. W. Pless et al., partners, etc. Argued by Mr. Julius C. Martin for the petitioners and by Mr. Joseph W. Bailey for the respondents.

No. 284. William Toop et al., plaintiffs in error, *v.* Ulysses Land Company et al. Submitted by Mr. Clair E. More and Mr. J. J. Boucher for the plaintiffs in error and by Mr. R. C. Roper and Mr. C. M. Skiles as *amici curiæ*. No brief filed for the defendants in error.

No. 286. John A. S. Brown et al., petitioners, *v.* Austin B. Fletcher, as testamentary trustee, etc. Argument commenced by Mr. Charles H. Burr for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 14, will be as follows: Nos. 286, 287, 288 (and 289 and 290), 291, 293, 294, 295, 298, 303, and 304.



## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 14, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

S. S. Field, of Baltimore, Md., and Richard L. Kennedy, of St. Paul, Minn., were admitted to practice.

No. 293. M. C. H. Park, trustee, etc., plaintiff in error, *v.* W. W. Cameron et al. Submitted by Mr. John Neethe, Mr. James D. Williamson, and Mr. Rhodes S. Baker for the plaintiff in error, and by Mr. Charles A. Boynton for the defendants in error.

No. 295. Moke Makaiwi et al., plaintiffs in error, *v.* The Territory of Hawaii. In error to the Supreme Court of the Territory of Hawaii. Dismissed with costs, pursuant to the tenth rule.

No. 303. Carlos Gsell, plaintiff in error, *v.* The Insular Collector of Customs. Submitted by Mr. H. W. Van Dyke for the plaintiff in error, and by Mr. S. T. Ansell for the defendant in error.

No. 304. J. C. Hadacheck, plaintiff in error, *v.* C. E. Sebastian, Chief of Police, etc. Continued.

No. 286. John A. S. Brown et al., petitioners, *v.* Austin B. Fletcher, as testamentary trustee, etc. Argument concluded by Mr. Charles H. Burr for the petitioners, and submitted by Mr. W. P. S. Melvin for the respondent.

No. 287. The Pennsylvania Railroad Company, plaintiff in error, *v.* Mitchell Coal & Coke Company. Argument commenced by Mr. Francis I. Gowen for the plaintiff in error, continued by Mr. Joseph Gilfillan for the defendant in error, and concluded by Mr. Francis I. Gowen for the plaintiff in error.

No. 288. The Pennsylvania Railroad Company, plaintiff in error, *v.* Sonman Shaft Coal Company;

No. 289. The Pennsylvania Railroad Company, plaintiff in error, *v.* Stineman Coal Mining Company; and

No. 290. The Pennsylvania Railroad Company, plaintiff in error, *v.* Clark Brothers Coal Mining Company. Argument commenced by Mr. Francis I. Gowen for the plaintiff in error, continued by Mr. A. M. Liveright and Mr. A. L. Cole for the defendants in error, and concluded by Mr. John G. Johnson for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call has been suspended for the term.



## SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 17, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

Harry K. Daugherty, of Grove City, Pa.; James D. Simms, of Muskogee, Okla.; Henry Clay True, of Springfield, Tenn.; Julian M. Thomas, of Salt Lake City, Utah; James F. Kelly, of New York City; and Bartlett Roper, of Petersburg, Va., were admitted to practice.

No. 594. George D. Collins, appellant, *v.* James A. Johnston, Warden, etc. Appeal from the District Court of the United States for the Northern District of California. Final order affirmed with costs. Opinion by Mr. Justice Pitney.

No. 713. Seaboard Air Line Railway, plaintiff in error, *v.* W. B. Tilghman. In error to the Supreme Court of the State of North Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 206. Spokane & Inland Empire Railroad Company, plaintiff in error, *v.* Mary Elizabeth Whitley. In error to the Supreme Court of the State of Idaho. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 253. William P. Healy et al., appellants, *v.* Sea Gull Specialty Company. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 258. Booth-Kelley Lumber Company et al., appellants, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the District of Oregon. Opinion by Mr. Justice Holmes. (Mr. Justice McReynolds took no part in the decision of this case.)



The Chief Justice announced the following orders of the court:

No. 581. John F. Dodge et al., appellants, *v.* James J. Brady, collector of internal revenue; and

No. 962. The United States, plaintiff in error, *v.* M. J. Barnow. Motions to advance granted, and cases assigned for argument on Tuesday, October 12th, next, after the cases heretofore assigned for that day.

No. 718. Southern Railway Company, plaintiff in error, *v.* W. L. Lloyd; and

No. 971. Rome Miller, plaintiff in error, *v.* Emil J. Strahl. Ordered that these cases be placed on the summary docket.

No. 578. Gast Realty & Investment Company and Emily Gast, plaintiffs in error, *v.* Schneider Granite Company. Motion to dismiss or affirm postponed to the hearing of the case on its merits.

No. 194. The United States ex rel. Edward L. Chott, plaintiff in error, *v.* Thomas Ewing, Commissioner of Patents, et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 836. Albert Amundson, petitioner, *v.* N. J. Folsom, as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 938 Sandusky Portland Cement Company, petitioner, *v.* Dixon Pure Ice Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 941. Bernard M. L. Ernst, as trustee, etc., petitioner, *v.* Fidelity & Deposit Company of Maryland et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 943. Tacoma Railway & Power Company, petitioner, *v.* M. G. Henry. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 948. Edward N. Pugh et al., petitioners, *v.* Victor Loisel, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 951. Herman W. Van Senden, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 966. Hannis Taylor, administrator, etc., petitioner, *v.* William F. Wharton, administrator, etc., et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 969. Charles Benner et al., petitioners, *v.* New York City Railways Company et al.; and

No. 970. The City of New York, petitioner, *v.* New York City Railways Company et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 433. The United States, plaintiff in error, *v.* The National Creamery Company. In error to the District Court of the United States for the Western District of Missouri. Dismissed on motion of Mr. Solicitor General Davis for the plaintiff in error.

No. 702. The United States of America, appellant, *v.* Hamburg-Amerikanische Packetfahrt Actien-Gesellschaft et al.; and

No. 784. Hamburg-Amerikanische Packetfahrt Actien-Gesellschaft et al., appellants, *v.* The United States of America et al. Motion to advance submitted by Mr. Solicitor General Davis for The United States.

No. 785. The United States, petitioner, *v.* New York & Oriental Steamship Company, Limited. Motion to advance withdrawn on motion of Mr. Solicitor General Davis for the petitioner.

No. 785. The United States, petitioner, *v.* New York & Oriental Steamship Company, Limited. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed on motion of Mr. Solicitor General Davis for the petitioner.

No. ——. Original. Ex parte In the matter of The United States, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Solicitor General Davis for the petitioner.

No. 937. Philadelphia & Reading Railway Company, appellant, *v.* The United States et al. Motion to advance submitted by Mr. Solicitor General Davis in behalf of counsel for the appellant.

No. 521. Chicago Auditorium Association, appellant, *v.* Central Trust Company of Illinois, trustee, etc. Motion to dismiss submitted by Mr. E. C. Bandenburg for the appellee in support of the motion, and by Mr. Rudolph Matz for the appellant in opposition thereto.

Petition for a writ of certiorari herein submitted by Mr. Seth Shepard, jr., in behalf of Mr. Rudolph Matz for the appellant, and by Mr. E. C. Brandenburg for the appellee in opposition thereto.

No. 988. Pascal P. Beals et al., petitioners, *v.* Thomas C. Burke, as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Wharton E. Lester in behalf of Mr. Lucas P. Loving for the petitioners, and by Mr. Thomas C. Burke for the respondent.

No. 979. Claude A. P. Turner, petitioner, *v.* John L. Drumm. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles J. William-

son for the petitioner, and by Mr. Amasa C. Paul and Mr. Edward Rector for the respondent.

No. 978. The Shipowners & Merchants Tug Boat Company, owner, etc., petitioner, *v.* Hammond Lumber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Francis W. Clements in behalf of Mr. Edward J. McCutchen and Mr. A. Crawford Greene for the petitioner, and by Mr. William Denman and Mr. G. S. Arnold for the respondent.

No. 957. James A. Whitcomb, petitioner, *v.* George S. Shultz. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles F. Carusi, Mr. Walter B. Grant, and Mr. Joseph M. Gazzam for the petitioner, and by Mr. A. J. Rose and Mr. Alfred C. Pette for the respondent.

No. 976. Southern Railway Company, petitioner, *v.* E. B. Koger, administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. L. E. Jeffries for the petitioner and by Mr. George W. Pickle, Mr. W. R. Turner, and Mr. W. T. Kennerly for the respondent.

No. 833. Claude M. Dean, appellant, *v.* R. Beal Davis, jr., trustee, etc. Motion to dismiss submitted by Mr. Bartlett Roper and Mr. Richard B. Davis for the appellee, in support of the motion, and by Mr. C. V. Meredith for the appellant in opposition thereto.

No. 990. Willie Bethune, plaintiff in error, *v.* The State of South Carolina. In error to the Supreme Court of the State of South Carolina. Docketed and dismissed with costs on motion of Mr. Fred H. Dominick for the defendant in error and mandate granted.

No. 914. Dan S. Lehon, plaintiff in error, *v.* City of Atlanta. Motion to advance submitted by Mr. Marion Smith for the plaintiff in error.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Form of decree submitted by Mr. Warren Grice for the complainant.

No. 812. W. G. Welles et al., plaintiffs in error, *v.* George E. Bryant. Motion to dismiss or affirm and for damages submitted by Mr. George H. Lamar in behalf of Mr. N. B. K. Pettingill and Mr. M. B. Macfarlane for the defendant in error in support of the motion.

No. 968. The Chesapeake & Ohio Railway Company, petitioner, *v.* Jean D. McKell, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the

Sixth Circuit submitted by Mr. Judson Harmon, Mr. Edward Colston, and Mr. F. B. Enslow for the petitioner, and by Mr. John H. Holt and Mr. Murray Seasongood for the respondent.

No. 467. Arizona Copper Company, Ltd., plaintiff in error, *v.* The State of Arizona at the relation of and to the use of John M. Webster, treasurer and ex officio tax collector, etc. Motion to dismiss or affirm submitted by Mr. George J. Stoneman and Mr. Reese M. Ling for the defendant in error in support of the motion, and by Mr. Walter Bennett for the plaintiff in error in opposition thereto.

No. 653. Southern Wisconsin Railway Company, plaintiff in error, *v.* City of Madison. Motion to dismiss submitted by Mr. William Ryan for the defendant in error in support of the motion, and by Mr. Burr W. Jones for the plaintiff in error in opposition thereto.

---

The Chief Justice announced that the court will adjourn to-day until Tuesday, June 1st. The court will then adjourn until Monday, June 14th. No petitions for writs of certiorari or motions, except motions for admission to practice, will be received after that day. The court will then adjourn until Monday, June 21st, on which day it will adjourn for the term.

---

Adjourned until Tuesday, June 1st, at 12 o'clock.



## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JUNE 1, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

James D. Carpenter, jr., of Jersey City, N. J.; Frederic B. Scott, of Summit, N. J.; Omri F. Hibbard, of New York City; Hyacinthe Ringrose, of New York City; Eben Winthrop Freeman, of Portland, Me.; Edwin J. Marshall, of Toledo, Ohio; John F. Wilson, of Columbus, Ohio; R. J. Boyle, of San Antonio, Tex.; Max Isaac, of Brunswick, Ga.; Milton Shepardson, of Oakland, Cal.; and Millard Reese, of Brunswick, Ga., were admitted to practice.

No. 285. Jose McMicking, appellant, *v.* Robert G. Shields. Appeal from the Supreme Court of the Philippine Islands. Decree reversed, with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

Nos. 226 to 230. J. A. E. Pyle, Trustee, etc., appellant, *v.* The Texas Transport & Terminal Company et al. Appeals from the United States Circuit Court of Appeals for the Fifth Circuit. Decrees affirmed with costs, and causes remanded to the District Court of the United States for the Eastern District of Louisiana. Opinion by Mr. Justice McReynolds.

No. 187. Mallinckrodt Chemical Works, plaintiff in error, *v.* The State of Missouri at the relation of Seebert G. Jones, circuit attorney of the city of St. Louis. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 189. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* J. B. Vosburg. In error to the Supreme Court of the State of Kansas. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 193. Tony Rossi, plaintiff in error, *v.* The Commonwealth of Pennsylvania. In error to the Superior Court of the State of Pennsylvania. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 214. The Chicago & Alton Railroad Company, plaintiff in error, *v.* Henry A. Tranbarger. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 748. The United States, plaintiff in error, *v.* William Rabonowich. In error to the District Court of the United States for the Southern District of New York. Judgment reversed, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 157. George F. Kreitlein, plaintiff in error, *v.* Charles Fenger. In error to the Appellate Court of the State of Indiana. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lamar. Dissenting: Mr. Justice Day and Mr. Justice McKenna.

No. 213. The Hartford Life Insurance Company, Hartford, Conn., plaintiff in error, *v.* Eliza Ibs. In error to the District Court in and for the county of Ramsey, State of Minnesota. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 673. Louisville & Nashville Railroad Company et al., appellants, *v.* The United States et al. Appeal from the District Court of the United States for the Middle District of Tennessee. Decree affirmed. Opinion by Mr. Justice Lamar. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 266. Glenn R. Bothwell, plaintiff in error, *v.* Bingham County, State of Idaho, et al. In Error to the Supreme Court of the State of Idaho. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 776. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* J. T. Craft, administrator, etc. In Error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 217. G. & C. Merriam Company, appellant, *v.* The Syndicate Publishing Company. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 736. George Ebeling, appellant, *v.* Thomas W. Morgan, warden, etc. Appeal from the District Court of the United States for the District of Kansas. Final order affirmed. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 685. Thomas W. Morgan, warden, etc., appellant, *v.* Alfonso J. Devine, etc., et al. Appeal from the District Court of the United States for the District of Kansas. Final order reversed with costs and cause remanded with instructions to dismiss the petition. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 273. Charleston & Western Carolina Railway Company, plaintiff in error, *v.* Varnville Furniture Company. In error to the Supreme Court of the State of South Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 279. Lumber Underwriters of New York et al., petitioners, *v.* Robert Lockwood, jr., administrator, etc., et al. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Western District of Tennessee for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: The Chief Justice, Mr. Justice McKenna, and Mr. Justice Day.

No. 281. Ida Richardson Hood et al., appellants, *v.* J. B. McGehee et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Northern District of Alabama. Opinion by Mr. Justice Holmes.

No. 293. M. C. H. Park, trustee, etc., plaintiff in error, *v.* W. W. Cameron et al. In error to the District Court of the United States for the Western District of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 255. J. P. Waugh, plaintiff in error, *v.* The Board of Trustees of the University of Mississippi et al. In error to the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 106. Supreme Council of the Royal Arcanum et al., plaintiffs in error, *v.* Samuel Green. In error to the Supreme Court of the State of New York. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Further ordered, that the brief of the defendant in error be stricken from the files. Opinion by Mr. Chief Justice White.

No. 269. The Roman Catholic Church of St. Anthony of Padua, Jersey City, appellant, *v.* The Pennsylvania Railroad Company. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Dismissed for want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 51. Nancy Neron Longpre et al., plaintiffs in error, *v.* Clemente Diaz y Quinones. In error to the District Court of the United States for Porto Rico. Judgment reversed with costs and cause remanded for further proceedings, in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 284. William Toop et al., plaintiffs in error, *v.* Ulysses Land Company et al. In error to the District Court of the United States for the District of Nebraska. Dismissed for want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 239. A. D. Daniels, appellant, *v.* Jessie E. Wagner. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Oregon for further proceedings in accordance with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 237. A. D. Daniels, appellant, *v.* Alvina S. Merrithew;

No. 238. A. D. Daniels, appellant, *v.* Bernice Sackville;

No. 245. A. D. Daniels, appellant, *v.* Mason C. Meservey;

No. 246. A. D. Daniels, appellant, *v.* John Y. Johnson; and

No. 247. A. D. Daniels, appellant, *v.* Andrew J. Manning.

Appeals from the United States Circuit Court of Appeals for the Ninth Circuit. Decrees reversed with costs and causes remanded to the District Court of the United States for the District of Oregon for further proceedings in accordance with the opinions in these cases and in No. 239. Opinion by Mr. Chief Justice White.

No. 234. Alfred D. Daniels, appellant, *v.* Frank Johnston et al., etc.;

No. 235. Alfred D. Daniels, appellant, *v.* Ralph E. Butler et al., etc.;

No. 236. A. D. Daniels, appellant, *v.* Edgar B. Connor et al., etc.; and

No. 240. A. D. Daniels, appellant, *v.* Elizabeth Deneen, etc., et al. Appeals from the United States Circuit Court of Appeals for the Ninth Circuit. Decrees reversed with costs and causes remanded to the District Court of the United States for the District of Oregon for further proceedings in accordance with the opinions in these cases and in No. 239. Opinion by Mr. Chief Justice White.

No. 241. A. D. Daniels, appellant, *v.* Valentine Bernhard;

No. 242. A. D. Daniels, appellant, *v.* Mark T. Howard;

No. 243. A. D. Daniels, appellant, *v.* John C. Leonard; and

No. 244. A. D. Daniels, appellant, *v.* Vestal W. Wakefield.

Appeals from the United States Circuit Court of Appeals for the Ninth Circuit. Decrees reversed with costs and causes remanded to



the District Court of the United States for the District of Oregon for further proceedings in accordance with the opinions in these cases and in No. 239. Opinion by Mr. Chief Justice White.

No. 248. A. D. Daniels, appellant, *v.* Martha M. Craddock et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Oregon for further proceedings in accordance with the opinions in this case and in No. 239. Opinion by Mr. Chief Justice White.

No. 286. John A. S. Brown et al., etc., petitioners, *v.* Austin B. Fletcher, as testamentary trustee, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree reversed with costs, and cause remanded to the said United States Circuit Court of Appeals for further proceedings consistent with the opinion of this court. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. 467. Arizona Copper Company, Ltd., plaintiff in error, *v.* The State of Arizona at the relation of and to the use of John M. Webster, Treasurer and ex officio Tax Collector in and for the County of Greenlee, State of Arizona. In error to the Supreme Court of the State of Arizona. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Eustis v. Bolles* (150 U. S., 361); *Yazoo & Miss. V. R. R. v. Brewer* (231 U. S., 245); *Holden Land Co. v. Interstate Trading Co.* (233 U. S., 536).

No. 812. W. G. Welles et al., plaintiffs in error, *v.* George E. Bryant. In error to the Supreme Court of the State of Florida. Per curiam: Dismissed for want of jurisdiction upon the authority of *Thomas v. Iowa* (209 U. S., 258); *Mallors v. Commercial Loan & Trust Co.* (216 U. S., 613); *Appleby v. Buffalo* (221 U. S., 524, 529); *Cleveland & Pittsburgh R. R. v. Cleveland* (235 U. S., 50, 53).

No. 329. The American Well Works Co., appellant, *v.* Layne & Bowler Co. et al. Appeal from the District Court of the United States for the Eastern District of Arkansas. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Bevins v. Ramsey* (11 How., 185); *Deland v. Platte County* (155 U. S., 221); *Behn v. Campbell* (205 U. S., 403, 407).

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company and The Ducktown Sulphur, Copper & Iron Company, Ltd. Dr. John T. McGill appointed inspector to observe operations of plant of defendant Ducktown Company, and order entered as to operation of plant of said company.

ORDER.—The Reporter having represented that owing to the number of decisions at the present term it would be impracticable to put the reports in one volume, it is therefore now here ordered that he publish an additional volume in this year, pursuant to section 226 of the Judicial Code, approved March 3, 1911.

No. —, Original. Ex parte In the matter of The United States, petitioner. Motion for leave to file petition for writ of mandamus granted and rule to show cause awarded, returnable Tuesday, October 12th next.

No. 702. The United States of America, appellant, *v.* Hamburg-Amerikanische Packetfahrt Actien-Gesellschaft et al.; and

No. 784. Hamburg-Amerikanische Packetfahrt Actien-Gesellschaft et al., appellants, *v.* The United States of America. Motion to advance granted and cases assigned for argument on Tuesday, October 12th next, after the cases heretofore assigned for that day.

No. 937. Philadelphia & Reading Railway Company, appellant, *v.* The United States et al. Motion to advance granted and cause assigned for argument on Tuesday, October 12th next, after the cases heretofore assigned for that day.

No. 914. Dan S. Lehon, plaintiff in error, *v.* The City of Atlanta. Motion to advance denied.

No. 521. Chicago Auditorium Association, appellant, *v.* Central Trust Company of Illinois, etc. Motion to dismiss and petition for writ of certiorari postponed to the hearing of the cause on its merits.

No. 653. Southern Wisconsin Railway Company, plaintiff in error, *v.* City of Madison. Motion to dismiss postponed to the hearing of the cause on its merits.

No. 833. Claude M. Dean, appellant, *v.* R. Beale Davis, jr., trustee, etc. Motion to dismiss postponed to the hearing of the cause on its merits.

No. 568. The Chicago & Alton Railroad Company, appellant, *v.* The United States; and

No. 759. The Yazoo & Mississippi Valley Railroad Company, appellant, *v.* The United States. Restored to the docket for reargument.

No. 957. James A. Whitcomb, petitioner, *v.* George S. Schultz. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 968. The Chesapeake & Ohio Railway Co., petitioner, *v.* Jean D. McKell, Adm'x, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 976. Southern Railway Company, petitioner, *v.* E. B. Koger, administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 978. The Shipowners & Merchants Tug Boat Co., etc., petitioner, *v.* Hammond Lumber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 979. Claude A. P. Turner, petitioner, *v.* John L. Drum. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 988. Pascal P. Beals et al., petitioners, *v.* Thomas C. Burke, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 994. The United States of America, petitioner, *v.* John H. Paterson et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Solicitor General Davis and Mr. Assistant to the Attorney General Todd for the petitioner, and by Mr. Lawrence Maxwell, Mr. John S. Miller, and Mr. John F. Wilson for the respondent.

No. 9, Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Leave granted to file replication herein, on motion of Mr. R. A. Hollister for the complainant.

No. 982. Morris Freundlich et al., petitioners, *v.* Harry Eisenbach, as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Eugene C. Brown, in behalf of Mr. David Steckler for the petitioners, and by Mr. Clayton J. Heermance for the respondent.

No. 963. Hills & Company, petitioner, *v.* Joseph Hoover et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Benno Loewy for the petitioner, and by Mr. William A. Carr for the respondents.

No. 985. The Cuyahoga River Power Company, appellant, *v.* City of Akron. Motion to advance submitted by Mr. C. B. Ellis for the appellant.

No. 984. Gideon Dixon et al., appellants, *v.* George W. Goethals et al. Motion for a restraining order submitted by Mr. C. B. Ellis in behalf of Mr. Benjamin T. Waldo for the appellants, with leave to the Solicitor General to file opposition within two days.

No. 1003. Sirocco Engineering Co., petitioner, *v.* B. F. Sturtevant Co. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. L. S. Bacon, Mr. Arthur O. Fraser, Mr. Henry L. Simpson, and by Mr. Frederick P. Fish for the petitioner, and by Mr. Benjamin Phillips for the respondent.

No. 135. Wilson Cypress Company, appellant, *v.* Enrique del Pozo y Marcos et al. Motion to recall mandate and grant rehearing submitted by Mr. Joseph H. Jones for the appellees.

No. 656. St. Louis & Kansas City Land Company et al., plaintiffs in error, *v.* Kansas City. Motion to dismiss or affirm submitted by Mr. F. H. Stevens in behalf of Mr. Arthur F. Smith for the defendant in error in support of the motion, and by Mr. Isaac N. Watson and Mr. H. M. Langworthy for the plaintiffs in error in opposition thereto.

No. 1002. John M. Kuykendall, petitioner, *v.* William Stewart Todd. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. A. A. Hoehling, jr., in behalf of Mr. William V. Hodges for the petitioner, and by Mr. Charles W. Burdick for the respondent.

No. 464. Pennsylvania Railroad Company *v.* W. F. Jacoby & Company. Petition for a writ of certiorari to bring up the whole record and cause and motion to advance submitted by Mr. William A. Glasgow, jr., for Jacoby & Company.

No. 981. Herman Kruegel et al., petitioners, *v.* Standard Savings & Loan Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler in behalf of the petitioners.

No. 614. Albert Steinfeld et al., appellants, *v.* Louis Zeckendorf et al. Motion to advance submitted by Mr. Evans Browne in behalf of Mr. Frank H. Hereford and Mr. Edward A. Meserve for the appellees, and by Mr. Eugene S. Ives, Mr. Francis J. Heney, and Mr. S. L. Kingan for the appellant in opposition thereto.

No. 949. Central Trust Company of Illinois et al., etc., appellants, *v.* George Lueders & Company et al. Petition for a writ of certiorari herein submitted by Mr. Evans Browne in behalf of Mr. Lessing Rosenthal, Mr. Charles H. Hamill, Mr. Judson Harmon, Mr. Edward Colston, Mr. A. W. Goldsmith, and Mr. George Hoadly for the appellants in support of the petition, and by Mr. Walter A. De Camp for the appellees in opposition thereto.

No. 980. James C. Blair, trustee, etc., petitioner, *v.* James S. Bailey, jr., et al., receivers, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Evans Browne in behalf of Mr. Alex. C. King, Mr. Clarence Brown, and Mr. Thomas H. Tracy for the petitioner, and by Mr. Max Isaac and Mr. Millard Reese for the respondent.

No. 1008. F. Drew Caminetti, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Joseph W. Bailey,

Mr. Marshall B. Woodworth, and Mr. Robert T. Devlin for the petitioner.

No. —. Victor L. Inness, plaintiff in error, *v.* John W. Tobin, sheriff; and

No. —. Ida May Inness, plaintiff in error, *v.* John W. Tobin, sheriff. Applications of plaintiffs in error to fix amount of bail bonds submitted by Mr. Joseph W. Bailey in behalf of Mr. R. H. Ward for the plaintiffs in error.

No. 1006. The Delaware, Lackawanna & Western Railroad Company, petitioner, *v.* Mildred D. Price. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Frederic B. Scott and Mr. William S. Jenney for the petitioner, and by Mr. James D. Carpenter, jr., for the respondent.

No. 867. Hamilton Investment Company, appellant, *v.* Irving L. Ernst, trustee, etc. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Dismissed with costs per stipulation.

No. 804. The Texas & Pacific Railway Company, plaintiff in error, *v.* J. F. Bigger et al. Motion to dismiss or affirm submitted by Mr. H. C. Carter and Mr. Perry J. Lewis for the defendants in error in support of the motion, and by Mr. T. D. Cobbs and Mr. George Thompson for the plaintiff in error in opposition thereto.

No. 922. Great Northern Railway Company, plaintiff in error, *v.* H. W. Otos. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Samuel A. Anderson for the defendant in error in support of the motion, and by Mr. E. C. Lindley for the plaintiff in error in opposition thereto.

Adjourned until Monday, June 14, at 12 o'clock.



# SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 14, 1915.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

---

The Attorney General addressed the court as follows:

*May it please your Honors:* In presenting the resolutions adopted by the memorable meeting of the bar, held in this room on March 27, to do honor to the memory of Mr. Justice Horace Harmon Lurton, I might well be contented with the observation that the resolutions show such intimate acquaintance with his eventful career and such discriminating appreciation of his character and attainments as man and judge as to demand nothing more.

With respect to Justice Lurton, my lines were so cast that a measure of the personal appropriately attaches, without which the part I am performing might in a sense be regarded somewhat in the light of one of the graceful functions belonging to the official station I hold. My personal acquaintance with Justice Lurton began when as a youth I attended college at Clarksville, Tennessee, where he, subsequent to his service as chancellor, was the ascendant light at an unusually strong bar. After leaving college and moving West I next saw him some ten years later in Nashville presiding as chief justice of the Supreme Court of Tennessee. My presence on this occasion was almost accidental, but I recall with interest the fact that the attorney addressing the court was the distinguished gentleman who succeeded Justice Lurton upon this bench and whose former official position I now hold.

Justice Lurton possessed a singular charm of candid affability. He took a lively interest in the aspirations and endeavors of younger men, particularly young lawyers. Whenever the opportunity offered, he encouraged them and gave them incentive to noble endeavors. I am one of the many who profited by his friendship.

That the men who strive are the men who succeed was eminently illustrated in the achievements of this life. He was denied the advantages of a completed college education. The hardships of the soldier, the privations of the prisoner, and the experience of the practitioner,

quicken by a keen interest in public affairs and a studious disposition, were all utilized. The winds blew and the waters rolled to him knowledge and power, and the influences of the eventful times of his youth and early manhood so broadened him that he understood the varying phases of life and character, though he studied them to the end.

In the enchanted circle of home, around friendship's shrine, in the conflicts of the forum, in the temple of justice, in the sanctuaries of the living God, Justice Lurton was the same open, wholesome model of uplifting human character—a Christian gentleman. As a man, he bound himself to us by the strongest and tenderest ties.

It was as a judge, who ripened and gathered strength from the period of his early chancellorship, through service in the Supreme Court of Tennessee and the seventeen years of larger vision on the circuit court of appeals, culminating in, and completed by, his brief but valuable work on the Supreme Court of the United States, that the deceased won his most enduring laurels.

When he went to the Court of Appeals of the Sixth Circuit he found it established in the confidence of the profession, and he contributed to the maintenance of its high standing. Coming to this court from a section so prolific in great judges, he fulfilled the measure of the expectation thus engendered.

Justice Lurton was appointed at a riper age than any other man ever elevated to this bench. The deviation from what is generally a sound and acceptable rule was justified by the scope and length of his varied judicial experience and the richness of the results which had flowed therefrom.

While death claimed him sooner than could have been reasonably contemplated, his service here was singularly useful and beneficent. Aside from the invaluable work performed in connection with the preparation and adoption of the equity rules, Justice Lurton, in the four and one-half years he adorned this bench, wrote the opinion of the court in ninety-eight cases, many of them involving issues of the gravest importance. Some of these opinions are destined to stand as leading authorities. He found himself constrained to dissent from the majority of the court in eighteen cases, and with respect to two of them filed dissenting opinions ably sustaining his views.

His style was admirable because of the clear and logical way in which he illuminated the subject in hand, each step in his reasoning following steadily after that which had gone before, with the rhythm and certainty of a soldier's tread, so that when the end was reached there was no element of uncertainty as to what he had decided or meant to decide. He systematized facts and decomposed them into

their elements, applying to them the principles of law and equity with unflinching precision.

To his other great qualities Justice Lurton added powers of painstaking investigation, depth of research, and an accuracy in the use of our language that must ever make his opinions models of judicial composition. The loss of such an one may indeed be rightly regarded as a public calamity.

Actuated by these sentiments, sharing the spirit of these appropriate and appreciative resolutions, I present them to the court, as I am bidden by the bar to do, and request that a befitting order be entered, directing their perpetuation on the minutes of the court.

I now read the resolutions:

We, members of the bar of the Supreme Court of the United States, moved by our high regard for the character and public services of Mr. Justice Horace H. Lurton, who departed this life on the 12th day of July, 1914, have met at Washington, this 27th day of March, 1915, for the purpose of discharging what we regard as a high public duty in honoring the memory and recording our estimate of one who as a man, a citizen, a jurist, and a judge has greatly honored our country, and adopt the following:

Horace Harmon Lurton was born on February 26, 1844, in Newport, Ky. His early life was passed partly at Clarksville, Tenn., and partly in the city of Chicago.

When the Civil War began he was a student at the old University of Chicago. He at once returned to Tennessee, and at the age of sixteen joined the army of the Confederate States, enlisting in the Thirty-fifth Tennessee, of which he became sergeant major.

He was captured at Fort Donelson and was imprisoned at Camp Chase, from which, after a brief confinement, he escaped. He re-enlisted in the Third Kentucky Cavalry, and while serving under Gen. John H. Morgan, during his raid in Ohio, was again captured in 1863 and imprisoned, where he was confined until early in 1865. At that time, on account of his health, and in response to a personal appeal made by his mother to President Lincoln, he was released on parole.

His collegiate education thus interrupted was never completed, but it was richly supplemented by constant study and copious reading.

He graduated in law at Cumberland University, Lebanon, Tenn., in 1867. There he met Miss Frances Owen, who, in the same year, became his wife, and survives him. Their married life was an uninterrupted period of mutual love and comfort.

He entered upon the practice of his profession at Clarksville, Tenn., and continued until 1875, when he became a chancellor of Tennessee.



In 1878 he resigned and returned to the bar. He was associated in partnership at various times with Gustavus A. Henry, William A. Quarles, James E. Bailey, and Charles G. Smith, who were among Tennessee's most distinguished lawyers. He was a recognized leader and enjoyed a large practice.

In 1886 he was elected as judge of the Supreme Court of Tennessee, and served continuously until April, 1893, being chief justice the last four months of his service.

In that year he was appointed United States circuit judge by President Cleveland, and became a judge of the Court of Appeals for the Sixth Circuit.

He became professor of constitutional law at Vanderbilt University in 1898 and dean of the law school in 1905, which positions he held until 1910.

In 1899 he received the degree of doctor of civil laws from Sewanee University, and in 1912 the degree of doctor of laws from the University of Pennsylvania.

In December, 1909, he was appointed by President Taft to the Supreme Bench of the United States, and took his seat January 3, 1910, in which position he served until his death.

Upon his appointment to the Supreme Court of the United States he was sixty-five years of age, being the oldest man ever appointed to that court. There were sound reasons for such distinction. He had been upon the bench thirty years and had achieved as chancellor a high reputation as an able, learned, conscientious, industrious, and impartial jurist, which was maintained, with increased prestige, throughout his long service on the Supreme Bench of Tennessee and as United States circuit judge.

He came to the Supreme Court equipped with an experience and learning that few appointees to that court have had. His long service upon the Federal bench especially qualified him to enter at once with full efficiency upon his duties.

President Taft had collaborated with him seven years in the Circuit Court of Appeals and well knew his fitness for the high office for which he nominated him.

During a continuous service on the bench, State and National, for a period of over thirty years, he decided almost every kind of case which human affairs could give rise to. His opinions, which are to be found in Pickle's Tennessee Reports, the Federal Reporter, and the Reports of the Supreme Court of the United States, are characterized by learning, conciseness, and lucidity, are convincing witnesses of his justice, wisdom, industry, and comprehensive grasp of legal principles, and constitute a great and enduring monument to his fame.

He was thoroughly grounded in the fundamental principles of the law, and always maintained a profound reverence for constitutional safeguards.

In an address made at a joint meeting of the Maryland and Virginia Bar Associations in 1910 he said :

“The contention that the obligation of a constitution is to be disregarded if it stands in the way of that which is deemed of public advantage, or that a valid law, under the Constitution, is to be interpreted or modified so as to accomplish that which the executive administering it or a court called upon to enforce it shall deem to be the public advantage, is destructive of the whole theory upon which our American Commonwealths have been founded, to say nothing of the constitutional relation of the Union and the States to each other. It is a substitution of men for a government of law. It is against this that I raise a warning voice.”

He fully recognized the rights of persons and property, but did not hesitate to give full effect to constitutional legislation changing such rights.

He rendered no startling or sensational decisions. While this is true, he recognized fully the expanding and complex affairs of modern life and government and the necessity for the application of old principles to changed conditions. However, he never under this guise gave sanction to judicial legislation. His attitude on this vital principle is well shown by his own utterance in the case of *John D. Park & Son against Hartman*, in which he said :

“It has been suggested that we should have regard to new commercial conditions and a tendency toward a relaxation of old common-law principles which tend to prevent development on modern lines. This is an argument better addressed to legislative bodies than to the courts. Neither is it wise for the courts to countenance the introduction of artificial distinctions dependent upon the variant economic views of individual judges. Distinctions which are specious or analogies which are but apparent will but afford opportunities to whittle away broad economic principles lying at the bottom of our public policy, principles which have long received the sanction of statesmen and the approving recognition of a long line of jurists. A like argument is expected whenever some new method of circumventing freedom of commerce comes under the tests of the law.”

He was frank in expressing his views and always courageous in the performance of duty. He was quick to see and comprehend the points of argument, and clear, direct, and forceful in stating his conclusions.

He had an amiable disposition and a charming personality, which endeared him to a large circle of warm friends.

His associates loved and honored him, and the members of the bar who came before him entertained profound respect for his ability

and efficiency as a judge, and hold his conduct toward them, which was always characterized by unfailing graciousness, attention, and patience, in most pleasing remembrance.

Both on and off the bench he was affable and courteous, without any appearance of seeking popularity. He was firm and impersonal in his rulings, without any touch of harshness. His manner was impressive and dignified, without show of authority.

He bore a conspicuous part in drafting the new Federal Equity Rules, and went to England for the purpose of informing himself as to the changes there in equity practice and their effect.

He left to his family the rich legacy of a stainless and unquestioned life.

He early became a member of the Episcopal Church, was constant in church duty, and for a long time preceding and at the time of his death held the position of vestryman in that church. His religion was not merely a profession, but its principles were constantly illustrated in his daily life.

In politics he was a Democrat.

Although he was a strict party man and believed that government should be administered through parties, and took a deep interest in politics and frequently was prominent and influential in political affairs, State and National, he never sought political office.

He and his colleague, Mr. Justice Harlan, twice during the Civil War were opposed in battle. Notwithstanding they had fought on opposite sides in support of conflicting views as to the Constitution, they were in substantial accord in their judicial utterances on the fundamental principles of our Government.

The fact that one who had borne arms against a government and had been imprisoned by that Government, subsequently through its expressed will, sat in a tribunal which had final jurisdiction over the property, liberty, and lives of its people, and the interpretation of its Constitution, is a tribute to the qualities that found such distinguished recognition. It bears, however, for our whole Nation, for all time, and especially now, when the passions of a great war are manifesting themselves with fearful violence, a deeper lesson—that of a great people subduing in so short a time their prejudices, and following the injunction of Mr. Lincoln “with malice toward none, with charity for all,” turning their backs with magnanimity upon the strife of the past, and doing those things which reunited our country in a common destiny, based upon a reconciliation, genuine and complete, and without example in history.

Respect for those in office, because they represent the sovereign power, is essential for stability of government. It is fortunate for a people to be served by those to whom honor is rendered, not only

during incumbency of office but after they have passed out of office and out of life. The record of the lives of such men is the richest heritage and the highest inspiration that a people can possess.

This meeting is not to render grateful praise to one who can show appreciation to those who are present. It is not a perfunctory tribute to place, for we are met to solemnly record our estimate of the services of one who has passed beyond the sense of praise or censure.

Tried by the standards which constitute the just test of title to the esteem of his countrymen, we confidently say that Mr. Justice Lurton is worthy of lasting commemoration in the annals of the Nation: Therefore be it

*Resolved*, By the Bar of the Supreme Court of the United States, that in the death of Mr. Justice Horace H. Lurton, the bar and the people of the United States have sustained a great loss; that we deeply sympathize with his family and friends in their bereavement; that a copy of these proceedings be sent to Mrs. Lurton, and that, through the Attorney General, it be asked that they be spread upon the minutes of the Supreme Court of the United States.

The Chief Justice responded:

Mr. Attorney General, the motion which you make gives us solace, since it affords us an opportunity, by putting of record the resolutions which you so appreciatively present, to become participants in the action of the bar and thus again to manifest our sense of sorrow at the death of Mr. Justice Lurton.

The attachment between Mr. Justice Lurton and a member of this court resulting from prior association in judicial work in another forum and between others resulting from a personal friendship of long standing, came when he took his seat upon this bench to unite him with all its members because of the resulting knowledge of his attainments and endearing character.

I asked one of my brethren not long since what was the mental quality of Mr. Justice Lurton which most impressed him. He said, "He was a lawyer, fully equipped by training and by experience to do the work which came to him to do." How terse and yet how comprehensive the analysis, since it embraced the developed powers of discrimination controlled by a trained and ripened intellect which enabled him intelligently to consider and clearly to understand the complex conditions and problems concerning which he was called upon as a judge to act. Accurate as was the portrayal, the inadequacy of the likeness which results is manifest unless there be added to the picture the lineaments of the man, his simplicity, his fidelity, his warmth of friendship, his tenderness to those he loved, all uniting with his intellectual qualities to make him what he was—a

lovable and true man, an able and conscientious lawyer, and an intelligent, courageous, and devoted judge.

If there were time to review his public services, it would be unnecessary, since the mere mention of the landmarks of his career will bring out in bold relief his title to the admiration and respect of his countrymen. A practicing lawyer, a chancellor, a member of the Supreme Court of Tennessee, either as an associate member or its chief justice, from 1886 to 1893, a United States circuit judge from 1893 until he became a justice of this court in 1910. Mark the progressive evolution of his career and the irresistible inference of duty faithfully done which it affords. And to add to this demonstration take into view the judgment of the bar who practiced before him and the reports of the several courts during his service. The responsibility which he thus so worthily met is indicated by considering the grave duties which have rested upon State courts of last resort and upon the circuit courts of the United States from the beginning and the services which both have rendered to the security of life, liberty, and property, to the progress of our country, and to the perpetuation of our constitutional institutions. But that view does not give a full appreciation of the value of the work of Mr. Justice Lurton as a United States circuit judge. Bear in mind that when he became a circuit judge the circuit courts of appeals had been relatively newly created and the necessity for their existence as well as their future usefulness was in some minds far from certain. The benefit, therefore, to the country of the work of the court of appeals of the sixth circuit during his membership can not be judged alone by the volume and character of the business which came before it and by the enlightened manner in which that business was disposed of, but by considering how its discharge of duty cooperating in its full proportion with the work of the courts of appeals of other circuits demonstrated the wisdom of having created those courts and besides made certain how much the progress and development of our judicial institutions would be benefited by their continued existence.

I do not review the work of Mr. Justice Lurton on this bench. It speaks for itself, since it demonstrates the benefit to the court and country which arose and would have continued to result had it been given to him, as we had all hoped it would be, to devote his matured powers to the service of the country for a long period of time. But this was not to be vouchsafed. Illness came, and when its serious character was apparent, in company with that comrade, high courage, which had been with him all the days of his life, comforted by the care and tenderness of those he so much loved and sustained by

Christian faith and hope, he passed beyond our mortal vision. The unbidden thought which comes as to the fleeting result of all human effort, its perishability and the resulting despondency, is natural from such a loss, and the miasma of pessimism which they produce enveloped me as with those of my brethren who could do so we journeyed to Clarksville, Tenn., where he began his active career after the Civil War, there to lay him to rest. But as I stood by the open grave, surrounded by the kindly faces of so many of the warm-hearted people of Clarksville, who had gathered to pay their tribute of respect and affection, and heard the plaintive melodies of the old hymns telling of Christian faith and hope, pessimism vanished, and I came to feel death is not forever, and good works do not perish, but remain. Yes; it was given to me to think, as the waving wheat field in sunshine and in rain conserves its energy in the grain which long after the stem has been cut down and perished, pressed under the millstone, gives forth the nutriment of our material existence, why may we not believe that in the vast reservoir of Divine Providence the energy of our good deeds is conserved, so that they may continue when we have gone to aid and bless our country and our countrymen? What can better illustrate this truth than the work of the lawyer and the judge, since the rule of justice which solves the controversy of to-day becomes the rule of conduct preventing the arising of contention in the years to come? Can we doubt if we listen to the voices of Ulpian and Trebonian calling us through the turmoil and dust of ages to the regions where reason dominates and hence justice prevails? But so distant an example need not be sought. Who of us has not known controversies as to powers of government whose complexities and difficulties were so great that their solution threatened the destruction of our constitutional system either by the disregard of national power or the overthrow of local authority? Insoluble, indeed, they have seemed when from out the past the voice of Marshall spoke and order prevailed, and State and Nation continued to move in harmony and majesty in their allotted orbits to the safety and blessing of our country and mankind.

Indeed, the truth of which I am speaking is illustrated in an episode in the life of Mr. Justice Lurton. We all recall that when he was in his youth a private in the southern army he was a prisoner of war, confined, I believe, on Johnsons Island, enduring the hardships of prison life and suffering from the intense rigor of the northern winter climate, to which he was not habituated. The youth's health failed and the fear came that his end was not far off. His mother, learning of the situation, pleaded from person to person until she came into the presence of President Lincoln to state her

sorrow and out of the depths of her anguish to make her prayer for relief. Let us transport ourselves in imagination to the scene and listen to the mother's supplication and hear the answer from the lips of President Lincoln, springing from that well of compassion which was one of the supremest attributes of his nature: "Yes; let the mother have her boy." Ah! If it had been given to us to stand in reality where we have stood in fancy to-day, who of us would have thought when the storm of war which was then raging had ceased it would come to pass through the enduring power of the influence of the patriotism of our forefathers and of the wise institutions they had established that on the very dawn of peace one would seek in vain to find the erstwhile embattled armies, for they had vanished, leaving only a great host of devoted citizens seeking to serve their united country in peace with the devotion with which, as they had understood it, they had sought to serve it in war? And who of us would have thought that it would soon be seen that the giving of the youth to the mother was the giving to the country of an enlightened and faithful public servant who, when the storm of war had passed, having been freed from imprisonment himself, would yet seek by a devoted discharge of his public duties to imprison his countrymen by binding them with enduring ties of respect and affection for the institutions of our forefathers, and who would be found dedicating his life to such work when the voice of the Father called him from the highest judgment seat in the land to what we would fain believe was his reward eternal.

These thoughts, while they afford consolation for our loss, should stimulate our endeavors. In this latter aspect let us, both judge and lawyer, before we leave these hallowed precincts to-day—hallowed because here justice is administered and here we each and all have avowed our fealty to the Constitution and our purpose to maintain it—resolve to seek more devotedly to discharge the duties which are upon us, to the end that, following in the footsteps of our brother whose life we to-day recall and of all those noble souls who have gone before, we may live by our good works; yes, continue to live when we are gone.

The resolutions of the bar and your remarks, Mr. Attorney General, will be spread upon the minutes, and any other tributes that may be received will be placed upon the files.

Gordon Auchincloss, of New York City; Oscar H. Winn, of Little Rock, Ark.; Henry E. Lutz, of Denver, Colo.; Albert A. Doub, of Cumberland, Md.; Frank A. Perdew, of Cumberland, Md.; C. F. Greenlee, of Brinkley, Ark.; Alexander Gordon, of New York City; Alva M. Ashcraft, of Middle Branch, Ohio; Leroy Stafford Boyd,

of Baton Rouge, La.; Edward Carleton Stone, of Lexington, Mass.; John T. McGovern, of New York City; Angus Milton MacLean, of Lumberton, N. C.; John Allan MacLean, jr., of Fayetteville, N. C.; John A. Hendricks, of Marshall, N. C.; and Arthur O. Fording, of Pittsburgh, Pa., were admitted to practice.

No. 225. Great Northern Railway Company, plaintiff in error, *v.* The State of Minnesota *ex rel.* Railroad & Warehouse Commission of the State of Minnesota. In error to the Supreme Court of the State of Minnesota. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 165. The Producers Oil Company, plaintiff in error, *v.* Lydia Hanzen et al. In error to the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 118. Illinois Central Railroad Company, plaintiff in error, *v.* Mulberry Hill Coal Company. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 164. Peggie Woodward et al., plaintiffs in error, *v.* Robert P. de Graffenried. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 791. The Texas & Pacific Railway Company, plaintiff in error, *v.* M. J. Murphy. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Eastern District of Texas. Opinion by Mr. Justice Pitney.

No. 257. The New York Central & Hudson River Railroad Company, plaintiff in error, *v.* Bernard J. Carr. In error to the Supreme Court, Appellate Division, Fourth Department, State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 779. Norfolk Southern Railroad Company, plaintiff in error, *v.* Walter G. Ferebee. In error to the Supreme Court of the State of North Carolina. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 283. D. J. McDonald et al., petitioners, *v.* J. W. Pless et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Western District of North Carolina. Opinion by Mr. Justice Lamar.

No. 166. St. Louis & San Francisco Railroad Company, plaintiff in error, *v.* Fannie M. Conarty, administratrix, etc. In error to the



Supreme Court of the State of Arkansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 287. The Pennsylvania Railroad Company, plaintiff in error, *v.* Mitchell Coal & Coke Company. In error to the Supreme Court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 496. Geneva Furniture Manufacturing Company, appellant, *v.* S. Karpen & Bros., etc. Appeal from the District Court of the United States for the Northern District of Illinois. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Decree for complainant for \$12,393,929.50, principal and interest, costs to be equally divided between the States. Opinion by Mr. Justice Hughes.

No. 75. Des Moines Gas Company, appellant, *v.* City of Des Moines et al. Appeal from the District Court of the United States for the Southern District of Iowa. Decree modified and affirmed with costs. Opinion by Mr. Justice Day.

No. 212. Washington-Virginia Railway Company, plaintiff in error, *v.* Real Estate Trust Company of Philadelphia. In error to the District Court of the United States for the Eastern District of Pennsylvania. Judgment affirmed with costs and interest. Opinion by Mr. Justice Day.

No. 233. The Milwaukee Electric Railway & Light Company, plaintiff in error, *v.* Railroad Commission of Wisconsin. In error to the Supreme Court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 271. Adams Express Company, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Circuit Court of Whitley County, State of Kentucky. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 203. The United Surety Company, plaintiff in error, *v.* American Fruit Product Company. In error to the Court of Appeals of the District of Columbia. Dismissed for want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 263. The Equitable Life Assurance Society of the United States, plaintiff in error, *v.* Commonwealth of Pennsylvania. In error to the Court of Common Pleas of Dauphin County, State of

Pennsylvania. Judgment affirmed with costs and interest. Opinion by Mr. Justice Holmes.

No. 277. Patsy Perryman et al., plaintiffs in error, *v.* Peggy Woodward. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 174. Kapiolani Estate, Limited, appellant, *v.* Mary H. Atchery et al. Appeal from the Supreme Court of the Territory of Hawaii. Decree reversed with costs, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 222. John P. Herrmann, appellant, *v.* Benjamin F. Edwards et al. Appeal from the District Court of the United States for the Eastern District of Missouri. Decree affirmed with costs. Opinion by Mr. Chief Justice White.

No. 632. W. H. Sawyer et al., appellants, *v.* Raymond S. Gray et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs and cause remanded to the District Court of the United States for the Western District of Washington for further proceedings in accordance with the opinion of this court. Opinion by Mr. Chief Justice White.

---

The Chief Justice also announced the following orders of the court:

No. 921. Furness, Withy & Company (Ltd.), petitioner, *v.* Yang-Tsze Insurance Association (Ltd.) et al. Order of April 19th denying petition for writ of certiorari vacated and set aside, and writ of certiorari granted.

No. 135. Wilson Cypress Company, appellant, *v.* Enrique del Pozo y Marcos et al. Motion to recall mandate and for leave to present a second petition for rehearing denied.

No. —. Victor E. Innes, plaintiff in error, *v.* John W. Tobin, Sheriff, etc.; and

No. —. Ida May Innes, plaintiff in error, *v.* John W. Tobin, Sheriff, etc. Motions to fix amount of bail bonds in these cases denied.

No. 984. Gideon Dixon et al., appellants, *v.* George W. Goethals et al. Motion for a restraining order denied.

No. 614. Albert Steinfeld et al., appellants, *v.* Louis Zeckendorf et al. Motion to advance granted, and case assigned for argument on Tuesday, October 12th next, after the cases heretofore assigned for that day.

No. 985. The Cuyahoga River Power Company, appellant, *v.* The City of Akron. Motion to advance granted, and cause assigned for argument on Tuesday, October 12th next, after the cases heretofore assigned for that day.

No. 464. Pennsylvania Railroad Company *v.* W. F. Jacoby & Company. Petition for a writ of certiorari herein to bring up the entire record and cause and motion to advance granted, and cause assigned for argument on Tuesday, October 12th next, after the cases heretofore assigned for that day.

No. 656. St. Louis & Kansas City Land Company et al., plaintiffs in error, *v.* Kansas City. Motion to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 922. Great Northern Railway Company, plaintiff in error, *v.* H. W. Otos. Ordered that this case be placed on the summary docket.

No. 288. The Pennsylvania Railroad Company, plaintiff in error, *v.* Sonman Shaft Coal Company; and

No. 289. The Pennsylvania Railroad Company, plaintiff in error, *v.* Stineman Coal Mining Company. Restored to the docket for reargument.

No. 949. Central Trust Company of Illinois et al., etc., appellants, *v.* George Lueders & Company et al. Petition for a writ of certiorari herein denied.

No. 963. Hills & Company, petitioner, *v.* Joseph Hoover et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 980. James C. Blair, trustee, etc., petitioner, *v.* James S. Brailey, jr., et al., receivers, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 981. Herman Kruegel et ux., petitioners, *v.* Standard Savings & Loan Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 982. Morris Freundlich et al., petitioners, *v.* Harry Eisenbach, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 994. The United States of America, petitioner, *v.* John H. Patterson et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1002. John M. Kuhkendall, petitioner, *v.* William Stewart Tod. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1003. Sirocco Engineering Company, petitioner, *v.* B. F. Sturtevant Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1006. The Delaware, Lackawanna & Western Railroad Company, petitioner, *v.* Mildred D. Price. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1008. F. Drew Caminetti, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

---

No. 777. Provident Savings Life Assurance Society, plaintiff in error, *v.* Commonwealth of Kentucky et al. Motion to advance submitted by Mr. John W. Davis in behalf of Mr. William Marshall Bullitt for the plaintiff in error.

No. 828. John R. Stanton, appellant, *v.* Baltic Mining Company et al. Motion to advance submitted by Mr. John W. Davis in behalf of Mr. Charles A. Snow for the appellant.

No. 855. William A. Hartranft, plaintiff in error, *v.* Alexander R. Mullooney, judge, etc. Motion to dismiss or affirm submitted by Mr. Solicitor General Davis for the defendant in error in support of the motion and by Mr. Henry E. Davis and Mr. Matthew E. O'Brien for the plaintiff in error in opposition thereto.

No. 1009. The United States, plaintiff in error, *v.* Joe Freeman. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 1033. The United States, petitioner, *v.* The M. H. Pulaski Company et al.;

No. 1034. The United States, petitioner, *v.* R. B. Henry Company et al.;

No. 1035. The United States, petitioner, *v.* James Elliott & Company et al.;

No. 1036. The United States, petitioner, *v.* J. Wile Sons & Company;

No. 1037. The United States, petitioner, *v.* Robert Muller & Company;

No. 1038. The United States, petitioner, *v.* Wood & Selick et al.;

No. 1039. The United States, petitioner, *v.* E. La Montagne's Sons;

No. 1040. The United States, petitioner, *v.* Albert Lorsch & Company;

No. 1041. The United States, petitioner, *v.* Cullman Brothers et al.;

No. 1042. The United States, petitioner, *v.* G. W. Faber, Inc.;

No. 1043. The United States, petitioner, *v.* Louis Meyers & Son;

No. 1044. The United States, petitioner, *v.* William Openhym & Sons et al.;

No. 1045. The United States, petitioner, *v.* Park & Tilford; and

No. 1046. The United States, petitioner, *v.* Selgas & Company.

Petition for writs of certiorari to the United States Court of Customs Appeals submitted by Mr. Solicitor General Davis for the petitioner, with leave to Mr. Alfred H. Washburn to file brief for the respondents.

No. 998. Philadelphia & Reading Railway Company, plaintiff in error, *v.* Robert J. McKibben. Motion to advance submitted by Mr. Corry M. Stadden in behalf of counsel.

No. 1004. James J. Farmer, petitioner, *v.* The United States; and

No. 1019. William J. Hartley, petitioner, *v.* The United States. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. F. W. Clements in behalf of Mr. Benjamin C. Bachrach for the petitioner in No. 1004, and by Mr. Terence J. McManus for the petitioner in No. 1019, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 1028. Adam McArthur et al., petitioners, *v.* Citizens Bank of Norfolk, Virginia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. A. MacLean, jr., for the petitioner, and by Mr. R. W. Winston for the respondent.

No. 1014. Elick Lowitz, petitioner, *v.* Charles H. Kimmerle. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles M. Wilson for the petitioner, and by Mr. Harris F. Williams for the respondent.

No. 310. T. U. Vaughan, plaintiff in error, *v.* The State of South Carolina. Motion to dismiss or affirm submitted by Mr. Fred H. Dominick and Mr. Thomas H. Peeples for the defendant in error in support of the motion, and by Mr. Joseph A. McCullough for the plaintiff in error in opposition thereto.

No. 354. The United States ex rel. Frederick Brown, appellant, *v.* Frederick A. Cooke, superintendent of the county prison at Philadelphia. Motion to dismiss or affirm submitted by Mr. Fred H. Dominick and Mr. Thomas H. Peoples for the appellee in support of the motion, and by Mr. G. Edward Dickerson for the appellant in opposition thereto.

No. 1010. Park Square Automobile Station, plaintiff in error, *v.* American Locomotive Company. Motion to advance submitted by Mr. Edward C. Stone for the plaintiff in error.

No. 857. The James Clark Distilling Company, appellant, *v.* The Western Maryland Railway Company et al.; and

No. 858. The James Clark Distilling Company, appellant, *v.* The American Express Company et al. Leave to file an additional statement herein granted on motion of Mr. Joseph S. Graydon for the appellant.

No. 1049. D. G. Fritzlen, petitioner, *v.* The Boatmen's Bank of St. Louis, Missouri; and

No. 1050. D. G. Fritzlen et ux., petitioners, *v.* The Boatmen's Bank of St. Louis, Missouri. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Arthur A. Birney and Mr. D. R. Hite for the petitioners, and by Mr. James S. Botsford for the respondent.

No. 1025. The United States ex rel. John W. Dwiggin, petitioner, *v.* Thomas Ewing, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. William S. Hodges for the petitioner and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Warren for the respondent.

No. 1023. Daniel A. Finlayson, petitioner, *v.* H. A. Barrows, as executor, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, submitted by Mr. Frederick S. Tyler in behalf of Mr. Frederick T. Myers for the petitioner.

No. 942. Dan Ulmer, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr. Frederick C. Geiger in behalf of Mr. Francis J. Wing for the petitioner.

No. 1030. Frederick W. Finley et al., petitioners, *v.* Henry D. Hotchkiss, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. G. B. Craighill in behalf of Mr. Charles P. Howland for the petitioner, and by Mr. Abram I. Elkus for the respondent.

No. 1007. Alessandro Bolognesi et al., petitioners, *v.* Cassa Valori et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Isaac R. Hitt in behalf of Mr. A. S. Gilbert for the petitioners, and by Mr. Isidor F. Greene for the respondents.

No. 1015. Edward Thornton Robinson et al., petitioners, *v.* Postal Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John T. McGovern for the petitioners and by Mr. Crammond Kennedy for the respondent.

No. 1020. Charles A. Otis et al., petitioners, *v.* Pittsburgh-Westmoreland Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Arthur O. Fording and Mr. William B. Sanders for the petitioners.

No. 1024. Aaron Fields and Alvin Kiser, petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. S. H. Sutherland for the petitioners and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondents.

No. 491. Hilma Nelson, plaintiff in error, *v.* Richard G. Wood. Motion for leave to proceed in forma pauperis submitted by Mr. A. J. H. Frank for the plaintiff in error.

No. 1047. Maury I. Diggs, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Joseph W. Bailey in behalf of Mr. Marshall B. Woodworth and Mr. Robert T. Devlin for the petitioner.

No. 1000. Bruce Shanks, plaintiff in error, *v.* The Delaware, Jackawanna & Western Railroad Company. Motion to advance submitted by Mr. Colley W. Bell in behalf of counsel for the plaintiff in error.

No. 531. Martha S. Painter et al., plaintiffs in error, *v.* The United States Fidelity & Guaranty Company. In error to the Court of Appeals of the State of Maryland. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 550. Maier-Watt Realty Company, plaintiff in error, *v.* Quaker Realty Company, Limited. In error to the Supreme Court of the State of Louisiana. Dismissed per stipulation, costs to be paid by the plaintiff in error.

No. 760. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* Clara Sharp, adm'x, etc. In error to the Supreme Court of the State of Arkansas. Dismissed with costs, on motion of counsel for the plaintiff in error.

Adjourned until Monday, June 21, at 12 o'clock.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 21, 1915.

---

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Lamar, Mr. Justice Pitney, and Mr. Justice McReynolds.

William R. Reber, of Las Cruces, N. Mex.; Lamar C. Rucker, of Athens, Ga.; Frank S. Sanford, of Indianapolis, Ind.; Cornelius C. Young, of Cleveland, Ohio; Frank R. Lang, of New York City; David Hunter Miller, of New York City; and Tellis T. Shaw, of Defiance, Ohio, were admitted to practice.

No. 538. The Kansas City Southern Railway Co., plaintiff in error, *v.* Sam E. Leslie, administrator of the estate of Leslie, Old, deceased; in error to the Supreme Court of the State of Arkansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 268. E. L. Brand, jr., et al., plaintiffs in error, *v.* The Union Elevated Railroad Company et al.; in error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Day, Mr. Justice McKenna, Mr. Justice Lamar, and Mr. Justice Pitney.

No. 133. The United States, plaintiff in error, *v.* The Hiawassee Lumber Company; in error to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment reversed and cause remanded to the District Court of the United States for the Western District of North Carolina for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Pitney. (Mr. Justice Day and Mr. Justice Hughes concur in the result.)

(Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 544. Charles Hartwell Chater, a minor, by his next friend, etc., et al., appellants. *v.* Alfred W. Carter, trustee, et al. Appeal from the Supreme Court of the Territory of Hawaii. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 259. Wells, Fargo & Company, express, et al., plaintiffs in error, *v.* D. W. Ford. In error to the County Court of Madison



County, State of Texas. Judgment affirmed with costs and interest. Opinion by Mr. Justice Lamar.

No. 407. Central Vermont Railway Company, plaintiff in error, *v.* Mary Theresa White, administratrix, etc. In error to the Supreme Court of the State of Vermont. Judgment affirmed with costs and interest. Opinion by Mr. Justice Lamar.

No. 177. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* The State of Wisconsin. In error to the Supreme Court of the State of Wisconsin. Judgment reversed with costs, and cause remanded for further proceedings not in conflict with the opinion of this court. Opinion by Mr. Justice Lamar. Dissenting: Mr. Justice McKenna and Mr. Justice Holmes.

No. 517. The United States, appellant, *v.* The Delaware, Lackawanna & Western Railroad Company et al. Appeal from the District Court of the United States for the District of New Jersey. Decree reversed, and cause remanded with directions to enter a decree enjoining the railroad from further transporting coal sold under the provisions of the contract of August 2, 1909, referred to in the petition. Opinion by Mr. Justice Lamar. (Mr. Justice McReynolds took no part in the decision of this case.)

No. 813. Oliver P. Newman, plaintiff in error, *v.* United States of America ex rel. William J. Frizzell. In error to the Court of Appeals of the District of Columbia. Petition for writ of certiorari denied, and judgment reversed with costs, and cause remanded with directions to remand the cause to the Supreme Court of the District of Columbia with instructions to dismiss the quo warranto proceedings. Opinion by Mr. Justice Lamar. Mr. Justice Van Devanter dissents upon the ground that, the sections of the District Code being local laws, the case can not be reviewed here on writ of error. Mr. Justice McKenna and Mr. Justice Pitney dissent. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 43. The Southwestern Telegraph & Telephone Company, plaintiff in error, *v.* Mrs. Adelia P. Danaher. In error to the Supreme Court of the State of Arkansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 631. William H. Mills, as surviving partner, etc., plaintiff in error, *v.* Lehigh Valley Railroad Company et al. In error to the United States Circuit Court of Appeals for the Third Circuit. Judgment of the United States Circuit Court of Appeals reversed with costs, and that of the District Court of the United States for the Eastern District of Pennsylvania modified by striking out the

allowance of \$1,000.00 as attorney's fee for services before the Interstate Commerce Commission, and as so modified affirmed with costs and interest, and case remanded to District Court. Opinion by Mr. Justice Hughes.

No. 274. W. T. Price, plaintiff in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 290. The Pennsylvania Railroad Co., plaintiff in error, *v.* Clark Brothers Coal Mining Co. In error to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 852. The Delaware, Lackawanna & Western Railroad Company, plaintiff in error, *v.* Matt Yurkonis. In error to the United States Circuit Court of Appeals for the Second Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 180. The United States, plaintiff in error, *v.* Tom Mosley and Dan Hogan. In error to the District Court of the United States for the Western District of Oklahoma. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Lamar. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 679. Oregon & California Railroad Company et al. *v.* The United States. On a certificate from and writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree of District Court reversed, and cause remanded to the District Court of the United States for the District of Oregon for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McKenna. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 96. Frank Guinn and J. J. Beal *v.* The United States. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit. First question answered in the negative and second question in the affirmative. Opinion by Mr. Chief Justice White. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 8. Charles E. Myers et al., plaintiffs in error, *v.* John B. Anderson;

No. 9. Charles E. Myers et al., plaintiffs in error, *v.* William H. Howard; and

No. 10. Charles E. Myers et al., plaintiffs in error, *v.* Robert Brown. In error to the Circuit Court of the United States for the District of Maryland. Judgments affirmed with costs and cases remanded to the

District Court of the United States for the District of Maryland. Opinion by Mr. Chief Justice White. (Mr. Justice McReynolds took no part in the consideration and decision of these cases.)

The Chief Justice also announced the following orders of the court:

No. 310. *T. U. Vaughn*, plaintiff in error, *v. The State of South Carolina*. In error to the Supreme Court of the State of South Carolina. Per curiam: Judgment affirmed upon the authority of (1) *Malloy v. South Carolina* (237 U. S., 180); (2) *Overton v. Oklahoma* (235 U. S., 31); *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.* (228 U. S., 596); *Deming v. Carlisle Packing Co.* (226 U. S., 102).

No. 354. *The United States ex rel. Frederick Brown*, appellant, *v. Frederick A. Cooke*, superintendent of the County Prison at Philadelphia. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of section 241, Judicial Code; *Whitney v. Dick* (202 U. S., 132); *Lau Ow Bew v. United States* (144 U. S., 47, 58); *Kurtz v. Moffitt* (115 U. S., 487, 498).

No. 501. *Jones National Bank*, plaintiff in error, *v. Charles E. Yates et al.*;

No. 502. *Bank of Staplehurst*, plaintiff in error, *v. Charles E. Yates et al.*;

No. 503. *Utica Bank*, plaintiff in error, *v. Charles E. Yates et al.*; and

No. 504. *Thomas Bailey*, plaintiff in error, *v. Charles E. Yates et al.* Restored to the docket for reargument, and leave granted to print additional parts of the record.

No. 303. *Carlos Gsell*, plaintiff in error, *v. The Insular Collector of Customs*. Counsel for the respective parties are requested to file, on or before October 11, 1915, the first day of the next term of this court, briefs upon the question whether this court has jurisdiction to review the order of the Supreme Court of the Philippine Islands in this case, and, if it has such jurisdiction, whether the same must be invoked by appeal and not by writ of error.

No. 757. *International Harvester Company of New Jersey et al.*, appellants, *v. The United States*. Restored to the docket for reargument.

No. 29. *Hugo Adelberto Thomsen et al.*, plaintiffs in error, *v. Sir Charles W. Cayser et al.* Restored to the docket for argument before a full bench.

No. 2, Original. *Commonwealth of Virginia*, complainant, *v. State of West Virginia*. Ordered that the compensation of the special master be fixed at the amount of \$10,000, and that the compensation

of the stenographer employed by the special master be fixed at the sum of \$4,000.

No. 491. Hilma Nelson, plaintiff in error, *v.* Richard G. Wood. Motion for leave to proceed in forma pauperis denied.

No. 777. Provident Savings Life Assurance Society, plaintiff in error, *v.* The Commonwealth of Kentucky et al. Motion to advance granted, and the case assigned for argument on Tuesday, October 12th, next, after the cases heretofore assigned for that day.

No. 828. John R. Stanton, appellant, *v.* Baltic Mining Company et al. Motion to advance granted, and cause assigned for argument on Tuesday, October 12th, next, after the cases heretofore assigned for that day.

No. 1009. The United States, plaintiff in error, *v.* Joe Freeman. Motion to advance granted and cause assigned for Tuesday, October 12th, next, after the cases heretofore assigned for that day.

No. 998. Philadelphia & Reading Railway Company, plaintiff in error, *v.* Robert J. McKibben. Motion to advance for oral argument denied, but the case will be taken on printed briefs, if the parties are so advised.

No. 1010. Park Square Automobile Station, plaintiff in error, *v.* American Locomotive Company. Motion to advance for oral argument denied, but the case will be taken on printed briefs, if the parties are so advised.

No. 804. The Texas & Pacific Railway Co., plaintiff in error, *v.* J. F. Bigger et al.; and

No. 1000. Bruce Shanks, plaintiff in error, *v.* Delaware, Lackawanna & Western Railroad Company. Ordered that these cases be placed on the summary docket.

No. 855. William A. Hartranft, plaintiff in error, *v.* Alexander R. Mulloony, judge, etc. Motion to dismiss or affirm postponed to the hearing of the case on its merits.

No. 1008. F. Drew Caminetti, petitioner, *v.* The United States. Order of June 14th denying petition for writ of certiorari vacated and set aside and a writ of certiorari granted.

No. 1047. Maury I. Diggs, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 1033. The United States, petitioner, *v.* The M. H. Pulaski Co. et al.;

No. 1034. The United States, petitioner, *v.* R. B. Henry Co. et al.;

No. 1035. The United States, petitioner, *v.* James Elliott & Co. et al.;

No. 1036. The United States, petitioner, *v.* J. Wile Sons & Co.;

No. 1037. The United States, petitioner, *v.* Robert Muller & Co.;  
 No. 1038. The United States, petitioner, *v.* Wood & Selick et al.;  
 No. 1039. The United States, petitioner, *v.* E. La Montagne's Sons;  
 No. 1040. The United States, petitioner, *v.* Albert Lorsch & Co.;  
 No. 1041. The United States, petitioner, *v.* Cullman Bros. et al.;  
 No. 1042. The United States, petitioner, *v.* G. W. Faber, Inc.;  
 No. 1043. The United States, petitioner, *v.* Louis Meyers & Son;  
 No. 1044. The United States, petitioner, *v.* William Oppenhyrn & Sons et al.;

No. 1045. The United States, petitioner, *v.* Park & Tilford; and  
 No. 1046. The United States, petitioner, *v.* Selgas & Co. Petition for writs of certiorari to the United States Court of Customs Appeals granted.

No. 942. Dan Ulmer, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1004. James J. Farmer, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1019. William J. Hartley, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1007. Allesandro Bolognesi et al., petitioners, *v.* Cassa Valori et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1014. Elick Lowitz, petitioner, *v.* Charles H. Kimmerle. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1015. Edward Thornton Robinson et al., executors, etc., petitioners, *v.* Postal Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1020. Charles A. Otis et al., petitioners, *v.* Pittsburgh-Westmoreland Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1023. Daniel A. Finlayson, petitioner, *v.* H. A. Barrows, as executor, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1024. Aaron Fields et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1025. The United States ex rel. John W. Dwiggin, petitioner, *v.* Thomas Ewing, Commissioner of Patents. Petition for a writ of

certiorari to the Court of Appeals of the District of Columbia denied.

No. 1028. Adam McArthur et al., petitioners, *v.* Citizens National Bank of Norfolk, Virginia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1030. Frederick W. Finley et al., petitioners, *v.* Henry D. Hotchkiss, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1049. D. G. Fritzlen, petitioner, *v.* Boatmen's Bank of St. Louis, Missouri; and

No. 1050. D. G. Fritzlen et ux., petitioners, *v.* Boatmen's Bank of St. Louis, Missouri. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. —. Victor E. Innes, plaintiff in error, *v.* John W. Tobin, sheriff, etc.; and

No. —. Ida May Innes, plaintiff in error, *v.* John W. Tobin, sheriff, etc. Time for filing transcripts in these cases extended 30 days.

No. 679. Oregon & California Railroad Company et al. *v.* The United States. Leave granted to present petition for rehearing herein within 30 days, on motion of Mr. Solicitor General Davis for The United States.

No. 268. E. L. Brand, jr., et al., as surviving executors, etc., plaintiffs in error, *v.* The Union Elevated Railroad Company et al. Leave granted to present petition for rehearing herein within 30 days, on motion of Mr. W. C. Sullivan in behalf of counsel for the plaintiffs in error.

No. 187. Mallinckrodt Chemical Works, plaintiff in error, *v.* The State of Missouri at the relation of Seebert G. Jones, etc. Leave granted to present petition for rehearing herein within 30 days, on motion of Mr. Frederick S. Tyler in behalf of counsel for the plaintiffs in error.

---

Order. It is now here ordered by the court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued to the next term.

---

Adjourned to the time and place appointed by law.