

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 8, 1900.

The court met pursuant to law.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham.

Robert J. Perkins of New Orleans, La., Willard P. Voorhees of New Brunswick, N. J., Walter S. Horton of Peoria, Ill., Paul Jay Daly of Salt Lake City, Utah, Charles B. Pavlicek of Chicago, Ill., James W. Hyde of Chicago, Ill., John A. Sanborn of San Francisco, Cal., Matthew C. Fleming of New York City, Waller S. Baker of Waco, Tex., David W. Baird of Louisville, Ky., Jasper E. Snow of Galesburg, Ill., and Adelbert Moot of Buffalo, N. Y., were admitted to practice.

The Chief Justice announced that all motions noticed for to-day would be heard to-morrow, and that the court would commence the call of the docket to-morrow pursuant to the twenty-sixth rule.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 9, will be as follows: Nos. 7, 10, 18, 20, 21, 22, 23, 24, 28 and 36.

O

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 9, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham.

Hollis Russell Bailey of Boston, Mass., and Pierson L. Halsey of Milwaukee, Wis., were admitted to practice.

No. 9, Original. The United States, plaintiff, *v.* The State of North Carolina;

No. 10, Original. The United States, plaintiff, *v.* The State of South Carolina;

No. 11, Original. The United States, plaintiff, *v.* The State of Florida; and

No. 12, Original. The United States, plaintiff, *v.* The State of Louisiana. Dismissed on motion of Mr. Solicitor-General Richards for the plaintiff.

Nos. 387 and 406. Charles F. W. Neely, appellant, *v.* William Henkel, United States marshal, etc. Motions to advance submitted by Mr. Solicitor-General Richards for the appellee.

No. 345. The United States Life Insurance Company in the City of New York, petitioner, *v.* J. E. Ross, administrator, etc. Petition for writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Charles E. Patterson and Mr. George Clark for the petitioner, and by Mr. Waller S. Baker for the respondent.

No. 281. The City of New Orleans, petitioner, *v.* Ann Warner et al., etc. Motion to advance submitted by Mr. Richard De Gray for the respondents.

No. 340. John H. Goetze, appellant, *v.* The United States. Motion to advance submitted by Mr. Edward C. Perkins for the appellant.

No. 419. Fourteen Diamond Rings, etc., plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Richards in behalf of counsel for plaintiff in error.

No. 173. The Duluth and Iron Range Railroad Company, plaintiff in error, *v.* The County of St. Louis. Advanced to be heard after No. 20, on motion of Mr. Frank B. Kellogg for the plaintiff in error.

No. 374. The Bienville Water Supply Company, appellant, *v.* The City of Mobile et al. Motions to dismiss or affirm submitted by Mr.

B. B. Boone and Mr. E. L. Russell in support of motions, and by Mr. D. P. Bestor in opposition thereto. On motion of Mr. Frederic D. McKenney in behalf of Mr. John G. Johnson, leave granted to file additional brief for the appellant within ten days, and to Mr. B. B. Boone to reply thereto within ten days thereafter.

No. 440. Alice Weil, widow, etc., et al., appellants, *v.* The United States. Appeal from the Court of Claims. Docketed and dismissed on motion of Mr. William A. Maury for the appellee. Motion for mandate submitted.

No. 266 of 1899. Wilberforce Sully, trustee, et al., plaintiff in error, *v.* The American National Bank et al. Motion to retax costs submitted by Mr. E. J. Baxter for the American National Bank in support of motion, and by Mr. R. E. L. Mountcastle, Mr. Samuel C. Williams and Mr. T. S. Webb in opposition thereto.

No. 201. Thomas F. Farrell et al., plaintiffs in error, *v.* The West Chicago Park Commission. Motion to vacate supersedeas submitted by Mr. F. A. Riddle for the defendant in error, with leave to Mr. George W. Wilbur for the plaintiffs in error to file brief in opposition within ten days. Motion to attach for contempt submitted by Mr. George W. Wilbur in support of motion, and by Mr. F. A. Riddle in opposition thereto.

No. 223. A. L. Gusman, etc., appellant, *v.* L. H. Marrero, sheriff, etc. Motion to advance submitted by Mr. Robert J. Perkins for the appellee.

No. 285. Alfred S. Woodworth, petitioner, *v.* Albert H. Nute et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Frederic Dodge for the petitioner, and by Mr. Eugene P. Carver and Mr. E. E. Blodgett for the respondents.

No. 292. Richard Francis Masters, claimant, etc., petitioner, *v.* Horace M. Sargent. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Frederic Dodge in behalf of Mr. Frederic Cunningham, and Mr. Lewis S. Dabney for the petitioner.

No. —, Original. *Ex parte*: In the matter of Edgar De Bara, petitioner. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. D. W. Baker for the petitioner, and by Mr. Solicitor-General Richards in opposition thereto.

No. 382. George H. Tompkins, petitioner, *v.* The Pacific Mutual Life Insurance Company of California. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. F. B. Enslow for the petitioner.

No. 319. Frank W. Funk, petitioner, *v.* The United States. Petition for a writ of certiorari to the court of appeals of the District of Columbia submitted by Mr. Alexander Wolf and Mr. D. W. Baker for the petitioner, and by Mr. Solicitor-General Richards for the respondent.

No. 309. William S. Jewett, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. H. R. Bailey and Mr. M. F. Dickinson, jr., for the petitioner, and by Mr. Solicitor-General Richards for the respondent.

No. 396. Charles C. McChord et al., appellants, *v.* The Louisville and Nashville Railroad Company;

No. 397. Charles C. McChord et al., appellants, *v.* The Louisville, Henderson and St. Louis Railway Company;

No. 398. Charles C. McChord et al., appellants, *v.* The Chesapeake and Ohio Railway Company;

No. 399. Charles C. McChord et al., appellants, *v.* The Southern Railway Company in Kentucky; and

No. 400. Charles C. McChord et al., appellants, *v.* The Cincinnati, New Orleans and Texas Pacific Company. Motion to advance submitted by Mr. D. W. Baird for the appellants.

No. 438. Louis J. Gableman, jr., etc., plaintiff in error, *v.* Peoria, Decatur and Evansville Railway Company et al. Advanced as under the thirty-second rule on motion of Mr. Frederic D. McKenney in behalf of counsel.

No. 256 of 1899. The Chicago, Milwaukee and St. Paul Railway Company, petitioner, *v.* Heman Clark. Motion to reform judgment submitted by Mr. Frederic D. McKenney in behalf of Mr. L. Laplin Kellogg, counsel for respondent, and by Mr. Burton Hanson for petitioner in opposition thereto.

No. 226. Frank M. Fairbank, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. C. W. Bunn for the plaintiff in error.

No. 154. John Schrimpscher et al., plaintiffs in error, *v.* John S. Stockton et al. Death of John S. Stockton suggested, and order of publication awarded on motion of Mr. William M. Springer for the plaintiffs in error.

No. 5, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Assigned for argument November 12, on motion of Mr. William M. Springer for the defendants.

No. 293. George W. Reed, administrator, etc., et al., petitioners, *v.* John A. Stanley, trustee, etc., et al. Leave granted to file exhibits to petition herein on motion of Mr. A. B. Browne for the petitioners, and to file counter affidavits on motion of Mr. William A. Maury for the respondents.

No. 7. Charles M. Cotting et al., appellants, *v.* A. A. Godard as attorney-general of the State of Kansas et al. Passed, to be restored to the call subject to the provisions of section 9 of rule 26, on motion of Mr. J. Hubley Ashton in behalf of counsel.

No. 18. Joseph Smith, plaintiff in error, *v.* the State of Tennessee. Submitted by Mr. J. M. Dickinson for the plaintiff in error, and by Mr. G. W. Pickle for the defendant in error.

No. 20. Fred Stearns, county auditor, etc., plaintiff in error, *v.* The State of Minnesota on the relation of James N. Marr. Passed temporarily.

No. 21. Josephine H. Throckmorton et al., plaintiffs in error, *v.* Washington D. Holt et al. Passed, to be restored to the call subject to the provisions of section 9, rule 26, on motion of Mr. William G. Johnson for the plaintiffs in error.

No. 22. R. M. Manley, executor, etc., plaintiff in error, *v.* M. E. Larkin, sheriff, etc., et al. In error to the supreme court of the State of Kansas. Dismissed with costs on authority of counsel for plaintiff in error.

No. 23. Henry L. Mitchell, governor, etc., et al., appellants, *v.* Charles M. Furman as administrator, etc., et al. Passed temporarily.

No. 24. John Cadwalader, late collector, etc., petitioner, *v.* Charles H. Meyer et al. Passed, to be restored to the call subject to the provisions of section 9, rule 26, on motion of Mr. Solicitor-General Richards for the petitioner.

No. 28. The Wisconsin, Minnesota and Pacific Railroad Company, plaintiff in error, *v.* Jacob F. Jacobson. Passed temporarily.

No. 36. The Wabash Railroad Company, plaintiff in error, *v.* Peter Tourville. Submitted by Mr. Wells H. Blodgett for the plaintiff in error, with leave to counsel for defendant in error to file brief within five days.

Nos. 73 and 74. The Oregon Railroad and Navigation Company et al., appellants, *v.* Robert Balfour et al. Motions to dismiss or affirm submitted by Mr. George H. Williams and Mr. C. E. S. Wood in support of motions, and by Mr. A. B. Browne and Mr. W. W. Cotton in opposition thereto.

No. 10. Francis C. Watson, plaintiff in error *v.* The State of Rhode Island. Argued by Mr. D. A. Gouriek for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 10, will be as follows: Nos. 37, 38, 40, 41, 43, 44, 45, 46, 34 (and 47, 48 and 49) and 50.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 10, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham.

W. H. Wadsworth of Maysville, Ky., A. M. J. Cochran of Maysville, Ky., James Andrew Scott of Frankfort, Ky., Percy Shelly Bryant of Hartford, Conn., William Scoville Case of Hartford, Conn., and J. Quintus Cohen of New York City were admitted to practice.

Nos. 355 and 356. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. Motion to advance, to be heard after Nos. 35, etc., submitted by Mr. J. Hubley Ashton in behalf of counsel for plaintiffs in error.

No. 118. The Union Pacific Railway Company et al., appellants, *v.* The Chicago, Burlington and Quincy Railroad Company. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed, each party to pay its own costs, per stipulation of counsel.

No. 37. T. Walter Beam et al., appellants, *v.* Gustav H. Schwab. Passed for settlement.

No. 38. The American Sugar Refining Company, plaintiff in error, *v.* The State of Louisiana et al. Submitted on briefs to be filed on or before the 22d instant, on motion of Mr. Henry B. Closson for plaintiff in error.

No. 43. Eutimio Montoya, surviving partner, etc., appellant, *v.* The United States et al.; and

No. 44. Milton C. Connors, jr., administrator, etc., appellant, *v.* The United States et al. Passed temporarily, on motion of Mr. William B. King for the appellants.

No. 40. The Chesapeake and Ohio Railway Company, plaintiff in error, *v.* Lucy Dixon, administratrix, etc., et al. Argued by Mr. A. M. J. Cochran and Mr. W. H. Wadsworth for the plaintiff in error, and by Mr. James Andrew Scott for the defendants in error.

No. 41. Josiah A. Gould et al., petitioners, *v.* Asa S. Hughes, owner, etc. Argument commenced by Mr. Eugene P. Carver for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 11, will be as follows: Nos. 41, 45, 46, 34 (and 47, 48 and 49), 50, 51 (and 52), 53 (and 54), 55, 56 and 57.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 11, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham.

Charles J. Mahnken of Fargo, N. Dak., was admitted to practice.

No. 41. Josiah A. Gould et al., petitioners, *v.* Asa S. Hughes, owner, etc. Argument continued by Mr. Eugene P. Carver for the petitioners, by Mr. John F. Lewis for the respondent, and concluded by Mr. Henry R. Edmunds for the petitioners.

No. 45. H. Drusilla Mitchell, petitioner, *v.* The First National Bank of Chicago. Argument commenced by Mr. T. M. Maltbie for the petitioner, and continued by Mr. Percy S. Bryant and Mr. William S. Case for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 12, will be as follows: Nos. 45, 46, 34 (and 47, 48 and 49), 50, 51 (and 52), 53 (and 54), 55, 56, 57 and 58.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 12, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham.

Philip Farnsworth of Schenectady, N. Y., and William B. Whitney of New York City were admitted to practice.

No. 94. A. C. Campbell, appellant, *v.* Edward F. Waite. Passed temporarily, on motion of Mr. Assistant Attorney-General Beck for the appellee.

No. 45. H. Drusilla Mitchell, petitioner, *v.* The First National Bank of Chicago. Argument concluded by Mr. Charles E. Mitchell for the petitioner.

No. 46. The City of New Orleans, petitioner, *v.* John Fisher, tutor, etc., et al. Argued by Mr. J. J. McLoughlin and Mr. Branch K. Miller for the petitioner, and by Mr. Charles Louque for the respondents. Leave granted to counsel for petitioner to file an additional brief within one week.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 15, will be as follows: Nos. 34, (and 47, 48 and 49), 20, 173, 23, 28, 167, 35 (and 77, 78, 79 and 80), 213, 258 and 283.

○

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 15, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Charles M. Vorce of Cleveland, Ohio, and Charles W. Brown of Rapid City, S. Dak., were admitted to practice.

No. 29. Emilie Saxlehner, petitioner, *v.* Eisner & Mendelson Company. 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 circuit court of the United States for the southern district of New York, with directions to reinstate its decree of April 29, 1898, except so far as it denies to the plaintiff an injunction against the use of the seal brand labels, and damages sustained by such use, and for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brown.

No. 30. Emilie Saxlehner, petitioner, *v.* Siegel-Cooper Company;

No. 31. Emilie Saxlehner, petitioner, *v.* Rudolph Gies; and

No. 32. Emilie Saxlehner, petitioner, *v.* Louis Marquet. On writs of certiorari to the United States circuit court of appeals for the second circuit. Decrees reversed with costs, and causes remanded to the circuit court of the United States for the southern district of New York for further proceedings consonant with the opinion of this court. Opinion by Mr. Justice Brown.

No. 33. Emilie Saxlehner, petitioner, *v.* Alexander Nielsen. On writ of certiorari to the United States circuit of appeals for the second circuit. Decree reversed with costs, and cause remanded to the circuit court of the United States for the eastern district of New York, with directions to reinstate its decree of July 18, 1898, and for further proceedings consonant with the opinion of this court. Opinion by Mr. Justice Brown.

No. 2. Daniel Wiley, plaintiff in error, *v.* D. L. Sinkler et al. In error to the circuit court of the United States for the district of South Carolina. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 4. Oscar R. Looker et al., plaintiffs in error, *v.* Fred. A. Maynard, attorney-general of Michigan, ex rel. Joseph W. Dusenbury et al. In error to the supreme court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 293. George W. Reed, administrator, etc., et al., petitioners, *v.* John A. Stanley, trustee, etc., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied. Announced by Mr. Justice Harlan. (The Chief Justice took no part in the consideration and disposition of this application.)

No. 6. The Washburn and Moen Manufacturing Company, petitioner, *v.* The Reliance Marine Insurance Company, Limited. On writ of certiorari to the United States circuit court of appeals for the first circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the district of Massachusetts. Opinion by Mr. Chief Justice Fuller.

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

No. 10. Francis C. Watson, plaintiff in error, *v.* The State of Rhode Island. In error to the supreme court of the State of Rhode Island. Judgment affirmed with costs, on the authority of *Murphy v. Massachusetts*, 177 U. S., 155; *Caldwell v. Texas*, 137 U. S., 692.

No. 216 of 1899. Henry P. Clarke, plaintiff in error, *v.* Nancy B. Clarke. Motion for leave to file petition for rehearing herein denied.

No. 332 of 1899. F. May & Co., plaintiff in error, *v.* The City of New Orleans. Motion for leave to file petition for rehearing herein denied.

No. 256 of 1899. The Chicago, Milwaukee and St. Paul Railway Company, petitioner, *v.* Heman Clark. Motion to amend judgment herein denied.

No. 267. Holzapfels Compositions Company, Limited, petitioner, *v.* Rahtjens American Composition Company. Motion for cross writ of certiorari herein postponed to the hearing of the cause.

No. 440. Alice Weil, widow, etc., et al., appellants, *v.* The United States. Motion for mandate granted.

No. 15, Original. Ex parte: In the matter of Edgar De Bara, petitioner. Motion for leave to file petition for writ of habeas corpus granted and rule to show cause awarded, returnable Monday, October 29.

No. 223. A. L. Gusman, etc., appellant, *v.* L. H. Marrero, sheriff, etc. Motion to advance granted, and cause assigned for argument on Monday, October 29.

No. 226. Frank M. Fairbank, plaintiff in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, November 12, after the case already set down for that day.

No. 281. The City of New Orleans, petitioner, *v.* Ann Warner et al., heirs, etc. Motion to advance granted, and cause assigned for argument on Monday, December 10 next.

No. 340. John H. Goetze, appellant, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, November 12 next, after the cases already set down for that day.

No. 419. Fourteen Diamond Rings, etc., plaintiff in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, November 12 next, after the cases already set down for that day.

Nos. 387 and 406. Charles F. W. Neely, appellant, *v.* William Henkel, United States marshal. Motion to advance granted, and cases assigned for argument on Monday, November 12 next, after the cases already set down for that day.

No. 396. Charles C. McChord et al., appellants, *v.* The Louisville and Nashville Railroad Company;

No. 397. Charles C. McChord et al., appellants, *v.* The Louisville, Henderson and St. Louis Railway Company;

No. 398. Charles C. McChord et al., appellants, *v.* The Chesapeake and Ohio Railway Company;

No. 399. Charles C. McChord et al., appellants, *v.* The Southern Railway Company of Kentucky; and

No. 400. Charles C. McChord et al., appellants, *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company. Motion to advance granted, and cases assigned for argument on Monday, January 7 next, to be heard as one case, and one hour additional time allowed to each side in the argument of the cases.

Nos. 355 and 356. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. Motion to advance granted, and cases assigned for argument with Nos. 35, etc., as one case.

No. 188. Joshua C. Saunders, petitioner, *v.* Ferdinand W. Peck et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 285. Alfred S. Woodworth, petitioner, *v.* Albert H. Nute et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 292. Richard Francis Masters, claimant, etc., petitioner, *v.* Horace M. Sargent et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 294. Dave H. Morris et al., petitioners, *v.* The New York and

West Chester Water Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 295. Bluford Wilson et al., petitioners, *v.* George W. Dunseth et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 300. The Steamship Styria, etc., petitioner, *v.* James L. Morgan et al.;

No. 301. The Steamship Styria, etc., petitioner, *v.* Schuyler L. Parsons;

No. 302. The Steamship Styria, etc., petitioner, *v.* Alfred S. Malcolmson; and

No. 303. The Steamship Styria, etc., petitioner, *v.* John Munroe et al. Petition for writs of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 309. William S. Jewett, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 345. The United States Life Insurance Company in the City of New York, petitioner, *v.* J. E. Ross, administrator, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 382. George H. Tompkins, petitioner, *v.* The Pacific Mutual Life Insurance Company of California. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 278. Homer Bird, plaintiff in error, *v.* The United States. Advanced and assigned for argument on Monday, December 10 next, after the cases already set down for that day, on motion of Mr. Assistant Attorney-General Hoyt for the defendant in error.

No. 390. William B. Dinsmore et al., petitioners, *v.* The Southern Express Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Frank H. Miller for the petitioners, and by Mr. J. M. Terrell and Mr. Fleming G. Du Bignon for the respondents.

No. 342. The Mutual Life Insurance Company of New York, petitioner, *v.* Frank E. Dingley, administrator, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Edward Lyman Short, Mr. Julien T. Davies, Mr. John B. Allen and Mr. Frederic D. McKenney for the petitioners.

No. 241. Michael W. O'Brien et al., executors, etc., petitioners, *v.* John G. Wheelock et al. Motion to dispense with reprinting record submitted by Mr. Henry M. Duffield for the petitioners.

Nos. 432, 433, 434 and 435. Grand Island and Wyoming Central Railroad Company et al., petitioners, *v.* Thomas Sweeney. Petitions

for writs of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. N. K. Griggs and Mr. Charles F. Manderson for the petitioners, and by Mr. Charles W. Brown for the respondent.

No. 189. James P. Mallett et al.; plaintiffs in error, *v.* The State of North Carolina. Motion to advance submitted by Mr. J. C. L. Harris for the defendant in error.

No. 60. Aaron Bradshaw, plaintiff in error, *v.* Nehemiah B. Ashley. Death of Nehemiah B. Ashley suggested, and appearance of Mary M. Ashley, widow, and Emma B. Jenkins, Hayden H. Ashley and Ralph B. Ashley, heirs at law of Nehemiah B. Ashley, deceased, as parties defendants in error herein, filed and entered, on motion of Mr. A. S. Worthington for the defendants in error.

No. 446. The Carborundum Company, petitioner, *v.* The Electric Smelting and Aluminum Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. George H. Christy, Mr. Thomas W. Bakewell and Mr. F. L. Stetson for the petitioner, and by Mr. C. M. Vorce for the respondent.

No. 423. The United States et al., appellants, *v.* Thomas C. Andrews. Submitted under the twentieth rule by Mr. Assistant Attorney-General Thompson for the appellants, and by Mr. Silas Hare for the appellee.

No. 34. Fred Hewitt, plaintiff in error, *v.* Emil Schultz et al.;

No. 47. William L. Powers et al., plaintiffs in error, *v.* Jacob Slaght;

No. 48. J. M. Moore, plaintiff in error, *v.* D. B. Stone et al.; and

No. 49. J. M. Moore, plaintiff in error, *v.* John Cormode. Argument commenced by Mr. James B. Kerr for the plaintiffs in error in Nos. 47, 48 and 49 and defendants in error in No. 34, and continued by Mr. C. W. Bunn for plaintiffs in error in Nos. 47, 48 and 49 and defendants in error in No. 34, by Mr. George H. Patrick for defendants in error in Nos. 48 and 49, and by Mr. J. H. McGowan for the plaintiff in error in No. 34.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 16, will be as follows: Nos. 34 (and 47, 48 and 49), 20, 173, 23, 28, 167, 35 (and 77, 78, 79, 80, 355 and 356), 213, 258 and 283.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 16, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

William P. Sheffield, jr., of Newport, R. I., was admitted to practice.

No. 34. Fred Hewitt, plaintiff in error, *v.* Emil Schultz et al.;

No. 47. William L. Powers et al., plaintiffs in error, *v.* Jacob Slaght;

No. 48. J. M. Moore, plaintiff in error, *v.* D. B. Stone et al.; and

No. 49. J. M. Moore, plaintiff in error, *v.* John Cormode. Argument concluded by Mr. J. H. McGowan for the plaintiff in error in No. 34, and cases submitted on printed argument by Mr. U. L. Ettinger for the defendant in error in No. 47, with leave to counsel for plaintiff in error in No. 34 and defendants in error in Nos. 48 and 49 to file additional briefs within one week.

No. 20. Fred Stearns, county auditor, etc., plaintiff in error, *v.* The State of Minnesota on the relation of James N. Marr. Reargument commenced by Mr. C. W. Bunn for the plaintiff in error and continued by Mr. H. W. Childs and Mr. W. B. Douglas for the defendant in error and by Mr. William B. Hornblower for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 17, will be as follows: Nos. 20 173, 23, 28, 167, 35 (and 77, 78, 79, 80, 355 and 356), 213, 258, 283 and 287.

○

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 17, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Robert M. Wright of Fort Dodge, Iowa, was admitted to practice.

No. 20. Fred Stearns, county auditor, etc., plaintiff in error, *v.* The State of Minnesota on the relation of James N. Marr. Reargument concluded by Mr. W. B. Hornblower for the plaintiff in error.

No. 173. The Duluth and Iron Range Railroad Company, plaintiff in error, *v.* The County of St. Louis. Argued by Mr. Frank B. Kellogg for the plaintiff in error, and by Mr. W. B. Douglas for the defendant in error.

No. 23. Henry L. Mitchell, governor, etc., et al., appellants, *v.* Charles M. Furman as administrator, etc., et al. Reargument commenced by Mr. William W. Dewhurst for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 18, will be as follows: Nos. 23, 28, 167, 35 (and 77, 78, 79, 80, 355 and 356), 213, 258, 283, 287, 50 and 51 (and 52).

○

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 18, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Samuel B. Jeffries of Jefferson City, Mo., was admitted to practice.

No. 23. Henry L. Mitchell, governor, etc., et al., appellants, *v.* Charles M. Furman as administrator, etc., et al. Reargument continued by Mr. William W. Dewhurst for the appellants, by Mr. Francis P. Fleming for the appellees, and concluded by Mr. William W. Dewhurst for the appellants.

No. 28. The Wisconsin, Minnesota and Pacific Railroad Company, plaintiff in error, *v.* Jacob F. Jacobson. Reargument commenced by Mr. Albert E. Clarke for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 19, will be as follows: Nos. 28, 167, 35 (and 77, 78, 79, 80, 355 and 356), 213, 258, 283, 287, 50, 51 (and 52) and 53 (and 54).

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 19, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Frederic P. Schoonmaker of Bradford, Pa., was admitted to practice.

No. 28. The Wisconsin, Minnesota and Pacific Railroad Company, plaintiff in error, *v.* Jacob F. Jacobson. Reargument continued by Mr. Albert E. Clarke for the plaintiff in error, by Mr. H. W. Childs for the defendant in error, and concluded by Mr. Albert E. Clarke for the plaintiff in error.

No. 167. The Board of Commissioners of Wilkes County et al., appellants, *v.* W. N. Coler & Co. Argument commenced by Mr. A. C. Avery for the appellants, and continued by Mr. John F. Dillon for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 22, will be as follows: Nos. 167, 35 (and 77, 78, 79, 80, 355 and 356), 213, 258, 283, 287, 50, 51 (and 52), 53 (and 54) and 55.

○

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 22, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

W. B. Spencer of New Orleans, La., Leonard Huntress Dyer of Washington, D. C., James Negley Cooke of Pittsburg, Pa., John M. Gitterman of New York City and T. W. Gregory of Austin, Tex., were admitted to practice.

No. 266 of 1899. Wilberforce Sully, trustee, et al., plaintiffs in error, *v.* The American National Bank et al. Motion to retax costs granted. Opinion by Mr. Justice Peckham.

No. 19. William Wheeler Hubbell, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Shiras.

No. 198 of 1897. William Wheeler Hubbell, appellant, *v.* The United States. Petition for rehearing denied. Opinion by Mr. Justice Shiras.

No. 5. James Knott, petitioner, *v.* Botany Worsted Mills et al. On writ of certiorari to the United States circuit court of appeals for the second circuit. Decrees 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 Gray.

No. 73. The Oregon Railroad and Navigation Company, appellant, *v.* Robert Balfour et al.; and

No. 74. The Oregon Railway and Navigation Company et al., appellants, *v.* Robert Balfour et al. Appeals from the United States circuit court of appeals for the ninth circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

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

No. 553 of 1899. Burton S. Barnes et al., etc., plaintiffs in error and appellants, *v.* J. W. Lynch et al. Motion to vacate order of dismissal denied.

No. 189. John P. Mallett et al., plaintiffs in error, *v.* The State of North Carolina. Motion to advance granted, and cause assigned for argument on Monday, January 7 next, after the cases already set down for that day.

No. 241. Michael W. O'Brien et al., executors, petitioners, *v.* John G. Wheelock et al. Motion to dispense with reprinting record granted.

No. 201. Thomas F. Farrell et al., plaintiffs in error, *v.* The West Chicago Park Commissioners. Rule to show cause discharged, and motion to vacate supersedeas denied.

No. 374. The Bienville Water Supply Company, appellant, *v.* The City of Mobile et al. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 319. Frank W. Funk, petitioner, *v.* The United States. Petition for writ of certiorari to the court of appeals of the District of Columbia denied.

No. 342. The Mutual Life Insurance Company of New York, petitioner, *v.* Frank E. Dingley, administrator, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit granted.

No. 390. William B. Dinsmore et al., petitioners, *v.* The Southern Express Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit granted.

Nos. 432, 433, 434 and 435. Grand Island and Wyoming Central Railroad Company et al., petitioners, *v.* Thomas Sweeney. Petition for writs of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 446. The Carborundum Company, petitioner, *v.* The Electric Smelting and Aluminum Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 41. Josiah A. Gould et al., petitioners, *v.* Asa S. Hughes, owner, etc. On writ of certiorari to the United States circuit court of appeals for the third circuit. Decree affirmed with costs by a divided court, and cause remanded to the district court of the United States for the eastern district of Pennsylvania.

No. 211. Harry Plummer, as executor, etc., plaintiff in error, *v.* The United States. In error to the district court of the United States for the southern district of New York. Dismissed on authority of counsel for the plaintiff in error, on motion of Mr. Assistant Attorney-General Hoyt for the defendant in error.

No. 447. Good Shot, an Indian, plaintiff in error, *v.* The United States. Order of the United States circuit court of appeals for the eighth circuit

recalling certificate herein submitted. Petition to require entire record to be sent up from the United States circuit court of appeals submitted by Mr. Melvin Grigsby for the plaintiff in error. Motion to dismiss submitted by Mr. Assistant Attorney-General Hoyt for the defendant in error.

No. 444. Flora J. Burt, petitioner, *v.* C. Getzian & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Thomas H. Clark in behalf of Mr. U. M. Rose and Mr. G. B. Rose for the petitioner.

No. 454. The Fidelity and Deposit Company of Maryland, petitioner, *v.* R. H. Courtney, receiver, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Edward J. McDermott and Mr. St. John Boyle for the petitioner.

No. 451. Atlas Glass Company, petitioner, *v.* Simonds Manufacturing Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. William L. Pierce for the petitioner, and by Mr. James I. Kay and Mr. James Negley Cooke for the respondents.

No. 167. The Board of Commissioners of Wilkes County et al., appellants, *v.* W. N. Coler & Co. Argument continued by Mr. John F. Dillon and Mr. Charles Price for the appellees, and concluded by Mr. A. C. Avery for the appellants. Leave granted to appellants to file additional brief within three days, and to appellees to file reply three days thereafter.

No. 80. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. Submitted by Mr. William D. Guthrie, Mr. James Fentress, Mr. Edward Mayes, Mr. J. M. Dickinson and Mr. Noel Gale for the plaintiffs in error, and by Mr. R. C. Beckett, Mr. F. A. Critz and Mr. Marcellus Green for the defendant in error.

No. 35. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent;

No. 77. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams; State revenue agent, et al.;

No. 78. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent;

No. 79. The Yazoo and Mississippi Valley Railroad Company, appellant, *v.* Wirt Adams, State revenue agent; and

Nos. 355 and 356. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. Four hours allowed each side in the argument of these cases, the cases to be

heard in two groups, on motion of Mr. William D. Guthrie for the railroad companies.

Nos. 35, 355 and 356. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. Argument commenced by Mr. William D. Guthrie for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 23, will be as follows: Nos. 35 (and 355, 356, 77, 78 and 79), 213, 258, 283, 287, 50, 51 (and 52), 53 (and 54), 55 and 56.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 23, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Charles Thornton Davis of Worcester, Mass., Franklin T. Hammond of Cambridge, Mass., and William Grant of San Francisco, Cal., were admitted to practice.

The Chief Justice said:

At the close of the session to-day the court will adjourn until half past 2 o'clock to-morrow afternoon that the members of the court may be enabled to pay the last tribute of respect to the memory of the eminent public man just deceased in this city.

Nos. 35, 355 and 356. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. Argument continued by Mr. William D. Guthrie for the plaintiffs in error, and by Mr. R. C. Beckett for the defendant in error, and concluded by Mr. Edward Mayes for the plaintiffs in error.

Adjourned until to-morrow afternoon at half past 2 o'clock.

The day call for Wednesday, October 24, will be as follows: Nos. 77 (and 78 and 79), 213, 258, 283, 287, 50, 51 (and 52), 53 (and 54), 55 and 56.

○

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 24, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 77. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.;

No. 78. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.; and

No. 79. The Yazoo and Mississippi Valley Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al. Argued by Mr. William D. Guthrie for the appellants, and by Mr. F. A. Critz and Mr. Marcellus Green for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 25, will be as follows: Nos. 213, 258, 283, 287, 50, 51 (and 52), 53 (and 54), 55, 56 and 57.

O

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 25, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 213. William B. Tyler, plaintiff in error, *v.* The Judges of the Court of Registration. Argued by Mr. J. L. Thorndike for the plaintiff in error, and by Mr. Hosea M. Knowlton for the defendants in error. Leave granted to both sides to file additional briefs on the question of jurisdiction on or before Wednesday next.

No. 258. Isaac M. Mason, auditor of the city of St. Louis, Mo., plaintiff in error, *v.* The State of Missouri *ex rel.* James McCaffery *et al.* Argument commenced by Mr. George D. Reynolds for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 26, will be as follows: Nos. 258, 283, 287, 50, 51 (and 52), 53 (and 54), 55, 56, 57 and 58.

O

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 26, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Corwin V. Howell of Chicago, Ill., and John Preston Campbell of Washington, D. C., were admitted to practice.

No. 258. Isaac M. Mason, auditor of the city of St. Louis, Mo., plaintiff in error, *v.* The State of Missouri *ex rel.* James McCaffery et al. Argument continued by Mr. George D. Reynolds for the plaintiff in error, by Mr. Samuel B. Jeffries for the defendants in error, and concluded by Mr. George H. Shields for the plaintiff in error.

No. 283. John B. Wight et al., Commissioners of the District of Columbia, appellants, *v.* Charles H. Davidson et al. Argument commenced by Mr. C. A. Brandenburg for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 29, will be as follows: Nos. 283, 287, 50, 51 (and 52), 53 (and 54), 55, 56, 57, 3 and 223.

○

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 29, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Frank Harvey Field of New York City, Leon Raunheim of New York City, W. B. Putney of New York City, John A. Henderson of Tallahassee, Fla., and Edmond McMahon of Chicago, Ill., were admitted to practice.

No. 8. James M. Sigafus, plaintiff in error, *v.* Dudley Porter et al. On writ of certiorari to the United States circuit court of appeals for the second circuit. Judgment of the circuit court of the United States for the southern district of New York reversed with costs, and cause remanded to that court with directions to award a new trial, and for further proceedings consistent with the principles of the opinion of this court in this case. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice Brown and Mr. Justice Peckham.

No. 447. Good Shot, an Indian, plaintiff in error, *v.* The United States. On a certificate from the United States circuit court of appeals for the eighth circuit. Question certified answered in the negative. Petition for writ of certiorari to bring up the entire record denied. Opinion by Mr. Chief Justice Fuller.

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

No. 444. Flora J. Burt, petitioner, *v.* C. Gotzian & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 451. Atlas Glass Company, petitioner, *v.* Simonds Manufacturing Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 454. The Fidelity and Deposit Company of Maryland, petitioner, *v.* R. H. Courtney, receiver. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit granted.

No. 45. H. Drusilla Mitchell, petitioner, *v.* The First National Bank of Chicago. Restored to the docket for reargument.

No. 15, Original. *Ex parte*: In the matter of Edgar de Bard, petitioner. Return to rule filed on motion of Mr. Assistant Attorney-General Hoyt for the respondent.

No. 462. Robert Chipps, and Alexander McKenzie, receiver, petitioners, *v. Jafet Lindeberg et al.* Motion for rule to show cause and for stay, and petition for writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. C. A. Severance, Mr. C. K. Davis and Mr. Frank B. Kellogg for the petitioners.

No. 408. Sumpter Turner, Syndic, etc., plaintiff in error, *v. F. L. Richardson*, receiver, etc. Motions to dismiss or affirm submitted by Mr. F. L. Richardson in support of motions, with leave to counsel for the plaintiff in error to file brief in opposition within fifteen days.

No. 456. Elias S. A. de Lima et al., plaintiffs in error, *v. George R. Bidwell*. Advanced and assigned for argument on the 7th day of January next, after the cases already set down for that day, on motion of Mr. John G. Carlisle for the plaintiffs in error.

No. 348. The Freeport Water Company, plaintiff in error, *v. The City of Freeport*. Advanced for submission with No. 56, with leave to counsel for defendant in error to file brief on or before November 20, on motion of Mr. George C. Fry for the plaintiff in error.

No. 243. Barbara Chavez de Armijo, appellant, *v. Justo R. Armijo*. Motions to dismiss or affirm submitted by Mr. A. B. Browne in behalf of Mr. Neill B. Field in support of motions, and by Mr. J. H. McGowan in opposition thereto.

No. 464. Elizabeth Dorr et al., plaintiffs in error, *v. Amy Hunter*. In error to the supreme court of the State of Illinois. Docketed and dismissed with costs, on motion of Mr. Edmond McMahon for the defendant in error.

No. 120. The New York Life Insurance Company, plaintiff in error, *v. Charles E. Horton*, administrator, etc. In error to the supreme court of the State of Missouri. Dismissed with costs, on authority of counsel for plaintiff in error.

No. 182. Charles A. Chapin, plaintiff in error, *v. Ruth I. Fye*, by her next friend, Henry W. Fye. Motion to dismiss submitted by Mr. Victor M. Gore in support of motion, and by Mr. N. H. Stewart and Mr. Benton Hanchett in opposition thereto.

No. 233. John M. Dougherty, plaintiff in error, *v. Thomas G. Hood et al.* Motions to dismiss or affirm submitted by Mr. C. S. Montgomery in support of motions, and by Mr. Joel West in opposition thereto.

No. 205. Edward C. Baggs, as receiver, etc., plaintiff in error, *v. Albert G. Martin et al.* Submitted pursuant to the twentieth rule by Mr. A. M.

Stevenson for the plaintiff in error, and by Mr. E. H. Wilson for the defendants in error.

No. 3. Henry D. P. Allen, plaintiff in error, *v.* Charles F. Allen et al. In error to the supreme court of the State of California. Dismissed with costs, pursuant to the tenth rule.

No. 223. A. L. Gusman, on behalf of Samuel Wright, appellant, *v.* L. H. Marrero, sheriff of the parish of Jefferson, La. Appeal from the circuit court of the United States for the eastern district of Louisiana. Dismissed with costs, pursuant to the tenth rule.

No. 283. John B. Wight et al., Commissioners, etc., appellants, *v.* Charles H. Davidson et al. Argument continued by Mr. B. F. Leighton for the appellees, and concluded by Mr. A. B. Duvall for the appellants.

No. 287. R. A. Williams, plaintiff in error, *v.* Edgar Frears, sheriff, etc., et al. Argued by Mr. James Davison for the plaintiff in error, and by Mr. J. M. Terrell for the defendants in error.

No. 50. The Compagnie Française de Navigation à Vapeur, plaintiff in error, *v.* The State Board of Health of Louisiana et al. Argument commenced by Mr. W. B. Spencer for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 30, will be as follows: Nos. 50, 51 (and 52), 53 (and 54), 55, 56, 57, 58, 59, 60 and 61.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 30, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

James M. Ward of New York City and W. Frank Knox of Tyler, Tex., were admitted to practice.

The Chief Justice announced the following order of the court:

No. 462. Robert Chipps, and Alexander McKenzie, receiver, petitioners, *v.* Jafet Lindeberg et al. Restraining order granted and rule to show cause awarded, returnable on the 3d of December next.

No. 50. The Compagnie Française de Navigation à Vapeur, plaintiff in error, *v.* The State Board of Health of Louisiana et al. Argument continued by Mr. W. B. Spencer for the plaintiff in error, by Mr. F. C. Zacharie for the defendants in error, and concluded by Mr. W. B. Spencer for the plaintiff in error.

Nos. 51 and 52. The People of the State of New York *ex rel.* The New York Clearing House Building Company, plaintiffs in error, *v.* Edward P. Barker et al., commissioners of taxes, etc. Argued by Mr. David Willcox for the plaintiffs in error, and by Mr. James M. Ward for the defendants in error. Leave granted to file additional briefs on or before Friday next.

No. 53. The California Redwood Company, appellant, *v.* Benjamin I. Little; and

No. 54. The California Redwood Company, appellant, *v.* William Mahan. Submitted by Mr. Charles Page for the appellant, and by Mr. Barclay Henley for the appellees.

No. 55. V. B. Archer et al., appellants, *v.* The Baltimore Building and Loan Association of Baltimore City et al. Argued by Mr. William Hepburn Russell for the appellees, and submitted by Mr. V. B. Archer for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 31, will be as follows: Nos. 56, 57, 58, 59, 60, 61, 62, 63, 64 and 65.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 31, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 63. The Keokuk and Hamilton Bridge Company, plaintiff in error, *v.* The People of the State of Illinois. In error to the supreme court of the State of Illinois. Dismissed with costs, pursuant to the tenth rule.

No. 65. The Las Animas Land Grant Company, appellant, *v.* The United States. Passed temporarily.

No. 56. The Rogers Park Water Company, plaintiff in error, *v.* John B. Fergus. Argued by Mr. Newton A. Partridge for the plaintiff in error, and submitted by Mr. Jesse B. Barton for the defendant in error.

No. 348. The Freeport Water Company, plaintiff in error, *v.* The City of Freeport. Submitted by Mr. George C. Fry and Mr. James W. Hyde for the plaintiff in error, with leave to counsel for defendant in error to file brief on or before November 20.

No. 57. William Day, appellant, *v.* Conley & McTague, keepers, etc. Argued by Mr. Chapin Brown for the appellant. The court declined to hear counsel for appellees.

No. 58. L. J. Bryan, as marshal, etc., petitioner, *v.* Louis Bernheimer. Submitted by Mr. J. D. Rouse and Mr. William Grant for the petitioner, and by Mr. Robert E. Steiner and Mr. Thomas H. Clark for the respondent.

No. 59. Rothschild & Brother, appellants, *v.* The United States. Argument commenced by Mr. E. R. Gunby for the appellants, and continued by Mr. John S. Wise for the appellee, and by Mr. H. J. Cookinham for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 1, will be as follows: Nos. 59, 60, 61, 62, 64, 66, 67, 68 (and 69 and 70), 71 and 72.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 1, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

C. D. Merrick of Parkersburg, W. Va., Thomas S. Hogan of Chicago, Ill., and William A. Milliken of Washington, D. C., were admitted to practice.

No. 463. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* William H. Reynolds, as comptroller, etc., et al. Motion for a restraining order submitted by Mr. Frederic D. McKenney for the plaintiff in error.

No. 67. A. L. Johns et al., appellants, *v.* James Wilson. Submitted with leave to appellants to file brief within fifty days, and to appellee to file reply within ten days thereafter.

No. 59. Rothschild & Brother, appellants, *v.* The United States. Argument concluded by Mr. H. J. Cookinham for the appellants.

No. 60. Aaron Bradshaw, plaintiff in error, *v.* Mary B. Ashley et al. Argued by Mr. John Ridout and Mr. William F. Mattingly for the plaintiff in error, and by Mr. J. J. Darlington and Mr. A. S. Worthington for the defendants in error.

No. 61. John D. McGilvray, plaintiff in error, *v.* Jane Knott. Argument commenced by Mr. Jackson H. Ralston for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 2, will be as follows: Nos. 61, 62, 64, 66, 68 (and 69 and 70), 71, 72, 75, 76 and 81.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 2, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Charles S. Hell of Chicago, Ill., was admitted to practice.

The Chief Justice announced the following order of the court:

No. 463. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* William H. Reynolds, as comptroller, etc., et al. Supersedeas awarded herein on plaintiff in error giving bond for \$100,000, to be approved by the clerk of this court.

No. 81. The Gulf and Ship Island Railroad Company, plaintiff in error, *v.* George P. Hewes, tax collector, etc. Passed temporarily.

No. 61. John D. McGilvray, plaintiff in error, *v.* Jane Knott. Argument concluded by Mr. Jackson H. Ralston for the plaintiff in error. No counsel appeared for the defendant in error.

No. 62. H. Abraham & Son et al., plaintiffs in error, *v.* Marie L. Casey, administratrix, etc. Submitted by Mr. Albert Voorhees, Mr. William A. Maury and Mr. W. C. Hart for the plaintiffs in error, and by Mr. W. S. Benedict for the defendant in error.

No. 64. The Southern Railway Company, plaintiff in error, *v.* The Postal Telegraph Cable Company. Argued by Mr. A. L. Holladay and Mr. Robert Stiles for the plaintiff in error, and by Mr. J. R. McIntosh for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 5, will be as follows: Nos. 66, 68 (and 69 and 70), 71, 72, 75, 76, 82, 83, 84 and 85.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 5, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Alexander Troy of Montgomery, Ala., Clifton V. Edwards of New York City, Charles W. Clagett of Washington, D. C., and Henry B. Brownell of New York City were admitted to practice.

No. 423. The United States et al., appellants, *v.* Thomas C. Andrews. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Peckham.

No. 38. The American Sugar Refining Company, plaintiff in error, *v.* The State of Louisiana et al. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Brown. (Mr. Justice Harlan concurs in the result. Mr. Justice White did not participate in the decision of this case.)

No. 26. George W. Crossman et al., petitioners, *v.* William Burrill et al., etc. On writ of certiorari to the United States circuit court of appeals for the second circuit. Decree of the United States circuit court of appeals and decree of the district court of the United States for the southern district of New York reversed with costs, and cause remanded to said district court for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Gray. (Mr. Justice McKenna was not present at the argument, and took no part in the decision of this case.)

The Chief Justice announced the following orders of the court:

No. 55. V. B. Archer et al., appellants, *v.* The Baltimore Building and Loan Association of Baltimore City et al. Appeal from the circuit court of the United States for the district of West Virginia. Decree affirmed with costs, on the authority of *Forsythe v. Hammond*, 166 U. S., 517; *Central Trust Company v. Seasongood*, 130 U. S., 491; *Remington Paper Company v. Watson*, 173 U. S., 451; *Maxwell v. Dow*, 176 U. S., 581, and cases cited.

No. 57. William Day, appellant, *v.* Conley & McTague, keepers of the State prison of the State of Montana, etc. Appeal from the circuit court of the United States for the district of Montana. Final order

affirmed with costs, on the authority of *Markuson v. Boucher*, 175 U. S., 184; *Brown v. New Jersey*, 175 U. S., 172, 175; *Tinsley v. Anderson*, 171 U. S., 101; *In re Eckart*, 166 U. S., 481; *Bergemann v. Backer*, 157 U. S., 655; *In re Wilson*, 140 U. S., 585; and see *State v. Brantley*, 20 Montana, 173; *State v. Clancy*, id., 498.

No. 233. James M. Daugherty, plaintiff in error, *v. Thomas G. Hood et al.* In error to the circuit court of the United States for the district of Nebraska. Writ of error dismissed for want of jurisdiction, on the authority of *Colvin v. Jacksonville*, 158 U. S., 456; *Robinson v. Caldwell*, 165 U. S., 359.

No. 243. Barbara Chavez de Armijo, appellant, *v. Justo R. Armijo*. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 18. Joseph Smith, plaintiff in error, *v. The State of Tennessee*. In error to the supreme court of the State of Tennessee. Dismissed with costs, on motion of Mr. Frederic D. McKenney, in behalf of counsel.

No. 431. J. N. Elliott, constable, et al., petitioners, *v. Murphy L. Anderson et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Charles W. Clagett in behalf of Mr. J. C. Pritchard, and Mr. Charles A. Moore for the petitioners, and by Mr. Charles Seymour for the respondents.

No. 45. H. Drusilla Mitchell, petitioner, *v. The First National Bank of Chicago*. Assigned for reargument on Monday, December 3 next, after the case already set down for that day, on motion of Mr. Henry B. Brownell, in behalf of counsel.

No. 474. James L. Morgan et al., petitioners, *v. Austro-Americana Steamship Company, owner, etc.*;

No. 475. Schuyler L. Parsons, petitioner, *v. Austro-Americana Steamship Company, owner, etc.*;

No. 476. Alfred S. Malcomson, petitioner, *v. Austro-Americana Steamship Company, owner, etc.*; and

No. 477. John Munroe et al., petitioners, *v. Austro-Americana Steamship Company, owner, etc.* Petition for writs of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Harrington Putnam for Morgan et al., by Mr. John M. Bowers for Parsons, by Mr. William J. Curtis for Malcomson, and by Mr. Melville H. Regenburger for Munroe et al.

No. 73. The Oregon Railroad and Navigation Company, appellant, *v. Robert Balfour et al.*; and

No. 74. The Oregon Railway and Navigation Company et al., appellants, *v. Robert Balfour et al.* Mandates granted per stipulation, on motion of Mr. A. B. Browne for the appellants.

No. 286. Jack Davis, appellant, *v.* J. E. Burke, sheriff, etc. Motion to advance submitted by Mr. George C. Heard in behalf of counsel.

No. 223. A. L. Gusman, on behalf of Samuel Wright, appellant, *v.* L. H. Marrero, sheriff of the parish of Jefferson, La. Motion to reinstate case upon the docket submitted by Mr. A. A. Birney for the appellant.

No. 305. Charles W. Lynde, plaintiff in error, *v.* Mary W. Lynde; and

No. 369. Mary W. Lynde, plaintiff in error, *v.* Charles W. Lynde. Submitted pursuant to the twentieth rule by Mr. George S. Ingraham for Charles W. Lynde, and by Mr. James Westervelt for Mary W. Lynde.

No. 124. Charles H. Hart, plaintiff in error, *v.* The State of Utah. Motions to dismiss or affirm submitted by Mr. A. C. Bishop in support of motions, and by Mr. O. W. Powers in opposition thereto.

No. 15, Original. *Ex parte*: In the matter of Edgar de Bara, petitioner. Submitted by Mr. D. W. Baker for the petitioner, and by Mr. Solicitor-General Richards for the respondent.

No. 66. Mary Louise Kenaday, executrix, plaintiff in error and appellant, *v.* Arabella D. Sinnott et al. Argued by Mr. William Henry Dennis for the plaintiff in error and appellant, and by Mr. William A. Milliken and Mr. F. P. B. Sands for the defendants in error and appellees.

No. 68. The Interstate Commerce Commission, appellant, *v.* The Clyde Steamship Company et al.;

No. 69. The Interstate Commerce Commission, appellant, *v.* The Western and Atlantic Railroad Company et al.;

No. 70. The Interstate Commerce Commission, appellant, *v.* The Clyde Steamship Company et al. Argument commenced by Mr. L. A. Shaver for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 6, will be as follows: Nos. 68 (and 69 and 70), 71, 72, 75, 76, 82, 83, 84, 85 and 86.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 6, 1900.

Present: The Chief Justice, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 68. The Interstate Commerce Commission, appellant, *v.* The Clyde Steamship Company et al.;

No. 69. The Interstate Commerce Commission, appellant, *v.* The Western and Atlantic Railroad Company et al.; and

No. 70. The Interstate Commerce Commission, appellant, *v.* The Clyde Steamship Company et al. Argument continued by Mr. L. A. Shaver for the appellant, by Mr. Ed. Baxter for the appellees, and concluded by Mr. L. A. Shaver for the appellant.

No. 71. The United States, appellant, *v.* Eugene Beebe et al. Argument commenced by Mr. W. S. Reese for the appellant, and continued by Mr. Henry S. Cattell for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 7, will be as follows: Nos. 71, 72, 75, 76, 82, 83, 84, 85, 86 and 87.

○

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 7, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 82. Antone Marks, plaintiff in error, *v.* J. M. Shoup. Passed temporarily, on motion of Mr. L. T. Michener for the plaintiff in error.

No. 85. The Liverpool and London and Globe Insurance Company, plaintiff in error, *v.* Kearney & Wyse. Submitted by Mr. E. S. Quinton for the plaintiff in error, with leave to defendants in error to file brief within twenty days, on motion of Mr. J. M. Wilson in behalf of counsel.

No. 84. Fritz Contzen, appellant, *v.* The United States et al. Submitted by Mr. A. B. Browne, Mr. Alexander Britton, Mr. J. W. Douglass and Mr. Alexander Porter Morse for the appellant, and by Mr. Assistant Attorney-General Thompson for the appellees, with leave to appellant to file reply brief.

No. 226. Frank M. Fairbank, plaintiff in error, *v.* The United States. Reassigned for argument on Monday, December 10 next, after the cases already set down for that day, on motion of Mr. A. B. Browne in behalf of counsel.

No. 71. The United States, appellant, *v.* Eugene Beebe et al. Argument continued by Mr. Henry S. Cattell and Mr. Alexander Troy for the appellees, and concluded by Mr. Robert A. Howard for the appellant.

No. 72. John M. Avery et al., plaintiffs in error, *v.* I. Popper & Brother et al. Submitted by Mr. John M. Avery for the plaintiffs in error, and by Mr. Benjamin F. Looney for the defendants in error.

No. 75. Emil Stevens, appellant, *v.* The State of Ohio; and

No. 76. Reymann Brewing Company, appellant, *v.* Harry Brister, treasurer, etc. Submitted by Mr. J. Bernard Handlan for the appellants, and by Mr. A. C. Lewis for the appellees.

No. 83. John Joyce, plaintiff in error, *v.* H. F. Auten, receiver, etc. Argued by Mr. T. E. Powell for the plaintiff in error, and by Mr. T. P. Linn for the defendant in error.

No. 86. The District of Columbia, plaintiff in error, *v.* Leigh Robinson et al., executors, etc. Argument commenced by Mr. Andrew B. Duvall for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 8, will be as follows: Nos. 86, 87, 91, 92, 93, 95, 96 (and 99), 97, 98 and 100.

○

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 8, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Walker D. Hines of Louisville, Ky., and Lockwood Honoré of Chicago, Ill., were admitted to practice.

Nos. 387 and 406. Charles F. W. Neely, appellant, *v.* William Henkel, United States marshal, etc. Reassigned for argument on Monday, December 3 next, after the cases already set down for that day, on motion of Mr. John D. Lindsay for the appellant.

No. 92. Elliott H. Phelps et al., plaintiffs in error, *v.* Robert Radford Beard, receiver, etc. Leave granted to Mr. E. B. Whitney to file brief herein in behalf of certain interested parties, and to counsel for the plaintiffs in error to reply within one week.

No. 91. John C. Humes, appellant, *v.* The City of Fort Smith. Appeal from the circuit court of the United States for the western district of Arkansas. Dismissed with costs, on authority of counsel for the appellant.

No. 86. The District of Columbia, plaintiff in error, *v.* Leigh Robinson et al., executors, etc. Argument continued by Mr. Conway Robinson and Mr. W. D. Davidge for the defendants in error, and concluded by Mr. A. B. Duvall for the plaintiff in error.

No. 87. C. S. Thompson et al., plaintiffs in error, *v.* Los Angeles Farming and Milling Company. Argued by Mr. Harvey M. Friend for the plaintiffs in error, and submitted by Mr. Stephen M. White and Mr. James H. Shankland for the defendant in error.

No. 92. Elliott H. Phelps et al., plaintiffs in error, *v.* Robert Radford Beard, receiver, etc. Argument commenced by Mr. John P. Wilson for the plaintiffs in error, and continued by Mr. Frank H. Scott for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 9, will be as follows: Nos. 92, 93, 95, 96 (and 99), 97, 65, 98, 100, 101 (and 102) and 103.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 9, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Henry B. Twombly of New York City was admitted to practice.

No. 423. The United States et al., appellants, *v.* Thomas C. Andrews. Mandate granted, on motion of Mr. Silas Hare for the appellee.

No. 114. The Board of Liquidation of the City Debt, plaintiff in error, *v.* The State of Louisiana on the relation of Miss Lucretia B. Wilder et al. Postponed to be heard with No. 119 as one case, on motion of Mr. Thomas H. Clark in behalf of counsel.

No. 92. Elliott H. Phelps et al., plaintiffs in error, *v.* Robert Radford Beard, receiver, etc. Argument continued by Mr. Frank H. Scott for the defendant in error, and concluded by Mr. John P. Wilson for the plaintiffs in error.

No. 93. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Argued by Mr. William Lindsay for the plaintiff in error. No counsel appeared for the defendant in error.

No. 95. John D. Weber et al., appellants, *v.* John H. Dillon, county treasurer, etc. Continued.

No. 96. Michael F. Dooley, individually and as receiver, et al., appellants, *v.* Harold F. Hadden et al.; and

No. 99. Harold F. Hadden et al., appellants, *v.* Michael F. Dooley, individually and as receiver, etc., et al. Argument commenced by Mr. William B. Putney for Hadden et al., and continued by Mr. Edward Winslow Paige for Dooley et al.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 12, will be as follows: Nos. 96 (and 99), 97, 5, original, 65, 98, 100, 101 (and 102), 103, 340 and 419.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 12, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

G. F. Rearick of Danville, Ill., Chase Mellen of New York City, W. W. Davies of Louisville, Ky., William B. Vates of Pueblo, Colo., James F. Read of Fort Smith, Ark., Charles Kissam Allen of Washington, D. C., L. B. Moody of Houston, Tex., and H. W. Rives of Lebanon, Ky., were admitted to practice.

No. 9. *Gilmore G. Scranton*, plaintiff in error, *v. Eben S. Wheeler*. In error to the supreme court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. (Mr. Justice Brewer concurs in the result.) Dissenting: Mr. Justice Shiras, Mr. Justice Gray and Mr. Justice Peckham.

No. —, Original. *Ex parte*: In the matter of *Jose Juan Vidal et al.*, petitioners. Motion for leave to file petition for writ of certiorari denied. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced that the court would take a recess from Monday, November 19, to Monday, December 3 next.

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

No. 223. *A. L. Gusman*, on behalf of *Samuel Wright*, appellant, *v. L. H. Marrero*, sheriff, etc. Motion to reinstate granted, and cause assigned to be heard on Monday, December 3, at the head of the call for that day.

No. 286. *Jack Davis*, appellant, *v. J. E. Burke*, sheriff, etc. Motion to advance granted, and cause assigned for argument on Monday, December 3 next, after the cases already set down for that day.

No. 431. *J. N. Elliott*, constable, et al., petitioners, *v. Murphy L. Anderson et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit granted.

No. 474. *James L. Morgan et al.*, petitioners, *v. Austro-Americana Steamship Company*;

No. 475. Schuyler L. Parsons, petitioner, *v. Austro-Americana Steamship Company*;

No. 476. Alfred S. Malcomson, petitioner, *v. Austro-Americana Steamship Company*; and

No. 477. John Munroe et al., petitioners, *v. Austro-Americana Steamship Company*. Ordered that petition for cross writs of certiorari herein be filed in Nos. 300, 301, 302 and 303 and petition granted, and that Nos. 474, 475, 476 and 477 be stricken from the docket.

No. 61. John D. McGilvray, plaintiff in error, *v. Jane Knott*. In error to the supreme court of the State of California. Judgment affirmed with costs, on the authority of *Whitcomb v. Smithson*, 175 U. S., 635.

No. 75. Emil Stevens, appellant, *v. The State of Ohio*. Appeal from the circuit court of the United States for the northern district of Ohio. Final order affirmed with costs, on the authority of *Pepke v. Cronan*, 155 U. S., 100; *New York v. Eno*, 155 U. S., 89, and cases cited; *Baker v. Grice*, 169 U. S., 284.

No. 124. Charles H. Hart, plaintiff in error, *v. The State of Utah*. In error to the supreme court of the State of Utah. Writ of error dismissed for the want of jurisdiction, on the authority of *Long v. Converse*, 91 U. S., 105; *Ludeling v. Chaffee*, 143 U. S., 301; *In re Converse*, 137 U. S., 624.

No. 340. John H. Goetze, appellant, *v. The United States*; and

No. 419. Fourteen Diamond Rings, etc., plaintiff in error, *v. The United States*. Reassigned for argument on Monday, December 17 next, on motion of Mr. Attorney-General Griggs for the appellee and defendant in error.

No. 459. The McSherry Manufacturing Company et al., petitioners, *v. The Dowagiac Manufacturing Company*. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Charles M. Peck for the petitioners, and by Mr. Fred L. Chappell for respondent.

No. 375. Crew-Levick Company, petitioner, *v. The British and Foreign Marine Insurance Company (Limited) of Liverpool*. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Theodore F. Jenkins for the petitioner, and by Mr. W. Mynderse and Mr. Joseph C. Fraley for respondent.

No. 458. Joseph Benedict, petitioner, *v. The City of New York*. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Richard L. Sweezy for the petitioner, and by Mr. George L. Sterling for the respondent.

No. 481. The First National Bank of Houston, petitioner, *v. Presley K. Ewing et al.* Petition for a writ of certiorari to the United

States circuit court of appeals for the fifth circuit submitted by Mr. L. B. Moody and Mr. M. F. Mott for the petitioner.

No. 457. The Farmers' Loan and Trust Company, trustee, petitioner, *v.* The Penn Plate 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. Herbert B. Turner for the petitioner, and by Mr. Bernard Carter for the respondents.

No. 448. Bank of Iron Gate, plaintiff in error, *v.* James D. Brady. Motion to advance submitted by Mr. William L. Royall for plaintiff in error.

No. 93. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Leave granted to defendant in error to file brief herein, on motion of Mr. H. W. Rives for defendant in error.

No. 479. Edward S. Richards, petitioner, *v.* The Michigan Central Railroad Company. Petition for writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Alphonso Hart and Mr. John C. Chaney for the petitioner, and by Mr. George S. Payson for the respondent.

No. 106. Charles F. Champion, appellant, *v.* John C. Amcs, United States marshal. Reassigned for argument on Monday, January 14 next, on motion of Mr. J. Hubley Ashton in behalf of counsel.

No. 482. Clinton E. Worden & Co., petitioners, *v.* California Fig Syrup Company. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Louis T. Michener in behalf of Mr. John H. Miller for the petitioners, and by Mr. Warren Olney for the respondent.

No. 312. The Midway Company, plaintiff in error, *v.* Frank W. Eaton et al. Motion to advance submitted by Mr. Frederic D. McKenney in behalf of counsel.

No. 373. The Danville Water Company, plaintiff in error, *v.* The City of Danville. Advanced and submitted on briefs to be filed on or before the 27th instant, on motion of Mr. W. W. Davics for the plaintiff in error.

No. 101. James T. Wormley, plaintiff in error, *v.* The District of Columbia; and

No. 102. Anna P. Hoover Allen et al., plaintiffs in error, *v.* The District of Columbia. Submitted by Mr. D. W. Baker for the plaintiffs in error, with leave to counsel for defendant in error to file briefs within ten days.

No. 96. Michael F. Dooley, etc., et al., appellants, *v.* Harold F. Hadden et al.; and

No. 99. Harold F. Hadden et al., appellants, *v.* Michael F. Dooley

et al. Argument continued by Mr. Edward Winslow Paige for Dooley et al., and concluded by Mr. Henry B. Twombly for Hadden et al.

No. 97. Michael F. Dooley, receiver, etc., plaintiff in error, *v.* James Pease. Argued by Mr. Edward Winslow Paige for the plaintiff in error, and by Mr. Lockwood Honoré for the defendant in error.

No. 5, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Argument of demurrer commenced by Mr. Charles C. Gilbert for the defendants, and continued by Mr. B. Schnurmacher for the complainant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 13, will be as follows: Nos. 5, original, 65, 98, 100, 103, 104, 105, 107, 108 and 109.

○

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 13, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

John T. Shelby of Lexington, Ky., and Addison C. Lewis of Steubenville, Ohio, were admitted to practice.

No. 98. Agnes A. Niver, plaintiff in error, *v.* George E. Fields et al. Submitted with leave to plaintiff in error to file briefs within one week and to defendants in error to file reply brief within three days thereafter, on motion of Mr. Robert A. Howard for defendants in error.

No. 228. The J. C. Hubinger Company, appellant, *v.* The Quincy Horse Railway and Carrying Company. Appeal from the circuit court of the United States for the southern district of Illinois. Dismissed per stipulation.

No. 5, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Argument of demurrer continued by Mr. B. Schnurmacher for the complainant, and concluded by Mr. William M. Springer for the defendants.

No. 65. The Las Animas Land Grant Company, appellant, *v.* The United States. Argued by Mr. William B. Vates for the appellant, and by Mr. Matthew G. Reynolds for the appellee.

No. 100. A. J. Kizer, plaintiff in error, *v.* The Texarkana and Fort Smith Railway Company. Argued by Mr. James F. Read for the defendant in error, and submitted by Mr. O. D. Scott for the plaintiff in error.

No. 103. The Chesapeake and Ohio Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Argument commenced by Mr. John T. Shelby for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 14, will be as follows: Nos. 103, 104, 105, 107, 108, 109, 110, 111, 112 and 113.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 14, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Thomas L. Michie of Cincinnati, Ohio, Alan H. Strong of New Brunswick, N. J., and John C. Chamberlain of Bridgeport, Conn., were admitted to practice.

No. 483. Daniel W. Harding, appellant, *v.* Myrtle Gillett. Appeal from the supreme court of the Territory of Oklahoma. Docketed and dismissed with costs, on motion of Mr. William M. Springer for the appellee.

No. 220. Jennie Norcross, plaintiff in error, *v.* Charles W. Sexton, receiver, etc. On a certificate from the United States circuit court of appeals for the third circuit. Certificate dismissed.

No. 93. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Leave granted to plaintiff in error to file reply brief within seven days, on motion of Mr. Walker D. Hines for plaintiff in error.

No. 103. The Chesapeake and Ohio Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Argument concluded by Mr. John T. Shelby for the plaintiff in error. No counsel appeared for the defendant in error.

No. 104. Mark K. Lowry et al., plaintiffs in error, *v.* The Silver City Gold and Silver Mining Company. Argued by Mr. O. W. Powers for the plaintiffs in error, and submitted by Mr. Charles S. Varian and Mr. F. S. Richards for defendant in error.

No. 105. The Pueblos of Santo Domingo and San Felipe, appellants, *v.* The United States. Appeal from the Court of Private Land Claims. Dismissed, pursuant to the sixteenth rule, on motion of Mr. Matthew G. Reynolds for the appellee.

No. 107. The Baltimore, Chesapeake and Atlantic Railway Company, plaintiff in error, *v.* The Mayor and City Council of Ocean City. Argued by Mr. Nicholas P. Bond for the plaintiff in error, and by Mr. J. E. Ellegood for the defendant in error.

No. 108. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* T. R. Eubank & Co. Argued by Mr. Walker D. Hines for the plaintiff in error. No counsel appeared for defendants in error.

No. 109. August Streitwolf, plaintiff in error, *v.* Elizabeth Streitwolf. Argument commenced by Mr. Alan H. Strong for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 15, will be as follows: Nos. 109, 110, 111, 112, 113, 115, 116, 117, 119 (and 114) and 121.

○

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 15, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Bernard B. Selling of Detroit, Mich., was admitted to practice.

Nos. 387 and 406. Charles F. W. Neely, appellant, *v.* William Henkel, United States marshal, etc. Reassigned for argument on Monday, December 10 next, at the head of the call.

No. 109. August Streitwolf, plaintiff in error, *v.* Elizabeth Streitwolf. Argument concluded by Mr. Alan H. Strong for the defendant in error, and case submitted by Mr. Willard P. Voorhees and Mr. Robert Adrain for the plaintiff in error.

No. 110. The Cincinnati Street Railway Company, plaintiff in error, *v.* Charles B. Snell. Argued by Mr. J. W. Warrington for the plaintiff in error, and by Mr. Thomas L. Michie for the defendant in error. Leave granted to file additional briefs on question of jurisdiction on or before Monday next.

No. 111. The Schuyler National Bank of Schuyler, Nebr., et al., plaintiffs in error, *v.* James Gadsden et al. Argued by Mr. C. J. Phelps for the plaintiffs in error, and submitted by George Thrush and Mattie N. Thrush, two of the defendants in error, in propria persona.

No. 112. Anna V. Whitney, appellant, *v.* Edwin B. Hay. Argument commenced by Mr. A. S. Worthington for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 16, will be as follows: Nos. 112, 113, 115, 116, 117, 119 (and 114), 121, 122, 123 and 125.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 16, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 438. Louis J. Gableman, jr., by his next friend, etc., plaintiff in error, *v.* Peoria, Decatur and Evansville Railway Company et al. Submitted by Mr. W. A. Cullap for the plaintiff in error, and by Mr. Walter S. Horton for the defendants in error.

No. 112. Anna V. Whitney, appellant, *v.* Edwin B. Hay. Argument continued by Mr. A. S. Worthington for the appellant, by Mr. A. A. Hochling, jr., and Mr. J. M. Wilson for the appellee, and concluded by Mr. A. S. Worthington for the appellant.

No. 113. William Henry Baldwin, jr., et al., plaintiffs in error, *v.* The State of Maryland to the use of D. Frank Hull, collector, etc. Argued by Mr. Charles A. Boston for the plaintiff in error, and by Mr. Hy. Kyd Douglas for the defendant in error.

Adjourned until Monday next at 12 o'clock.

O

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 19, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Louis Boisot, jr., of Chicago, Ill., and A. J. Pflaum of Chicago, Ill., were admitted to practice.

No. 25. William B. Austin, plaintiff in error, *v.* The State of Tennessee. In error to the supreme court of the State of Tennessee. Judgment affirmed with costs. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Brewer, Mr. Chief Justice Fuller, Mr. Justice Shiras and Mr. Justice Peckham. (Mr. Justice White concurs in the result.)

No. 182. Charles A. Chapin, plaintiff in error, *v.* Ruth I. Fye, by her next friend, Henry W. Fye. In error to the circuit court of Kalamazoo County, State of Michigan. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Brown.

No. 40. The Chesapeake and Ohio Railway Company, plaintiff in error, *v.* Lucy Dixon, administratrix, etc., et al. In error to the court of appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Harlan and Mr. Justice White. (Mr. Justice McKenna was not present at the argument and took no part in the decision of this cause.)

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

No. 312. The Midway Company, plaintiff in error, *v.* Frank W. Eaton et al. Motion to advance denied.

No. 375. Crew-Levick Company, petitioner, *v.* The British and Foreign Marine Insurance Company (Limited) of Liverpool. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 448. Bank of Iron Gate, plaintiff in error, *v.* James D. Brady. Motion to advance denied.

No. 457. The Farmers' Loan and Trust Company, trustee, petitioner, *v.* The Penn Plate Glass Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 458. Joseph Benedict, petitioner, *v.* The City of New York. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 459. The McSherry Manufacturing Company et al., petitioners, *v.* The Dowagiac Manufacturing Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 479. Edward S. Richards, petitioner, *v.* The Michigan Central Railroad Company. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 482. Clinton E. Worden & Co., petitioner, *v.* California Fig Syrup Company. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit granted.

No. 107. The Baltimore, Chesapeake and Atlantic Railway Company, plaintiff in error, *v.* The Mayor and City Council of Ocean City. In error to the court of appeals of the State of Maryland. Writ of error dismissed for the want of jurisdiction on the authority of *Lehigh Water Company v. Easton*, 121 U. S., 388; *Central Land Company v. Laidley*, 159 U. S., 103; *Oxley Stave Company v. Butler County*, 166 U. S., 648; *Louisville and Nashville Railroad Company v. Louisville*, 166 U. S., 709; *Ausbro v. United States*, 159 U. S., 695; *Powell v. Brunswick County*, 150 U. S., 433.

No. 111. The Schuyler National Bank of Schuyler, Nebr., et al., plaintiffs in error, *v.* James Gadsden et al. In error to the supreme court of the State of Nebraska. Writ of error dismissed for the want of jurisdiction on the authority of *Rutherford v. Fisher*, 4 Dall., 22; *Winn v. Jackson*, 12 Wheat., 135; *Bostwick v. Brinkerhoff*, 106 U. S., 3; *Johnson v. Keith*, 117 U. S., 199.

No. 390. William B. Dinsmore et al., petitioners, *v.* The Southern Express Company et al. Motion to advance submitted by Mr. Frank H. Miller for the petitioners.

No. 391. John T. Pirie et al., etc., appellants, *v.* Chicago Title and Trust Company, trustee, etc. Motion to advance submitted by Mr. A. J. Pflaum for the appellants.

Adjourned until Monday, December 3, at 12 o'clock.

The day call for Monday, December 3, will be as follows: Nos. 223, 45, 286, 115, 116, 117, 119 (and 114), 121, 122 and 123.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 3, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

J. H. Lewman of Danville, Ill., Charles W. Hills of Chicago, Ill., Purcell Rowe of San Francisco, Cal., C. Walter Artz of New York City, J. C. Matthews of Lampasas, Tex., Frank L. Campbell of Alliance, Ohio, W. H. Metson of San Francisco, Cal., Alfred Hemenway of Boston, Mass., Arthur J. Selfridge of Boston, Mass., Maurice D. O'Connell of Fort Dodge, Iowa, and James H. Hawley of Boise, Idaho, were admitted to practice.

No. 36. The Wabash Railroad Company, plaintiff in error, *v.* Peter Tourville. In error to the supreme court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Brewer.

No. 15, Original. Ex parte: In the matter of Edgar De Bara, petitioner. Rule to show cause discharged and petition for writ of habeas corpus denied. Opinion by Mr. Justice McKenna.

No. 65. The Las Animas Land Grant Company, appellant, *v.* The United States. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice Peckham.

No. 100. A. J. Kizer, plaintiff in error, *v.* The Texarkana and Fort Smith Railway Company. In error to the supreme court of the State of Arkansas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Peckham.

No. 62. H. Abraham & Son et al., plaintiffs in error, *v.* Marie L. Casey, administratrix, etc. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 205. Edward C. Baggs, as receiver, etc., plaintiff in error, *v.* Albert G. Martin et al. On a certificate from the United States circuit court of appeals for the eighth circuit. Second question certified answered in the affirmative. Opinion by Mr. Justice Shiras.

No. 72. John M. Avery et al., plaintiffs in error, *v.* Ignatz Popper et al., etc. In error to the supreme court of the State of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 103. The Chesapeake and Ohio Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the court of appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Harlan.

No. 157. The Mutual Life Insurance Company, petitioner, *v.* Tine Cohen. On writ of certiorari to the United States circuit court of appeals for the ninth circuit. Judgment reversed with costs, and cause remanded to the circuit court of the United States for the district of Washington, with directions to set aside the judgment and overrule the demurrer. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice McKenna. (Mr. Justice Peckham took no part in the decision of this case.)

No. 113. William Henry Baldwin, jr., et al., plaintiffs in error, *v.* The State of Maryland to the use of D. Frank Hull, collector, etc. In error to the court of appeals of the State of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice White and Mr. Justice Peckham.

No. 104. Mark K. Lowry et al., plaintiffs in error, *v.* The Silver City Gold and Silver Mining Company. In error to the supreme court of the State of Utah. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brewer.

No. 20. Fred. Stearns, county auditor, etc., plaintiff in error, *v.* The State of Minnesota on the relation of James N. Marr. In error to the supreme court of the State of Minnesota. Judgment reversed with costs, except as to lands belonging to the Great Northern Railway Company, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brewer. Mr. Justice Brown concurs in the result. Mr. Justice White, Mr. Justice Harlan, Mr. Justice Gray and Mr. Justice McKenna concur on one point.

No. 84. Fritz Contzen, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Fuller.

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

No. 390. William B. Dinsmore et al., petitioners, *v.* The Southern Express Company et al. Motion to advance granted, and cause assigned for argument on Monday, February 25, 1901.

No. 391. John T. Pirie et al., etc., appellants, *v.* Chicago Title and Trust Company, trustee. Motion to advance granted, and cause assigned for argument on Monday, January 14, 1901, after the case already set down for that day.

No. —, Original. *Ex parte*: In the matter of Alphonzo B. Bowers et al., petitioners. Motion for leave to file petition for writs of mandamus and certiorari submitted by Mr. John H. Miller for the petitioners.

No. 332. The Put-in-Bay Water Works, Light and Railway Company, appellant, *v.* Charles W. Ryan et al. Advanced to be submitted as under the thirty-second rule on motion of Mr. J. B. Foraker, jr., for the appellant.

No. 45. H. Drusilla Mitchell, petitioner, *v.* The First National Bank of Chicago. Reassigned for reargument at the foot of the call for Monday, December 17 next, on motion of Mr. Percy S. Bryant for the respondent.

No. 126. D. Marx, appellant. *v.* William M. Ebner et al. Passed to be restored to the call, subject to the provisions of section 9, rule 26, on motion of Mr. L. T. Michener for the appellees.

No. 473. The Provident Savings Life Assurance Society of New York, petitioner, *v.* Susan E. Hadley. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Robert M. Morse for the petitioner, and by Mr. Alfred Hemenway and Mr. A. J. Selfridge for the respondent.

No. 226. Frank M. Fairbank, plaintiff in error, *v.* The United States. Leave granted to file brief herein on behalf of certain interested parties, on motion of Mr. George A. King for said parties.

No. 135. The Manchester Fire Assurance Company of Manchester, England, et al., appellants, *v.* John Herriott, treasurer of the State of Iowa, et al. Postponed until No. 384 is reached, and ordered to be heard with that number as one case, on motion of Mr. M. D. O'Connell in behalf of counsel.

No. 492. Columbus Construction Company, petitioner, *v.* Crane Company. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. J. R. Custer, Mr. S. S. Gregory and Mr. Grover Cleveland for the petitioner, with leave to counsel for respondent to file brief within two weeks.

No. 134. A. J. Daggs et al., appellants, *v.* Thompson Walker et al. Death of R. B. Carley, one of the appellees herein, suggested, and order of publication awarded, on motion of Mr. George Kearney in behalf of counsel for the appellants.

No. 53. The California Red Wood Company, appellant, *v.* Benjamin S. Litle. Death of Benjamin Litle suggested and A. L. Johnson substituted as the party appellee herein, per stipulation of counsel, and on motion of Mr. A. B. Browne in behalf of counsel.

No. 349. The Missouri, Kansas and Texas Railway Company of Texas, plaintiff in error, *v.* Mollie F. Ferris et al. Motions to dismiss or

affirm submitted by Mr. John W. Parker in support of motions, and by Mr. H. M. Garwood in opposition thereto.

No. 223. A. L. Gusman on behalf of Samuel Wright, appellant, *v.* L. H. Marrero, sheriff of the parish of Jefferson, La. Submitted by Mr. A. A. Birney for the appellant, and by Mr. Robert J. Perkins for the appellee.

No. 286. Jack Davis, appellant, *v.* J. E. Burke, sheriff, etc. Argued by Mr. James H. Hawley for the appellant, and by Mr. Samuel H. Hays for the appellee.

No. 115. The City of Lampasas, plaintiff in error, *v.* James M. Bell. Argument commenced by Mr. John C. Chamberlain for the plaintiff in error, and continued by Mr. Henry B. B. Stapler for the defendant in error, and concluded by Mr. J. C. Matthews for the plaintiff in error.

No. 116. W. W. Cargill Company, plaintiff in error, *v.* The State of Minnesota *ex rel.* The Railroad and Warehouse Commission. Argument commenced by Mr. Ralph Whelan for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 4, will be as follows: Nos. 116, 117, 119 (and 114), 121, 122, 123, 125, 21, 127 and 128.

○

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 4, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Charles J. Théard of New Orleans, La., was admitted to practice.

No. 462. Robert Chipps, and Alexander McKenzie, receiver, petitioners, *v.* Jafet Lindeberg et al. Return to rule to show cause submitted by Mr. A. B. Browne for the judges of the United States circuit court of appeals. Leave granted to file affidavit of W. H. Metson and a certain instrument in writing purporting to be a release by Robert Chipps to Jafet Landeberg et al., on motion of Mr. William A. Maury for the respondents. Leave granted to file brief on behalf of certain interested parties, on motion of Mr. A. B. Browne. Leave granted to Mr. C. A. Severance to file additional brief for petitioners within ten days, and to Mr. William A. Maury to file reply thereto within five days thereafter, and cause submitted on return to rule to show cause by Mr. C. K. Davis, Mr. F. B. Kellogg, Mr. C. A. Severance and Mr. M. S. Gunn for the petitioners, and by Mr. William A. Maury, Mr. J. C. Campbell, Mr. K. M. Jackson, Mr. W. H. Metson, Mr. Charles Page, Mr. E. J. McCutchen and Mr. E. S. Pillsbury for respondents.

No. 278. Homer Bird, plaintiff in error, *v.* The United States. Reassigned for argument on Monday, January 14 next, after the cases already set down for that day, on motion of Mr. Assistant Attorney-General Beck for the defendant in error.

No. 128. Harry H. Beaser, appellant, *v.* Charles H. Vilas. Appeal from the circuit court of the United States for the western district of Wisconsin. Dismissed with costs, pursuant to the tenth rule.

No. 116. W. W. Cargill Company, plaintiff in error, *v.* The State of Minnesota ex rel. The Railroad and Warehouse Commission. Argument concluded by Mr. Ralph Whelan for the plaintiff in error, and submitted by Mr. W. B. Douglas for defendant in error.

No. 117. The Western Union Telegraph Company, plaintiff in error, *v.* The Call Publishing Company. Argued by Mr. Rush Taggart for the

plaintiff in error, and submitted by Mr. Franklin W. Collins for the defendant in error.

No. 119. The Drainage Commission of New Orleans, plaintiff in error, *v.* Miss Lucretia B. Wilder et al.; and

No. 114. The Board of Liquidation of the City Debt, plaintiff in error, *v.* The State of Louisiana on the relation of Miss Lucretia B. Wilder et al. Argument commenced by Mr. Branch K. Miller for the Board of Liquidation of the City Debt, and continued by Mr. W. B. Spencer for the Drainage Commission of New Orleans.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 5, will be as follows: Nos. 119 (and 114), 121, 122, 123, 125, 21, 127, 129, 130 and 131.

○

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 5, 1900.

Present: The Chief Justice, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

W. T. Stoll of Spokane, Wash., was admitted to practice.

No. 132. S. Hays, plaintiff in error, *v.* Michael Klopenstine. In error to the supreme court of the State of Utah. Dismissed with costs, on the authority of counsel for the plaintiff in error.

No. —, Original. *Ex parte*: In the matter of J. A. Cooper and Joseph Cooper, petitioners. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. Thomas H. Clark for the petitioners.

No. 119. The Drainage Commission of New Orleans, plaintiff in error, *v.* Miss Lucretia B. Wilder et al.; and

No. 114. The Board of Liquidation of the City Debt, plaintiff in error, *v.* The State of Louisiana on the relation of Miss Lucretia B. Wilder et al. Argument continued by Mr. W. B. Spencer for the Drainage Commission of New Orleans, by Mr. Charles J. Théard for the defendants in error, and concluded by Mr. Branch K. Miller for the Board of Liquidation of the City Debt. Leave granted to counsel for the plaintiffs in error to file additional briefs within five days.

No. 121. Elgin National Watch Company, appellant, *v.* Illinois Watch Case Company et al. Argument commenced by Mr. Thomas A. Banning for the appellees, and continued by Mr. Lysander Hill for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 6, will be as follows: Nos. 121, 122, 123, 125, 21, 127, 129, 130, 131 and 133.

O

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 6, 1900.

Present: The Chief Justice, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Frank E. Rainold of New Orleans, La., and Jarvis Wolverton Mason of New York City were admitted to practice.

No. 133. Joel Parker Whitney et al., appellants, *v.* The United States et al. Passed, to be restored to the call subject to the provisions of section 9, rule 26, on motion of Mr. Solicitor-General Richards for the appellees.

No. 121. Elgin National Watch Company, appellant, *v.* Illinois Watch Case Company et al. Argument continued by Mr. Lysander Hill for the appellant, and concluded by Mr. Thomas A. Banning for the appellees.

No. 122. The State of Arkansas et al., appellants, *v.* Charles A. M. Schlierholz. Argued by Mr. Solicitor-General Richards for the appellee, and submitted by Mr. M. M. Cohn for the appellants.

No. 123. E. M. Patton, plaintiff in error, *v.* The Texas and Pacific Railway Company. Argument commenced by Mr. Frank W. Hackett for the plaintiff in error, and continued by Mr. John F. Dillon for the defendant in error, and by Mr. Frank W. Hackett for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 7, will be as follows: Nos. 123, 125, 21, 127, 129, 130, 131, 43, 44 and 94.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 7, 1900.

Present: The Chief Justice, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

E. R. Hicks of Oshkosh, Wis., was admitted to practice.

No. 127. The Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* H. W. Hickman et al., etc. Passed on account of sickness of counsel, to be restored to the call subject to the provisions of section 9, rule 26, on motion of Mr. George P. B. Jackson for the plaintiff in error.

No. 123. E. M. Patton, plaintiff in error, *v.* The Texas and Pacific Railway Company. Argument concluded by Mr. Frank W. Hackett for the plaintiff in error.

No. 125. R. R. Scott et al., plaintiffs in error, *v.* The Texas and Pacific Railway Company. Argued by Mr. D. D. Duncan for the defendant in error, and submitted by Mr. T. P. Young for the plaintiffs in error.

No. 21. Josephine H. Throckmorton et al., plaintiffs in error, *v.* Washington D. Holt et al. Argument commenced by Mr. William G. Johnson for the plaintiffs in error, and continued by Mr. A. S. Worthington for the defendants in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 10, will be as follows: Nos. 21, 387 (and 406), 281, 226, 129, 130, 131, 43, 44 and 94.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 10, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Matthew Alexander Hall of Omaha, Nebr., Clement Manly of Winston, N. C., Frederick T. Myers of Tallahassee, Fla., Charles Hudson of Chicago, Ill., Seth T. McCormick of Williamsport, Pa., Wharton E. Lester of Washington, D. C., F. B. Thomas of New Orleans, La., John Warnock Echols of Washington, D. C., and Knighton T. Meade of Washington, D. C., were admitted to practice.

No. 28. The Wisconsin, Minnesota and Pacific Railroad Company, plaintiff in error, *v.* Jacob F. Jacobson. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Peckham. Dissenting: Mr. Justice White and Mr. Justice McKenna.

No. 51. The People of the State of New York *ex rel.*; and

No. 52. The New York Clearing House Building Company, plaintiff in error, *v.* Edward P. Barker et al. In error to the court of appeals of the State of New York. Judgments affirmed with costs. Opinion by Mr. Justice Peckham.

No. 173. The Duluth and Iron Range Railroad Company, plaintiff in error, *v.* The County of St. Louis. 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 White. (Mr. Chief Justice Fuller, Mr. Justice Brewer, Mr. Justice Shiras and Mr. Justice Peckham concur in the result.)

No. 258. Isaac N. Mason, auditor, plaintiff in error, *v.* The State of Missouri *ex rel.* James McCaffery et al. In error to the supreme court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 88. The United States, appellant, *v.* The Choctaw Nation et al.;

No. 89. The Wichita and Affiliated Bands of Indians, appellants, *v.* The Choctaw Nation et al.; and

No. 90. The Choctaw Nation et al., appellants, *v.* The United States et al. Appeals from the Court of Claims. Judgment reversed, and

cause remanded for further proceedings consistent with the opinion of this court and with law. Opinion by Mr. Justice Harlan.

No. 42. Louis Loeb, plaintiff in error, *v.* The Trustees of Columbia Township, Hamilton County, Ohio. In error to the circuit court of the United States for the southern district of Ohio. Judgment reversed with costs, and cause remanded with directions for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 287. R. A. Williams, plaintiff in error, *v.* Edgar Fears, sheriff, et al. In error to the supreme court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Harlan.

No. 438. Louis J. Gableman, jr., etc., plaintiff in error, *v.* Peoria, Decatur and Evansville Railway Company et al. On a certificate from the United States circuit court of appeals for the seventh circuit. Questions certified answered in the negative. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced that the court would not sit on Wednesday, December 12.

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

No. 473. The Provident Savings Life Assurance Society of New York, petitioner, *v.* Susan E. Hadley. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 481. The First National Bank of Houston, petitioner, *v.* Presley K. Ewing et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. —, Original. *Ex parte:* In the matter of J. A. Cooper and Joseph Cooper, petitioners. Motion for leave to file petition for writ of habeas corpus denied.

No. 53. The California Redwood Company, appellant, *v.* Albert L. Johnson, substituted for Benjamin S. Litle, deceased; and

No. 54. The California Redwood Company, appellant, *v.* William Mahan. Appeals from the United States circuit court of appeals for the ninth circuit. Decrees affirmed with costs, on the authority of *Hawley v. Diller*, 178 U. S., 476, and causes remanded to the circuit court of the United States for the northern district of California.

No. 253. Pin Kwan, petitioner, *v.* The United States;

No. 254. Ping Yik, petitioner, *v.* The United States;

No. 449. The United States, appellant, *v.* Pin Kwan; and

No. 450. The United States, appellant, *v.* Ping Yik. Motions to advance and consolidate submitted by Mr. Assistant Attorney-General Hoyt for the United States.

No. 337. The City of New Orleans, appellant, *v.* Alphonse Emsheimer. Motions to dismiss or affirm submitted by Mr. Richard De Gray in behalf of Mr. J. D. Rouse and Mr. William Grant in support of motions, with leave to counsel for appellant to file brief in opposition within one week.

No. 281. The City of New Orleans, petitioner, *v.* Ann Warner et al., heirs at law of John G. Warner, deceased, et al. Death of Mrs. Mary E. Taliaferro, one of the respondents herein, suggested, and appearance of Edward E. Lucas, testamentary executor, etc., as a party respondent in the place of Mrs. Mary E. Taliaferro, deceased, filed and entered, on motion of Mr. Richard De Gray for the respondents.

No. 288. People's Railway Company, plaintiff in error, *v.* Lewis M. Rumsey et al. In error to the supreme court of the State of Missouri. Dismissed with costs, on motion of Mr. H. J. May in behalf of counsel for the plaintiff in error.

No. 500. Peter Hagan et al., petitioners, *v.* The Scottish Union and National Insurance Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Horace L. Cheyney and Mr. John F. Lewis for the petitioners.

No. 439. The Erie Railroad Company, plaintiff in error, *v.* Albert L. Purdy. Motions to dismiss or affirm submitted by Mr. Henry C. Smith in behalf of Mr. A. L. Purdy in support of motions, and by Mr. Adelbert Moot in opposition thereto.

No. 131. The Consolidated Water Company et al., appellants, *v.* E. S. Babcock et al. Passed for settlement.

No. 39. Frederick A. Bell, plaintiff in error, *v.* Mary G. Bell. Death of plaintiff in error suggested, and motion to enter judgment herein nunc pro tunc submitted by Mr. Charles B. Wheeler for the defendant in error.

No. 21. Josephine H. Throckmorton et al., plaintiffs in error, *v.* Washington D. Holt et al. Argument continued by Mr. A. S. Worthington and Mr. J. M. Wilson for the defendants in error, and concluded by Mr. Calderon Carlisle for the plaintiffs in error.

Nos. 387 and 406. Charles F. W. Neely, appellant, *v.* William Henkel, United States marshal, etc. Argument commenced by Mr. John D. Lindsay for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 11, will be as follows: Nos. 387 (and 406), 281, 226, 129, 130, 43, 44, 94, 136 and 137.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 11, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Samuel H. Moer of Duluth, Minn., Herbert H. Hoyt of Duluth, Minn., C. K. Bonestell of San Francisco, Cal., John L. Erdall of Madison, Wis., William C. Scarritt of Kansas City, Mo., and John D. Bicknell of Los Angeles, Cal., were admitted to practice.

Nos. 387 and 406. Charles F. W. Neely, appellant, *v.* William Henkel, United States marshal, etc. Argument continued by Mr. John D. Lindsay for the appellant, by Mr. Assistant Attorney-General Beck for the appellee, and concluded by Mr. John D. Lindsay for the appellant.

No. 281. The City of New Orleans, petitioner, *v.* Ann Warner et al. Argument commenced by Mr. Branch K. Miller for the petitioner, and continued by Mr. Wheeler H. Peckham for the respondents.

Adjourned until Thursday at 12 o'clock.

The day call for Thursday, December 13, will be as follows: Nos. 281, 226, 129, 130, 43, 44, 94, 136, 137 and 138.

O

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 13, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Fritz v. Briesen of New York City and Burleigh Folsom Spalding of Fargo, N. Dak., were admitted to practice.

No. 281. The City of New Orleans, petitioner, *v.* Ann Warner et al. Argument continued by Mr. Wheeler H. Peckham for the respondents, and concluded by Mr. Branch K. Miller for the petitioner. Leave granted to counsel for respondents to file additional brief herein, and to counsel for petitioner to reply thereto within three days, on motion of Mr. Wheeler H. Peckham for respondents. Motion for leave to file new appeal bond submitted by Mr. Branch K. Miller for the petitioner.

No. 226. Frank M. Fairbank, plaintiff in error, *v.* The United States. Argued by Mr. C. W. Bunn for the plaintiff in error, and by Mr. Solicitor-General Richards for the defendant in error.

No. 129. The New Orleans Debenture Redemption Company of Louisiana (Limited) et al., plaintiffs in error, *v.* The State of Louisiana. Argument commenced by Mr. J. F. Pierson for the plaintiffs in error, and continued by Mr. Frank E. Rainold for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 14, will be as follows: Nos. 129, 130, 43 (and 44), 94, 136, 137, 138, 139, 140 and 141.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 14, 1900.

Present: The Chief Justice, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Bernard S. Rodey of Albuquerque, N. Mex., was admitted to practice.

No. 140. James M. Ludden, plaintiff in error, *v.* Walker Winston. In error to the circuit court of the United States for the southern district of New York. Dismissed with costs, pursuant to the tenth rule.

No. 141. Fred. A. Baker, plaintiff in error, *v.* Stephen Baldwin. Continued per stipulation.

No. 129. The New Orleans Debenture Redemption Company of Louisiana (Limited) et al., plaintiffs in error, *v.* The State of Louisiana. Argument continued by Mr. Frank E. Rainold for the defendant in error, and concluded by Mr. J. F. Pierson for the plaintiffs in error.

No. 130. Pacific Coast Steamship Company, petitioner, *v.* The Bancroft-Whitney Company et al. Argued by Mr. Thomas B. Reed for the petitioner, and submitted by Mr. Milton Andros for the respondents.

No. 43. Eutimio Montoya, etc., appellant, *v.* The United States et al. Argument commenced by Mr. William B. King for the appellant, and continued by Mr. Assistant Attorney-General Thompson for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 17, will be as follows: Nos. 43, 44, 340, 419, 94, 136, 137, 138, 139 and 45.

○

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 17, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Roscoe O. Hawkins of Indianapolis, Ind., Shirley C. Ward of Los Angeles, Cal., Lawrence Harmon of Chicago, Ill., James A. Carr of St. Louis, Mo., Frank H. Thatcher of Winona, Minn., William R. Matson of Hartford, Conn., George E. Crater, jr., of Denver, Colo., Lynden Evans of Chicago, Ill., Samuel H. Trude of Chicago, Ill., and Wesley L. Jones of North Yakima, Wash., were admitted to practice.

No. 15. The United States, petitioner, *v. E. A. Morrison & Sons*; and No. 16. The United States, petitioner, *v. H. Wolff & Co.* On writs of certiorari to the United States circuit court of appeals for the second circuit. Judgments of the United States circuit court of appeals reversed, and judgments of the circuit court of the United States for the southern district of New York affirmed, and causes remanded to said circuit court. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Peckham.

No. 59. *Rothschild & Brother*, appellants, *v. The United States*. On a certificate from the United States circuit court of appeals for the second circuit. Questions certified answered in the affirmative. Opinion by Mr. Justice McKenna.

No. 12. *The Hunting Elevator Company*, petitioner, *v. C. H. Bosworth*, receiver of the Chicago, Peoria and St. Louis Railway Company, et al. On writ of certiorari to the United States circuit court of appeals for the seventh circuit. Decree of the United States circuit court of appeals reversed with costs, and decree of the circuit court of the United States for the southern district of Illinois affirmed, and cause remanded to said circuit court. Opinion by Mr. Justice White. (Mr. Justice Brewer did not hear the argument, and took no part in the decision of this cause.)

No. 11. *The Chicago, Milwaukee and St. Paul Railway Company*, petitioner, *v. C. H. Bosworth*, receiver of the Chicago, Peoria and St. Louis Railway Company, et al. On writ of certiorari to the United

States circuit court of appeals for the seventh circuit. Decree of the United States circuit court of appeals reversed with costs, and decree of the circuit court of the United States for the southern district of Illinois affirmed, and cause remanded to said circuit court. Opinion by Mr. Justice White.

No. 13. Jacob Rau, petitioner, *v.* C. H. Bosworth, receiver of the Chicago, Peoria and St. Louis Railway Company, et al. On writ of certiorari to the United States circuit court of appeals for the seventh circuit. Decree of the United States circuit court of appeals reversed with costs, and decree of the circuit court of the United States for the southern district of Illinois affirmed, and cause remanded to the said circuit court. Opinion by Mr. Justice White.

No. 14. C. H. Bosworth, receiver of the Chicago, Peoria and St. Louis Railway, petitioner, *v.* The Carr, Ryder & Engler Company. On writ of certiorari to the United States circuit court of appeals for the seventh circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the southern district of Illinois. Opinion by Mr. Justice White.

No. 76. Reymann Brewing Company, appellant, *v.* Harry Brister, treasurer of the county of Jefferson, in the State of Ohio. Appeal from the circuit court of the United States for the southern district of Ohio. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. (Mr. Justice Harlan concurs in the result.)

No. 110. The Cincinnati Street Railway Company, plaintiff in error, *v.* Charles B. Snell. In error to the supreme court of the State of Ohio. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 286. Jack Davis, appellant, *v.* J. E. Burke, sheriff of Cassia County, State of Idaho. Appeal from the circuit court of the United States for the district of Idaho. Order affirmed with costs. Opinion by Mr. Justice Brown.

No. 213. William B. Tyler, plaintiff in error, *v.* The Judges of the Court of Registration. In error to the supreme judicial court of the State of Massachusetts. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Harlan, Mr. Justice Brewer and Mr. Justice Shiras.

The Chief Justice announced that the court would take a recess from Monday, December 24, to Monday, January 7 next.

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

Order: Ordered that rule 5, paragraph 1, of the rules of this court be amended so as to read as follows: "All process of this court shall be in the name of the President of the United States, and shall contain the Christian names as well as the surnames of the parties."

Order: Ordered that the first sentence of rule 12 of the rules of practice in equity be amended so as to read as follows: "Whenever a bill is filed the clerk shall issue the process of subpoena thereon, as of course, upon the application of the plaintiff, which shall contain the Christian names as well as the surnames of the parties, and shall be returnable into the clerk's office the next rule day, or the next rule day but one, at the election of the plaintiff, occurring after twenty days from the time of the issue thereof."

No. —, Original. *Ex parte*: In the matter of Alphonzo Bowers et al., petitioners. Motion for leave to file petition for a writ of certiorari granted, and rule to show cause awarded, returnable on Monday, January 14 next.

No. 253. Pin Kwan, petitioner, *v.* The United States;

No. 254. Ping Yik, petitioner, *v.* The United States;

No. 449. The United States, appellant, *v.* Pin Kwan; and

No. 450. The United States, appellant, *v.* Ping Yik. Motions to advance granted, and causes assigned to be heard as one case on Monday, January 14 next, after the cases already set down for that day.

No. 337. The City of New Orleans, appellant, *v.* Alphonse Emsheimer. The consideration of the motions to dismiss or affirm is postponed until the record is printed, or so much thereof as will enable the court to act understandingly without referring to the transcript.

No. 439. The Erie Railroad Company, plaintiff in error, *v.* Albert L. Purdy. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 500. Peter Hagan et al., petitioners, *v.* The Scottish Union and National Insurance Company. Petition for writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 98. Agnes A. Niver, plaintiff in error, *v.* George E. Fields et al. In error to the circuit court of the United States for the district of South Carolina. Judgment affirmed with costs, on the authority of *Maloney v. Adsit*, 175 U. S., 281.

No. 507. Samuel B. Doves, etc., plaintiff in error, *v.* George R. Bidwell. Advanced and assigned for argument on Monday, January 7 next, after the cases already set down for that day, on motion of Mr. Frederic R. Coudert, jr., for the plaintiff in error.

Nos. 501 and 502. Henry W. Dooley et al., plaintiffs in error, *v.* The United States; and

No. 509. Carlos Armstrong, appellant, *v.* The United States. Advanced and assigned for argument on Monday, January 7 next, after the cases already set down for that day, on motion of Mr. John G. Carlisle for the plaintiffs in error and appellant.

No. 420. Fred Lee Rice et al., appellants, *v.* John C. Ames, United States marshal. Motions to dismiss or affirm or to advance submitted by Mr. Lynden Evans in support of motions, and by Mr. S. H. Trude in opposition thereto. Motion to admit appellants to bail submitted by Mr. S. H. Trude for appellants.

No. 157. The Mutual Life Insurance Company of New York, petitioner, *v.* Tine Cohen. Mandate herein stayed until the 15th of January next, on motion of Mr. Wesley L. Jones in behalf of counsel for respondent.

No. 498. Margaret French et al., plaintiffs in error, *v.* The Barber Asphalt Paving Company. Motion to advance submitted by Mr. A. S. Worthington in behalf of counsel.

No. 340. John H. Goetze, appellant, *v.* The United States; and

No. 419. Fourteen Diamond Rings, Emil J. Pepke, claimant, plaintiff in error, *v.* The United States. Leave granted to Mr. Alexander Porter Morse to file a brief herein on behalf of certain interested parties.

No. 43. Eutimio Montoya, surviving partner, etc., appellant, *v.* The United States et al. Argument continued by Mr. Assistant Attorney-General Thompson and Mr. Kie Oldham for the appellees, and concluded by Mr. William H. Robeson for the appellant.

No. 44. Milton C. Conners, jr., administrator, etc., appellant, *v.* The United States et al. Argued by Mr. William H. Robeson for the appellant, and by Mr. Assistant Attorney-General Thompson and Mr. Kie Oldham for the appellees.

No. 340. John H. Goetze, appellant, *v.* The United States; and

No. 419. Fourteen Diamond Rings, Emil J. Pepke, claimant, *v.* The United States. Ordered that three counsel for the appellant or plaintiff in error be allowed to open the argument, and one to close the same, and five hours allowed to each side, on motion of Mr. Edward C. Perkins for the appellant. Argument commenced by Mr. Everit Brown for the appellant, and continued by Mr. Edward C. Perkins for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 18, will be as follows: Nos. 340 (and 419), 94, 136, 137, 138, 139, 45, 142, 143 and 144.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 18, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Alfred Roland Haig of Philadelphia, Pa., was admitted to practice.

No. 514. Christian Huns, appellant, *v.* New York and Porto Rico Steamship Company. Motion to advance submitted by Mr. William Lindsay for the appellant.

No. 340. John H. Goetze, appellant, *v.* The United States; and

No. 419. Fourteen Diamond Rings, Emil J. Pepke, claimant, plaintiff in error, *v.* The United States. Argument continued by Mr. Edward C. Perkins for the appellant, by Mr. Lawrence Harmon for the plaintiff in error, and by Mr. Attorney-General Griggs for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 19, will be as follows: Nos. 340 (and 419), 94, 136, 137, 138, 139, 45, 142, 143 and 144.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 19, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Ed. A. Isaacs of New York City was admitted to practice.

No. 340. John H. Goetze, appellant, *v.* The United States; and

No. 419. Fourteen Diamond Rings, Emil J. Pepke, claimant, plaintiff in error, *v.* The United States. Argument continued by Mr. Attorney-General Griggs for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 20, will be as follows: Nos. 340 (and 419), 94, 136, 137, 138, 139, 45, 142, 143 and 144.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 20, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Eugene D. Fisk of Guilford, Conn., and Henry I. Kowalsky of San Francisco, Cal., were admitted to practice.

No. 184. The State of Minnesota *ex rel.* William B. Mohler, plaintiff in error, *v.* Phil T. Mogaarden, as sheriff of Hennepin County, Minn. Continued per stipulation.

No. 145. James D. Patten, trading as J. D. Patton & Co., plaintiff in error, *v.* J. D. Brady, collector of internal revenue for the second district of Virginia. Passed, on motion of Mr. Solicitor-General Richards for the defendant in error.

No. 288. People's Railway Company, plaintiff in error, *v.* Lewis M. Rumsey et al. Mandate granted, on motion of Mr. Heber J. May in behalf of counsel.

No. 340. John H. Goetze, appellant, *v.* The United States; and

No. 419. Fourteen Diamond Rings, Emil J. Pepke, claimant, plaintiff in error, *v.* The United States. Argument concluded by Mr. Charles H. Aldrich for the plaintiff in error. Leave granted to file additional briefs within ten days.

No. 94. A. C. Campbell, appellant, *v.* Edward F. Waite. Submitted by Mr. Milton Remley for the appellant, and by Mr. Assistant Attorney-General Beck for the appellee, with leave to counsel for appellant to file an additional brief within ten days, and to counsel for appellee to file reply thereto within five days thereafter.

No. 136. W. H. Ansley et al., appellants, *v.* N. B. Ainsworth et al. Submitted by Mr. Yancey Lewis for appellants. No brief filed for appellees.

No. 137. F. Windsor Robinson, as receiver, etc., plaintiff in error, *v.* The Southern National Bank of New York. Argument commenced by Mr. Chase Mellen for the plaintiff in error, and continued by Mr. W. B. Hornblower for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 21, will be as follows: Nos. 137, 138, 139, 45, 142, 143 and 144.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 21, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Herman Welk of Chicago, Ill., Frank D. Andrus of Detroit, Mich., and James W. McClendon of Austin, Tex., were admitted to practice.

No. 136. W. H. Ansley et al., appellants, *v.* N. B. Ainsworth et al. Leave granted to file brief herein on behalf of the appellees within twenty days, on motion of Mr. J. W. McLoud for appellees.

No. 137. F. Windsor Robinson, as receiver, etc., plaintiff in error, *v.* The Southern National Bank of New York. Argument continued by Mr. W. B. Hornblower for the defendant in error, and concluded by Mr. Chase Mellen for the plaintiff in error.

No. 138. James Holly, petitioner, *v.* The Domestic and Foreign Missionary Society of the Protestant Episcopal Church et al. Argued by Mr. John G. Johnson for the petitioner, and by Mr. Julien T. Davies for the respondents.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 24, 1900.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White and Mr. Justice McKenna.

George Shiras, 3d, of Pittsburg, Pa., Clifton M. Bigelow of Washington, D. C., Phillip J. Morris of Norfolk, Va., and Channing Rudd of Kansas City, Mo., were admitted to practice.

No. 122. The State of Arkansas et al., appellants, *v.* Charles A. M. Schlierholz. Appeal from the circuit court of the United States for the eastern district of Arkansas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice White.

No. 1. Robert W. Workman, petitioner, *v.* The Mayor, Aldermen, and Commonalty of the City of New York and James A. Gallagher. On writ of certiorari to the United States circuit court of appeals for the second circuit. Decree of the United States circuit court of appeals reversed with costs, and the decree of the district court of the United States for the southern district of New York affirmed, and cause remanded to the said district court. Opinion by Mr. Justice White. Dissenting: Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Shiras and Mr. Justice Peckham.

No. 83. John Joyce, plaintiff in error, *v.* H. F. Auten, receiver, etc. In error to the United States circuit court of appeals for the sixth circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the southern district of Ohio. Opinion by Mr. Justice Brewer.

No. 349. The Missouri, Kansas and Texas Railway Company of Texas, plaintiff in error, *v.* Mollie F. Ferris et al. In error to the court of civil appeals for the third supreme judicial district of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 66. Mary Louise Kenaday, executrix, plaintiff in error and appellant, *v.* Arabella D. Sinnott et al. In error to and appeal from the court of appeals of the District of Columbia. Judgment reversed with costs, and cause remanded with a direction to remand it to the court below for

a restatement of the final account in accordance with the opinion of this court. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Brewer and Mr. Justice Peckham.

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

No. 498. Margaret French et al., plaintiffs in error, *v.* The Barber Asphalt Paving Company. Motion to advance granted and cause assigned for argument on Monday, February 25 next, after the case already set down for that day.

No. 514. Christian Huus, appellant, *v.* New York and Porto Rico Steamship Company. Motion to advance granted, and cause assigned for argument on Monday, January 7 next, after the cases already set down for that day.

No. 462. Robert Chipps, and Alexander McKenzie, receiver, petitioners, *v.* Jafet Lindeberg et al. Rule to show cause discharged and petition for writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 515. George W. Crossman et al., appellants, *v.* The United States. Advanced and assigned for argument on Monday, January 7 next, after the cases already set down for that day, on motion of Mr. W. Wickham Smith for the appellants.

Nos. 511 and 512. Old Colony Steamboat Company, petitioner, *v.* Edwin L. Pearce et al. Petition for writs of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Harrington Putnam and Mr. Edward S. Dodge for the petitioner, with leave to counsel for respondent to file brief within two weeks.

No. 521. Sigua Iron Company, petitioner, *v.* Benjamin D. Greene. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. William B. Hornblower and Mr. Howard A. Taylor for the petitioner, and by Mr. L. Laffin Kellogg and Mr. Alfred C. Petté for the respondent.

Adjourned until Monday, January 7, 1901, at 12 o'clock.

The day call for Monday, January 7 next, will be as follows: Nos. 396 (and 397, 398, 399 and 400), 189, 456, 507, 501, 502, 509, 514, 515 and 139.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 7, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

F. Kingsbury Curtis of New York City, Charles H. Soelke of Chicago, Ill., Benjamin G. Green of Warrenton, N. C., J. G. McCluer of Parkersburg, W. Va., Robert J. Breckinridge of Danville, Ky., Terry Dalton Young of Memphis, Tenn., and Elbridge F. Bacon of Detroit, Mich., were admitted to practice.

No. 86. The District of Columbia, plaintiff in error, *v.* Leigh Robinson et al., executors, etc. In error to the court of appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Gray took no part in the decision of this cause.)

No. 87. C. S. Thompson et al., plaintiffs in error, *v.* The Los Angeles Farming and Milling Company. In error to the supreme court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 223. A. L. Gusman, in behalf of Samuel Wright, appellant, *v.* L. H. Marrero, sheriff, etc. Appeal from the circuit court of the United States for the eastern district of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Harlan took no part in the decision of this cause.)

No. 408. Sumpter Turner, syndic, etc., plaintiff in error, *v.* F. L. Richardson, receiver of the American National Bank. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Brown took no part in the decision of this case.)

No. 114. The Board of Liquidation of the City Debt, plaintiff in error, *v.* The State of Louisiana on the relation of Miss Lucretia B. Wilder et al.; and

No. 119. The Drainage Commission of New Orleans, plaintiff in error, *v.* Miss Lucretia B. Wilder et al. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs, but without

prejudice to the right of the Board of Liquidation and the Drainage Commission to hereafter assert the impairment of the contract rights which would arise from construing the judgment contrary to its natural and necessary import, so as to deprive the Board of Liquidation of the power in countersigning the bonds to state thereon the authority in virtue of which they are issued. Opinion by Mr. Justice White. (Mr. Justice Peckham took no part in the decision of this cause.)

No. 96. Michael F. Dooley, etc., et al., appellants, *v.* Harold F. Hadden et al.; and

No. 99. Harold F. Hadden et al., appellants, *v.* Michael F. Dooley, etc., et al. Appeals from the United States circuit court of appeals for the second circuit. Decree of the United States circuit court of appeals reversed, and decree of the circuit court of the United States for the southern district of New York dismissing the bill of complaint affirmed, costs in this court to be paid by the complainants, and cause remanded to said circuit court. Opinion by Mr. Justice Shiras.

No. 35. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. In error to the supreme court of the State of Mississippi. Judgment affirmed with costs and interest. Opinion by Mr. Justice Brown.

Nos. 77 and 78. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.; and

No. 79. The Yazoo and Mississippi Valley Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al. Appeals from the circuit court of the United States for the southern district of Mississippi. Decrees reversed with costs, and causes remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brown.

No. 80. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. In error to the supreme court of the State of Mississippi. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

Nos. 355 and 356. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. In error to the supreme court of the State of Mississippi. Judgments affirmed with costs and interest. Opinion by Mr. Justice Brown.

No. 130. Pacific Coast Steamship Company, petitioner, *v.* The Bancroft-Whitney Company et al. On writ of certiorari to 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 northern district of California, with directions to dismiss the libel. Opinion by Mr. Justice Brown.

No. 64. The Southern Railway Company, plaintiff in error, *v.* The Postal Telegraph-Cable Company. In error to the United States circuit court of appeals for the fourth circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the western district of North Carolina. Opinion by Mr. Justice Brewer.

No. 123. E. M. Patton, plaintiff in error, *v.* The Texas and Pacific Railway Company. In error to the United States circuit court of appeals for the fifth circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the western district of Texas. Opinion by Mr. Justice Brewer.

No. 85. The Liverpool and London and Globe Insurance Company, plaintiff in error, *v.* T. J. Kearney et al., etc. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs, and cause remanded to the United States court in the Indian Territory. Opinion by Mr. Justice Harlan.

No. 34. Fred Hewitt, plaintiff in error, *v.* Emil Schultz et al. In error to the supreme court of the State of North Dakota. Judgment reversed with costs, and cause remanded for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice Brewer and Mr. Justice Shiras. (Mr. Justice White concurs in the result.)

No. 47. William L. Powers et al., plaintiffs in error, *v.* Jacob Slaght. In error to the supreme court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice Brewer and Mr. Justice Shiras. (Mr. Justice White concurs in the result.)

No. 48. J. M. Moore, plaintiff in error, *v.* D. B. Stone et al. In error to the supreme court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice Brewer and Mr. Justice Shiras. (Mr. Justice White concurs in the result.)

No. 49. J. M. Moore, plaintiff in error, *v.* John Cormode. In error to the supreme court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice Brewer and Mr. Justice Shiras. (Mr. Justice White concurs in the result.)

No. 121. Elgin Watch Company, appellant, *v.* Illinois Watch Case Company et al. Appeal from the United States circuit court of appeals for the seventh circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the northern district of Illinois. Opinion by Mr. Chief Justice Fuller.

No. 478. Daniel H. Talbot, plaintiff in error, *v.* The Sioux National Bank of Sioux City, Iowa. Motions to dismiss or affirm submitted by Mr. J. H. Call in behalf of Mr. F. F. Oldham, Mr. Asa F. Call and Mr. Henry J. Taylor in support of motions, and by Mr. J. M. Wilson, Mr. J. K. Redington and Mr. A. A. Hoehling, jr., in opposition thereto.

No. 488. The Guarantee Trust and Safe Deposit Company, petitioner, *v.* The Delta and Pine Land Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. T. D. Young and Mr. M. F. McCullen for the petitioner, and by Mr. Frank Johnston, Mr. Edward Mayes and Mr. J. M. Dickinson for the respondents.

No. 411. The City of Detroit et al., appellants, *v.* Ralzesnond A. Parker. Motion to advance submitted by Mr. T. E. Tarsney for the appellants.

No. 527. Joseph N. Wolfson, 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 A. Maury, Mr. W. O. Hart, Mr. J. D. Rouse, Mr. William Grant and Mr. A. G. Brice for the petitioner, and by Mr. Assistant Attorney-General Beck for the respondent.

No. 520. W. P. H. McFaddin et al., plaintiffs in error, *v.* Evans-Snyder-Buel Company. Submitted pursuant to the twentieth rule by Mr. William M. Springer in behalf of Mr. William T. Hutchings and Mr. N. B. Maxey for the plaintiffs in error, and by Mr. H. M. Pollard, Mr. U. M. Rose and Mr. G. B. Rose for the defendant in error.

No. 189. John P. Mallett et al., plaintiffs in error, *v.* The State of North Carolina. Reassigned for argument on Monday, April 8 next, on motion of Mr. J. C. L. Harris for the defendant in error.

No. 526. S. D. Hatfield et al., appellants, *v.* Henry C. King. Submitted pursuant to the twentieth rule by Mr. Henry C. Flesher for the appellants, and by Mr. Maynard F. Stiles for the appellee.

No. 29. Emilie Saxlehner, petitioner, *v.* Eisner & Mendelson Company; and

No. 33. Emilie Saxlehner, petitioner, *v.* Alexander Nielsen. Motions to recall mandates and reform decrees submitted by Mr. Fritz von Briesen in support of same, and by Mr. Edmund Wetmore, Mr. Charles G. Coe and Mr. Louis C. Raegener in opposition thereto.

No. —, Original. *Ex parte*: In the matter of Theodore Queen et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. W. D. Davidge, jr., for the petitioners.

No. 460. The United States Trust Company of New York et al., appellants, *v.* The Territory of New Mexico; and

No. 461. The Territory of New Mexico, appellant, *v.* The United States Trust Company of New York et al. Motion to advance submitted by Mr. A. B. Browne in behalf of counsel.

No. 528. The Ohio River Railroad Company et al., petitioners, *v.* Stephen Lockwood. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. William P. Hubbard for the petitioners, and by Mr. J. G. McCluer for the respondent.

No. 410. Louis Jacobs, plaintiff in error, *v.* Dora Marks. Submitted pursuant to the twentieth rule by Mr. Louis J. Blum and Mr. Edgar C. Blum for the plaintiff in error, and by Mr. John F. Dillon for the defendant in error.

No. 453. Eastern Building and Loan Association, etc., plaintiff in error, *v.* David W. Ebaugh. Motions to dismiss or affirm submitted by Mr. W. H. Lyles in support of motions, and by Mr. W. H. Russell and Mr. William B. Winslow in opposition thereto.

No. 456. Elias S. A. de Lima et al., plaintiffs in error, *v.* George R. Bidwell;

No. 507. Samuel B. Downes, etc., plaintiff in error, *v.* George R. Bidwell;

No. 501. Henry W. Dooley et al., plaintiffs in error, *v.* The United States;

No. 502. Henry W. Dooley et al., plaintiffs in error, *v.* The United States; and

No. 509. Carlos Armstrong, appellant, *v.* The United States. Four counsel allowed to appear for plaintiffs in error and appellant, three to open and one to close, and five hours allowed each side in the argument of these cases, on motion of Mr. John G. Carlisle for the plaintiffs in error and appellant.

No. 396. Charles C. McChord et al., appellants, *v.* The Louisville and Nashville Railroad Company;

No. 397. Charles C. McChord et al., appellants, *v.* The Louisville, Henderson and St. Louis Railway Company;

No. 398. Charles C. McChord et al., appellants, *v.* The Chesapeake and Ohio Railway Company;

No. 399. Charles C. McChord et al., appellants, *v.* The Southern Railway Company in Kentucky; and

No. 400. Charles C. McChord et al., appellants, *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company. Argument commenced

by Mr. Walker D. Hines for the appellees, and continued by Mr. David W. B. Baird for appellants, and by Mr. James P. Helm for the appellees in Nos. 396 and 397.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 8, will be as follows: Nos. 396 (and 397, 398, 399 and 400), 456 (and 507, 501, 502 and 509), 514, 515, 139, 45, 142, 143 and 144.

○

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 8, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Guy Underwood of London, Ohio, C. T. Atkinson of Arkansas City, Kans., Moritz Rosenthal of Chicago, Ill., and Joseph B. David of Chicago, Ill., were admitted to practice.

The Chief Justice announced the following order of the court:

No. 411. The City of Detroit et al., appellants, *v.* Ralzemond A. Parker. Motion to advance granted, and cause assigned for argument on Monday, February 25 next, with No. 498, as one case.

No. 131. The Consolidated Water Company et al., appellants, *v.* E. S. Babcock et al. Appeal from the circuit court of the United States for the southern district of California. Dismissed with costs, on motion of counsel for appellants.

No. 396. Charles C. McChord et al., appellants, *v.* The Louisville and Nashville Railroad Company;

No. 397. Charles C. McChord et al., appellants, *v.* The Louisville, Henderson and St. Louis Railway Company;

No. 398. Charles C. McChord et al., appellants, *v.* The Chesapeake and Ohio Railway Company;

No. 399. Charles C. McChord et al., appellants, *v.* The Southern Railway Company in Kentucky; and

No. 400. Charles C. McChord et al., appellants, *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company. Argument continued by Mr. James P. Helm for the appellees in Nos. 396 and 397, by Mr. Robert J. Breckinridge for the appellants, by Mr. Alexander Pope Humphrey for the appellees, and concluded by Mr. Lewis McQuown for the appellants. Leave granted to appellees to file additional brief within three days and to appellants to file reply brief within two days thereafter.

No. 456. Elias S. A. de Lima et al., plaintiffs in error, *v.* George R. Bidwell;

No. 507. Samuel B. Downes, plaintiff in error, *v.* George R. Bidwell;

No. 501. Henry W. Dooley et al., plaintiffs in error, *v.* The United States;

No. 502. Henry W. Dooley et al., plaintiffs in error, *v.* The United States; and

No. 509. Carlos Armstrong, appellant, *v.* The United States. Five counsel allowed to appear for plaintiffs in error and appellant, and one hour additional time granted that side, on motion of Mr. John G. Carlisle for plaintiffs in error and appellant. Argument commenced by Mr. F. R. Coudert, jr., for the plaintiffs in error in Nos. 456 and 507.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 9, will be as follows: Nos. 456 (and 507, 501, 502 and 509), 514, 515, 139, 45, 142, 143 and 144.

○

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 9, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Edwy Logan Reeves of Chicago, Ill., and A. Henry Mosle of New York City were admitted to practice.

No. 456. Elias S. A. de Lima et al., plaintiffs in error, *v.* George R. Bidwell;

No. 507. Samuel B. Downes, plaintiff in error, *v.* George R. Bidwell;

No. 501. Henry W. Dooley et al., plaintiffs in error, *v.* The United States;

No. 502. Henry W. Dooley et al., plaintiffs in error, *v.* The United States; and

No. 509. Carlos Armstrong, appellant, *v.* The United States. Argument continued by Mr. F. R. Coudert, jr., for the plaintiffs in error in Nos. 456 and 507, by Mr. Alphonso Hart for the appellant in No. 509, by Mr. Henry M. Ward for the plaintiffs in error in Nos. 501 and 502, and by Mr. Solicitor-General Richards for the defendants in error and appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 10, will be as follows: Nos. 456 (and 507, 501, 502 and 509), 514, 515, 139, 45, 142, 143 and 144.

()

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 10, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 507. Samuel B. Downes, etc., plaintiff in error, *v.* George R. Bidwell. Leave granted to file an additional brief herein, on motion of Mr. F. R. Coudert, jr., for the plaintiff in error.

No. 456. Elias S. A. de Lima et al., plaintiffs in error, *v.* George R. Bidwell;

No. 507. Samuel B. Downes, etc., plaintiff in error, *v.* George R. Bidwell;

No. 501. Henry W. Dooley et al., plaintiffs in error, *v.* The United States;

No. 502. Henry W. Dooley et al., plaintiffs in error, *v.* The United States; and

No. 509. Carlos Armstrong, appellant, *v.* The United States. Argument continued by Mr. Solicitor-General Richards and Mr. Attorney-General Griggs for the defendants in error and appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 11, will be as follows: Nos. 456, (and 507, 501, 502 and 509), 514, 515, 139, 45, 142, 143 and 144.

()

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 11, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

John N. Hughes of Cedar Rapids, Iowa, and George W. Albright of New York City were admitted to practice.

No. 253. Pin Kwan, petitioner, *v.* The United States;

No. 254. Ping Yik, petitioner, *v.* The United States;

No. 449. The United States, appellant, *v.* Pin Kwan; and

No. 450. The United States, appellant, *v.* Ping Yik. Reassigned for argument on Monday, February 25, 1901, after the cases heretofore assigned for that day, on motion of Mr. Solicitor-General Richards.

No. 456. Elias S. A. de Lima et al., plaintiffs in error, *v.* George R. Bidwell;

No. 507. Samuel B. Downes, etc., plaintiff in error, *v.* George R. Bidwell;

No. 501. Henry W. Dooley et al., plaintiffs in error, *v.* The United States;

No. 502. Henry W. Dooley et al., plaintiffs in error, *v.* The United States; and

No. 509. Carlos Armstrong, appellant, *v.* The United States. Argument continued by Mr. Attorney-General Griggs for the defendants in error and appellee, and concluded by Mr. John G. Carlisle for the plaintiffs in error and appellant.

No. 514. Christian Huus, appellant, *v.* The New York and Porto Rico Steamship Company. Argument commenced by Mr. William Lindsay for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 14, will be as follows: Nos. 514, 515, 139, 45, 142, 143, 144, 106, 391 and 278.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 14, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Salmon O. Levinson of Chicago, Ill., William H. Harris of New York City, George Arthur Marston of Detroit, Mich., George Pettus Raney of Tallahassee, Fla., Jacob Philip Berg of New York City and Joseph W. Carroll of New Orleans, La., were admitted to practice.

No. 60. Aaron Bradshaw, plaintiff in error, *v.* Mary B. Ashley et al. In error to the court of appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

Nos. 387 and 406. Charles F. W. Neely, appellant, *v.* William Henkel, United States marshal, etc. Appeals from the circuit court of the United States for the southern district of New York. Orders affirmed with costs. Opinion by Mr. Justice Harlan.

The Chief Justice announced the following orders of the court:

No. 492. Columbus Construction Company, petitioner, *v.* Crane Company. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

Nos. 511 and 512. Old Colony Steamboat Company, petitioner, *v.* Edwin L. Pearce et al. Petitions for writs of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 453. Eastern Building and Loan Association, plaintiff in error, *v.* David W. Ebaugh. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 460. The United States Trust Company of New York et al., appellants, *v.* The Territory of New Mexico; and

No. 461. The Territory of New Mexico, appellant, *v.* The United States Trust Company of New York et al. Motion to advance granted, and cause assigned for argument on Monday, October 21, next.

No. 478. Daniel H. Talbot, plaintiff in error, *v.* The Sioux National Bank of Sioux City, Iowa. Motions to dismiss or affirm postponed to the hearing of the cause on the merits.

No. 488. The Guarantee Trust and Safe Deposit Company, petitioner, *v.* The Delta and Pine Land Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 527. Joseph N. Wolfson, 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. 528. The Ohio River Railroad Company et al., petitioners, *v.* Stephen Lockwood. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 17, Original. *Ex parte*: In the matter of Theodore Queen et al., petitioners. Motion for leave to file petition for writ of mandamus granted, and rule to show cause awarded returnable the 28th instant.

No. 125. R. R. Scott et al., plaintiffs in error, *v.* The Texas and Pacific Railway Company. In error to the United States circuit court of appeals for the fifth circuit. Judgment affirmed with costs, by a divided court, and cause remanded to the circuit court of the United States for the eastern district of Texas.

No. 94. A. C. Campbell, appellant, *v.* Edward F. Waite. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed for the want of jurisdiction on the authority of *Pratt v. Fitzhugh*, 1 Black, 271; *Kurtz v. Moffitt*, 115 U. S., 487, and cases cited; *Cross v. Burke*, 146 U. S., 88; *Perrine v. Slack*, 164 U. S., 452.

Nos. 387 and 406. Charles F. W. Neely, appellant, *v.* William Henkel, United States marshal, etc. Mandates granted, on motion of Mr. Solicitor-General Richards for the appellee.

No. —, Original. *Ex parte*: In the matter of Christian Dancel et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. Roger Foster for the petitioner.

No. 535. The American Sugar Refining Company, petitioner, *v.* The City of New Orleans. Petition for writ of certiorari to the United States circuit court of appeals for the fifth circuit, or writ of mandamus, submitted by Mr. Joseph W. Carroll and Mr. Charles Carroll for the petitioner.

No. 347. Boswell M. Blythe, plaintiff in error, *v.* Florence Hinckley. Motions to dismiss or affirm submitted by Mr. Frederic D. McKenney, Mr. William H. H. Hart and Mr. Robert Y. Hayne in support of motions, and by Mr. E. Burke Holladay, Mr. S. W. Holladay, Mr. Jeff Chandler and Mr. L. D. McKissick in opposition thereto.

No. 86. The District of Columbia, plaintiff in error, *v.* Leigh Robinson et al., executors, etc. Mandate granted, on motion of Mr. W. D. Davidge, jr., for the defendants in error.

No. 424. Southern Bell Telephone and Telegraph Company, appellant, *v.* City of Richmond. Motions to dismiss or affirm submitted by Mr. H. R. Pollard in support of motions, and by Mr. A. L. Holladay, Mr. Hill Carter and Mr. George H. Fearons in opposition thereto.

No. 170. Shelbyville and Bloomfield Railroad Company, plaintiff in error, *v.* The Louisville and Nashville Railroad Company. In error to the court of appeals of the State of Kentucky. Dismissed with costs, on motion of counsel for plaintiff in error.

No. 269. The Citizens' Bank of Louisiana, plaintiff in error, *v.* Caleb H. Parker, tax collector, etc. Motions to dismiss or affirm submitted by Mr. E. Howard McCaleb in support of motions, and by Mr. Branch K. Miller and Mr. Henry Denis in opposition thereto.

No. 514. Christian Huus, appellant, *v.* New York and Porto Rico Steamship Company. Argument continued by Mr. William Lindsay for the appellant, by Mr. F. Kingsbury Curtis for the appellee, and concluded by Mr. William Lindsay for the appellant.

No. 515. George W. Crossman et al., appellants, *v.* The United States. Argument commenced by Mr. W. Wickham Smith for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 15, will be as follows: Nos. 515, 139, 45, 142, 143, 144, 106, 391, 278 and 126.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 15, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Carlos S. Hardy of Chicago, Ill., was admitted to practice.

No. 106. Charles F. Champion, appellant, *v.* John C. Ames, United States marshal. Reassigned for argument on Monday, February 25 next, after the cases already set down for that day, on motion of Mr. Solicitor-General Richards for the appellee.

No. 515. George W. Crossman et al., appellants, *v.* The United States. Argument continued by Mr. W. Wickham Smith for the appellants, by Mr. Solicitor-General Richards for the appellee, and concluded by Mr. W. Wickham Smith for the appellants.

No. 45. H. Drusilla Mitchell, petitioner, *v.* The First National Bank of Chicago. Reargument commenced by Mr. Theodore M. Maltbie for the petitioner, and continued by Mr. Percy S. Bryant and Mr. William C. Case for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 16, will be as follows: Nos. 45, 139, 142, 143, 144, 391, 278, 126, 146 and 147.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 16, 1901.

Present: Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Herman Frank of Chicago, Ill., Arthur B. Calef of Middletown, Conn., and Oscar Turner of Louisville, Ky., were admitted to practice.

No. 144. B. F. Thompson, appellant, *v.* D. M. Ferry et al. Passed, on motion of Mr. J. F. Wilson for the appellant.

No. 147. Henry Lockhart, plaintiff in error, *v.* J. A. Johnson et al. Passed, on motion of Mr. A. B. Browne in behalf of counsel.

No. 45. H. Drusilla Mitchell, petitioner, *v.* The First National Bank of Chicago. Argument continued by Mr. William C. Case for the respondent, and concluded by Mr. Charles E. Mitchell for the petitioner. Leave granted to counsel for respondent to file additional brief within five days.

No. 139. Clarence W. Hobbs et al., petitioners, *v.* Fred H. Beach. Argument commenced by Mr. Samuel T. Fisher for the petitioners, and continued by Mr. John Dane, jr., for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 17, will be as follows: Nos. 139, 142, 143, 391, 278, 126, 146, 7, 133 and 148.

()

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 17, 1901.

Present: Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 145. James D. Patton, etc., plaintiff in error, *v.* J. D. Brady, collector, etc.;

No. 448. Bank of Iron Gate, plaintiff in error, *v.* J. D. Brady, collector, etc.; and

No. 485. Bank of Iron Gate, plaintiff in error, *v.* J. D. Brady, collector, etc. Death of J. D. Brady suggested, and orders of publication awarded, on motion of Mr. John W. Daniel for plaintiffs in error.

No. 139. Clarence W. Hobbs et al., petitioners, *v.* Fred H. Beach. Argument continued by Mr. John Dane, jr., for the respondent, and concluded by Mr. Samuel T. Fisher for the petitioners.

No. 142. Lizzie Stearns Bleecker et al., petitioners, *v.* The Steamship Kensington, etc. Argued by Mr. Roger Foster for petitioners, and by Mr. Henry Galbraith Ward for the respondent.

No. 143. Jacob Gardner et al., plaintiffs in error, *v.* Louis H. Bonestell, executor, etc. Argument commenced by Mr. George W. Monteith for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 18, will be as follows: Nos. 143, 391, 278, 126, 146, 7, 133, 148, 149 and 150.

()

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 18, 1901.

Present: Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

F. L. Janes of Pipestone, Minn., and Clarence E. Sproul of Williamsport, Pa., were admitted to practice.

No. 148. George H. Scott, plaintiff in error, *v.* Parry L. DeWeese, receiver, etc. Leave granted to submit briefs on file in Nos. 179 and 180 in this case, on motion of Mr. A. B. Browne in behalf of counsel.

No. 143. Jacob Gardner et al., plaintiffs in error, *v.* Louis H. Bonestell, executor, etc. Argument continued by Mr. George W. Monteith for the plaintiffs in error, by Mr. C. K. Bonestell for the defendant in error, and concluded by Mr. George W. Monteith for the plaintiffs in error.

No. 391. John T. Pirie et al., etc., appellants, *v.* Chicago Title and Trust Company, trustee, etc. Argument commenced by Mr. Henry Ach for the appellants, and continued by Mr. E. B. Felsenthal for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 21, will be as follows: Nos. 391, 278, 126, 146, 7, 148, 149, 150, 151 and 152 (and 185).

○

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 21, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

James J. Garrett of Birmingham, Ala., Edward B. Green of Mount Carmel, Ill., Moses N. Sale of St. Louis, Mo., William H. Ellis of Quincy, Fla., Henry M. Hagelbarger of Akron, Ohio, Robert W. F. Ogilvie of Washington, D. C., and John M. Sheets of Columbus, Ohio, were admitted to practice.

No. 97. Michael F. Dooley, receiver, etc., plaintiff in error, *v.* James Pease. In error to the United States circuit court of appeals for the seventh circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the northern district of Illinois. Opinion by Mr. Justice Shiras.

The Chief Justice announced the following orders of the court:

No. 269. The Citizens' Bank of Louisiana, plaintiff in error, *v.* Caleb H. Parker, tax collector, etc. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 535. The American Sugar Refining Company, petitioner, *v.* The City of New Orleans. Rule to show cause awarded, returnable Monday, February 25 next.

No. —, Original. Ex parte: In the matter of Christian Dancel et al., administrators, etc., petitioners. Motion for leave to file petition for a writ of mandamus, etc., denied.

No. 526. S. D. Hatfield et al., appellants, *v.* Henry C. King. Submission set aside and cause restored to the docket for oral argument, and the clerk directed to bring this order to the attention of the attorney-general of West Virginia.

No. 443. Phillips & Buttorff Manufacturing Company, petitioner, *v.* James G. Whitney, as assignee. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. J. Quintus Cohen for the petitioner, and by Mr. O. W. Underwood

and Mr. James J. Garrett for the respondent, with leave to Mr. Cohen to file brief for petitioner within two weeks.

No. 463. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* W. H. Reynolds, comptroller, etc., et al. Motions to dismiss or affirm submitted by Mr. W. H. Lamar in behalf of Mr. W. B. Lamar in support of motions, with leave to Mr. Frederic D. McKenney for the plaintiff in error to file brief in opposition within five days.

No. 525. The Town of Mount Vernon, petitioner, *v.* D. B. Wesson. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Thomas M. Jett for the petitioner, and by Mr. Thomas C. Mather for the respondent.

No. 503. Frederick Williams, petitioner, *v.* George C. Gaylord et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. C. Walter Artz for the petitioner, and by Mr. Curtis H. Lindley for the respondent, with leave to Mr. Artz to file a reply brief within one week.

No. 201. Thomas F. Farrell et al., plaintiffs in error, *v.* The West Chicago Park Commissioners. Motion to postpone preparation of this cause for hearing until after the disposition of No. 160 submitted by Mr. A. J. Hopkins in behalf of Mr. George W. Wilbur for the plaintiffs in error in support of motion, and by Mr. Robert A. Childs and Mr. Charles Hudson for defendants in error in opposition.

No. 391. John T. Pirie et al., etc., appellants, *v.* Chicago Title and Trust Company, trustee, etc. Argument continued by Mr. Herman Frank for the appellee, and concluded by Mr. A. J. Pflaum for the appellants.

Nos. 13 and 14, Original. *Ex parte:* In the matter of the District of Columbia, petitioner. Argued by Mr. Robert A. Howard for the petitioner, with leave to Mr. A. A. Hoehling, jr., to file brief in behalf of certain interested parties within five days.

No. 278. Homer Bird, plaintiff in error, *v.* The United States. Argued by Mr. L. T. Michener for the plaintiff in error, and by Mr. Assistant Attorney-General Beck for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 22, will be as follows: Nos. 126, 146, 7, 148, 149, 150, 151, 152 (and 185), 153 and 155.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 22, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Joseph B. Rockafellow of Atlantic, Iowa, Joseph Wheless of St. Louis, Mo., and Haydn S. Cole of St. Paul, Minn., were admitted to practice.

No. 214. The Town of Tonawanda et al., appellants, *v.* James B. Lyon. Advanced and assigned for argument with Nos. 498 and 411, as one case, on Monday, February 25 next, on motion of Mr. Henry E. Davis for the appellee.

No. 126. D. Marx, appellant, *v.* William M. Ebner et al. Argued by Mr. W. Scott Beebe for the appellant, and by Mr. Henry E. Davis for the appellees.

No. 146. The Carnegie Steel Company (Limited), petitioner, *v.* The Cambria Iron Company. Argument commenced by Mr. Thomas W. Bakewell for the petitioner, and continued by Mr. Francis T. Chambers for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 23, will be as follows: Nos. 146, 7, 148, 149, 150, 151, 152 (and 185), 153, 155 and 156.

()

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 23, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Joseph Kirby of Sioux Falls, S. Dak., Howard Kennedy, jr., of Omaha, Nebr., and Alfred Thruston Burgwin of Louisville, Ky., were admitted to practice.

No. 156. William Moore et al., appellants, *v.* Alaskan and Northwestern Territories Trading Company et al. Appeal from the district court of the United States for the district of Alaska. Dismissed with costs, pursuant to the tenth rule.

No. 526. S. D. Hatfield et al., appellants, *v.* Henry C. King. Leave granted to file brief herein on behalf of certain interested parties, on motion of Mr. Holmes Conrad for said parties.

No. 146. The Carnegie Steel Company (Limited), petitioner, *v.* The Cambria Iron Company. Argument continued by Mr. Francis T. Chambers and Mr. James I. Kay for the respondent, and concluded by Mr. Thomas B. Reed for the petitioner.

No. 7. Charles U. Cotting et al., appellants, *v.* A. A. Godard, as attorney-general, etc., et al. Reargument commenced by Mr. William D. Guthrie for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 24, will be as follows: Nos. 7, 148, 149, 150, 151, 152 (and 185), 153, 155, 158 and 159.

○

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 24, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 159. The State of Minnesota, appellant, *v.* C. N. Brundage. Assigned for argument on Monday, February 25 next, after the cases already set down for that day, on motion of Mr. William D. Guthrie for the appellee.

No. 7. Charles U. Cotting et al., appellants, *v.* A. A. Godard, attorney-general of the State of Kansas, et al. Reargument continued by Mr. William D. Guthrie for the appellants, by Mr. A. A. Godard for the appellees, and concluded by Mr. B. P. Waggener for the appellants.

No. 148. George H. Scott, plaintiff in error, *v.* Parry L. Deweese, etc., receiver. Argument commenced by Mr. Hiram F. Stevens for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 25, will be as follows: Nos. 148, 149, 150, 151, 152 (and 185), 153, 155, 158, 160 and 161.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 25, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Gilbert E. Porter of Chicago, Ill., was admitted to practice.

No. 148. George H. Scott, plaintiff in error, *v.* Parry L. Dewese, etc., receiver, etc. Argument continued by Mr. Hiram F. Stevens for the plaintiff in error, by Mr. William S. Shirk for the defendant in error, and concluded by Mr. Hiram F. Stevens for the plaintiff in error.

No. 149. John A. McDonald, plaintiff in error, *v.* The Commonwealth of Massachusetts. Submitted by Mr. Francis P. Murphy for the plaintiff in error, and by Mr. Hosea M. Knowlton for the defendant in error.

No. 150. United States Rubber Company et al., petitioners, *v.* American Oak Leather Company et al. Argument commenced by Mr. Henry S. Robbins for the petitioners, and continued by Mr. Frederick A. Smith for the respondents.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 28, will be as follows: Nos. 150, 151, 152 (and 185), 153, 155, 158, 160, 161, 162 and 163.

()

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 28, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Fredric W. Jenkins of Binghamton, N. Y., George W. Ray of Norwich, N. Y., Samuel Morgan Shortridge of San Francisco, Cal., Augustine B. Repetto of Philadelphia, Pa., Robert M. Heath of Memphis, Tenn., and Richard Reid Rogers of New York City were admitted to practice.

No. 5, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Demurrer overruled and leave granted to file answers. Opinion by Mr. Justice Shiras. Dissenting: The Chief Justice, Mr. Justice Harlan and Mr. Justice White.

No. 281. The City of New Orleans, petitioner, *v.* Ann Warner et al., heirs at law of John G. Warner, deceased, et al. On writ of certiorari to the United States circuit court of appeals for the fifth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the eastern district of Louisiana. Opinion by Mr. Justice Brown. (Mr. Justice White and Mr. Justice Peckham took no part in the decision of this case.)

No. 46. The City of New Orleans, petitioner, *v.* John Fisher, tutor, etc., et al. On writ of certiorari to the United States circuit court of appeals for the fifth circuit. Decree of the United States circuit court of appeals modified and affirmed with costs, and cause remanded to the circuit court of the United States for the eastern district of Louisiana, with a direction to amend its decree in conformity with the opinion of this court. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Peckham and Mr. Justice McKenna took no part in the decision of this cause.)

The Chief Justice announced the following orders of the court:

No. 29. Emilie Saxlehner, petitioner, *v.* Eisner & Mendelson Company; and

No. 30. Emilie Saxlehner, petitioner, *v.* Alexander Nielsen. Motions to recall mandates and reform decrees denied.

No. 201. Thomas F. Farrell et al., plaintiffs in error, *v.* The West Chicago Park Commissioners. Motion to postpone preparation of this cause for hearing until after the disposition of No. 160 denied.

No. 257. The Capital City Dairy Company, plaintiff in error, *v.* The State of Ohio ex rel. attorney-general. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 463. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* W. H. Reynolds, comptroller, etc., et al. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 525. The Town of Mount Vernon, petitioner, *v.* D. B. Wesson. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 66. Mary Louise Kenaday, executrix, plaintiff in error and appellant, *v.* Arabella D. Sinnott et al. Ordered that decree herein be amended by adding the words, "but without prejudice to further action in respect of lapsed legacies."

No. 5, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Answers filed, on motion of Mr. William M. Springer for the defendants.

No. 114. The Board of Liquidation of the City Debt, plaintiff in error, *v.* The State of Louisiana on the relation of Miss Lucretia B. Wilder et al.; and

No. 119. The Drainage Commission of New Orleans, plaintiff in error, *v.* Miss Lucretia B. Wilder et al. Mandate granted, on motion of Mr. W. W. Howe for the Drainage Commission.

No. 378. Mortimer Webster, plaintiff in error, *v.* The City of Fargo et al. Advanced and assigned for argument on Monday, February 25 next, with No. 498, etc., as one case, on motion of Mr. B. F. Spalding for the plaintiff in error.

No. 550. John L. Shumate, plaintiff in error, *v.* August Heman. Advanced and assigned for argument on Monday, February 25 next, with No. 498, etc., as one case, on motion of Mr. Joseph Wheless for the plaintiff in error.

No. 539. Christian Schwartz et al., petitioners, *v.* John S. Duss et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. George Shiras, 3d, and Mr. S. Schoyer, jr., for the petitioners, and by Mr. D. T. Watson and Mr. John McCleave for the respondent.

No. 508. Cass Farm Company (Limited) et al., plaintiffs in error, *v.* The City of Detroit. Advanced and assigned for argument on Monday, February 25 next, with No. 498, etc., on motion of Mr. Arthur E. Dowell in behalf of counsel.

No. 35. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs, *v.* Wirt Adams, State revenue agent. Motion to modify judgment herein submitted by Mr. Richard Reid Rogers in behalf of Mr. William D. Guthrie, Mr. Edward Mayes, Mr. J. M. Dickinson and Mr. Noel Gale in support of motion, and by Mr. R. C. Beckett, Mr. F. A. Critz and Mr. Marcellus Green in opposition thereto.

No. 342. The Mutual Life Insurance Company of New York, petitioner, *v.* Frank E. Dingley, administrator, etc. Motion to advance submitted by Mr. Frederic D. McKenney for the petitioner.

No. 150. United States Rubber Company et al., petitioners, *v.* American Oak Leather Company et al. Argument continued by Mr. Frederick A. Smith and Mr. Jacob Newman for the respondents, and concluded by Mr. Henry S. Robbins for the petitioners. Leave granted to counsel for petitioners to file additional brief on or before Friday next.

No. 151. William D. Hale, as receiver, etc., plaintiff in error, *v.* L. V. Lewis et al. Argument commenced by Mr. Eugene G. Hay for the plaintiff in error, and continued by Mr. John L. Erdall for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 29, will be as follows: Nos. 151, 152 (and 185), 153, 155, 158, 160, 161, 162, 163 and 164.

O

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 29, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

John L. Kennedy of Omaha, Nebr., was admitted to practice.

The Chief Justice announced that the court would take a recess from Friday, February 1, to Monday, February 11, and from Monday, February 11, to Monday, February 25 next.

No. 158. The Southern Pacific Railroad Company, plaintiff in error, *v.* Isaac T. Bell. Passed temporarily, on motion of Mr. Maxwell Evarts for the plaintiff in error.

No. 151. William D. Hale, as receiver, etc., plaintiff in error, *v.* L. V. Lewis et al. Argument continued by Mr. John L. Erdall for defendants in error, and concluded by Mr. Eugene G. Hay for plaintiff in error.

No. 152. The Southern Pacific Railroad Company et al., appellants, *v.* The United States; and

No. 185. The United States, appellant, *v.* The Southern Pacific Railroad Company et al. Argument commenced by Mr. Joseph H. Call for the United States, and continued by Mr. Maxwell Evarts for the railroad company et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 30, will be as follows: Nos. 152 (and 185), 153, 155, 160, 161, 162, 163 and 164.

()

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 30, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Daniel A. Pierce of Syracuse, N. Y., Nathan Grier Moore of Chicago, Ill., and Elliott Northcott of Huntington, W. Va., were admitted to practice.

No. 8, Original. The State of Tennessee, complainant, *v.* The State of Virginia. Ordered that the time in which commissioner's report is to be filed be extended to the first day of the next term.

No. 152. The Southern Pacific Railroad Company et al., appellants, *v.* The United States; and

No. 185. The United States, appellant, *v.* The Southern Pacific Railroad Company et al. Argument continued by Mr. Maxwell Evarts and Mr. L. E. Payson for the railroad company et al., and concluded by Mr. Joseph H. Call for the United States.

No. 153. H. M. Bedford et al., petitioners, *v.* The Eastern Building and Loan Association. Argument commenced by Mr. R. M. Heath for the petitioners, and continued by Mr. William Hepburn Russell for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 31, will be as follows: Nos. 153, 155, 160, 161, 162, 163 and 164.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 31, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Chester A. Weed of New York City was admitted to practice.

No. 123. E. M. Patton, plaintiff in error, *v.* The Texas and Pacific Railway Company. Mandate stayed until March 7 next, on motion of Mr. Frank W. Hackett for the plaintiff in error.

No. 197. The Glucose Sugar Refining Company, plaintiff in error, *v.* George F. Harding et al. Continued per stipulation, on motion of Mr. Nathan Grier Moore for the plaintiff in error.

No. 153. H. M. Bedford et al., petitioners, *v.* The Eastern Building and Loan Association. Argument continued by Mr. William Hepburn Russell for the respondent, and concluded by Mr. R. M. Heath for the petitioners.

No. 155. W. P. Smith, plaintiff in error, *v.* The St. Louis and Southwestern Railway Company of Texas. Submitted by Mr. F. E. Albright for the plaintiff in error, and by Mr. Samuel H. West for the defendant in error.

No. 160. J. L. Lombard et al., plaintiffs in error, *v.* The West Chicago Park Commissioners. Argued by Mr. Nathan Grier Moore for the plaintiffs in error, and by Mr. R. A. Childs for the defendants in error.

No. 161. Joseph Wheless et al., appellants, *v.* The City of St. Louis et al. Argument commenced by Mr. Joseph Wheless for the appellants.

Adjourned until to-morrow at 12 o'clock.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, FEBRUARY 1, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Edward E. Cushman of Tacoma, Wash., Arthur Webster of Detroit, Mich., and William D. McHugh of Omaha, Nebr., were admitted to practice.

No. 281. The City of New Orleans, petitioner, *v.* Ann Warner et al. Ordered that mandate issue at once.

No. 557. The United States, petitioner, *v.* A. D. Morgan, master, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Solicitor-General Richards for the petitioner, with leave to counsel for respondent to file brief in opposition within one week.

No. 306. Henry A. Wise Wood, petitioner, *v.* Henry F. Bechman. Petition for writ of certiorari to the court of appeals of the District of Columbia dismissed on motion of counsel for the petitioner.

No. 161. Joseph Wheless et al., appellants, *v.* The City of St. Louis et al. Argument concluded by Mr. Joseph Wheless for the appellants, the court not desiring to hear counsel for the appellees.

Adjourned until Monday, February 11, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 11, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White and Mr. Justice McKenna.

James C. Cropsey of Brooklyn, N. Y., Abram M. Tillman of Nashville, Tenn., Louis M. Swink of Winston, N. C., Lindsay Patterson of Winston, N. C., Louis E. McComas of Williamsport, Md., Charles G. Bennett of Brooklyn, N. Y., George W. Faris of Terre Haute, Ind., Milton C. Phillips of Oshkosh, Wis., Archibald H. Taylor of Baltimore, Md., Edward P. Keech, jr., of Baltimore, Md., and E. C. Million of Mount Vernon, Wash., were admitted to practice.

No. 115. The City of Lampasas, plaintiff in error, *v.* James M. Bell. In error to the circuit court of the United States for the western district of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 43. Eutimio Montoya, surviving partner, etc., appellant, *v.* The United States and The Mescalero Apache Indians. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 44. Milton C. Connors, jr., administrator, etc., appellant, *v.* The United States and The Northern Cheyenne Indians et al. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 136. W. H. Ansley et al., appellants, *v.* N. B. Ainsworth et al. Appeal from the United States court in the Indian Territory. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

Nos. 13 and 14, Original. *Ex parte*: In the matter of the District of Columbia, petitioner. Rules discharged and petitions dismissed. Opinion by Mr. Chief Justice Fuller.

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

No. 520. W. P. H. McFaddin, etc., et al., plaintiffs in error, *v.* Evans-Snyder-Buel Company. Submission set aside and case restored to the docket for oral argument.

No. 443. Phillips & Buttorff Manufacturing Company, petitioner, *v.* James G. Whitney, as assignee. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 503. Frederick Williams, petitioner, *v.* George C. Gaylord et al. Petition for a writ of certiorari to the United States court of appeals for the ninth circuit granted.

No. 521. Sigma Iron Company, petitioner, *v.* Benjamin D. Greene. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 539. Christian Schwartz et al., petitioners, *v.* John S. Duss et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted. (Mr. Justice Shiras took no part in the consideration and disposition of this application.)

No. 557. The United States, petitioner, *v.* A. D. Morgan, master, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 342. The Mutual Life Insurance Company of New York, petitioner, *v.* Frank E. Dingley, administrator. Motion to advance denied.

No. 456. Elias S. A. de Lima et al., plaintiffs in error, *v.* George R. Bidwell;

No. 507. Samuel B. Downes et al., plaintiffs in error, *v.* George R. Bidwell;

Nos. 501 and 502. Henry W. Dooley et al., plaintiffs in error, *v.* The United States; and

No. 509. Carlos Armstrong, appellant, *v.* The United States. Leave granted to file supplemental brief herein, on motion of Mr. Solicitor-General Richards for the defendants in error and appellee.

No. 553. J. McGregor Adams, petitioner, *v.* Milton Shirk et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. John S. Runnells, Mr. William Burry and Mr. Edward S. Isham for the petitioner, and by Mr. Frederic Ullman for the respondents.

No. 555. The County of Otoe, petitioner, *v.* John Martin Clapp. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. J. M. Woolworth and Mr. William D. McHugh for the petitioner.

No. —, Original. *Ex parte*: In the matter of James M. Sigafus, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Charles L. Frailey in behalf of Mr. H. B. Johnson for the petitioner.

No. 504. J. D. Wall et al., appellants, *v.* Walter O. Cox, trustee. Advanced to be submitted as under the thirty-second rule, on motion of Mr. Clement Manly for the appellants.

No. 336. Edward P. Gallup, executor, etc., plaintiff in error, *v.* William H. Schmidt, treasurer, etc. Motion to advance submitted by Mr. William A. Ketcham for the defendant in error.

No. 46. The City of New Orleans, petitioner, *v.* John Fisher, tutor, etc., et al. Mandate granted, on motion of Mr. Thomas H. Clark in behalf of counsel.

No. 564. The Gulf, Western Texas and Pacific Railroad Company et al., petitioners, *v.* The New York and Texas Land Company (Limited). Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. L. E. Payson and Mr. Maxwell Evarts for the petitioners.

Adjourned until Monday, February 25, at 12 o'clock.

The day call for Monday, February 25, will be as follows: Nos. 390, 498 (and 411, 214, 378, 550 and 508), 253 (and 254, 449 and 450), 106, 159, 82, 133, 37, 162 and 163.

()

SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 25, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

George P. Rust of Passaic, N. J., Charles D. Joslyn of Detroit, Mich., Herbert Hamlin of Chicago, Ill., Rush Culver of Marquette, Mich., Daniel S. Seitz of Harrisburg, Pa., William K. Miller of Augusta, Ga., Rousseau A. Burch of Salina, Kans., Charles F. Hutchings of Kansas City, Kans., Horace M. Oren of Sault Ste. Marie, Mich., Jefferson D. Childs of San Antonio, Tex., Oscar W. Jeffery of New York City, William R. Sears of Boston, Mass., George B. Webster of St. Louis, Mo., Tracy Chatfield Becker of Buffalo, N. Y., and William W. Watts of Louisville, Ky., were admitted to practice.

No. 71. The United States, appellant, *v.* Eugene Beebe et al. Appeal from the United States circuit court of appeals for the fifth circuit. Decree of the United States circuit court of appeals and the decree of the circuit court of the United States for the middle district of Alabama reversed, and cause remanded to said circuit court with directions to overrule the demurrers, with leave to the defendants to answer, and for such further proceedings as are consistent with the opinion of this court. Opinion by Mr. Justice Peckham.

No. 126. D. Marx, appellant, *v.* William M. Ebner and The Ebner Gold Mining Company. Appeal from the district court of the United States for the district of Alaska. Decree affirmed with costs. Opinion by Mr. Justice Peckham.

No. 129. The New Orleans Debenture Redemption Company of Louisiana (Limited) et al., plaintiffs in error, *v.* The State of Louisiana. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 347. Boswell M. Blythe, plaintiff in error, *v.* Florence Hineckley. In error to the supreme court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 137. F. Windsor Robinson, as receiver, etc., plaintiff in error, *v.* The Southern National Bank of New York. In error to the United States circuit court of appeals for the second circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the southern district of New York. Opinion by Mr. Justice Shiras.

No. 138. James Holly, petitioner, *v.* The Domestic and Foreign Missionary Society of the Protestant Episcopal Church, etc., et al. On writ of certiorari to the United States circuit court of appeals for the second circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the southern district of New York. Opinion by Mr. Justice Shiras. (Mr. Justice Brewer did not hear the argument or take part in the decision of this case.)

No. 278. Homer Bird, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Alaska. Judgment reversed, and cause remanded with directions to set aside the verdict and award a new trial. Opinion by Mr. Justice Shiras.

No. 420. Fred Lee Rice et al., appellants, *v.* John C. Ames, United States marshal for the northern district of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 143. Jacob Gardner et al., plaintiffs in error, *v.* L. H. Bonestell, executor, etc. In error to the supreme court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 149. John A. McDonald, plaintiff in error, *v.* The Commonwealth of Massachusetts. In error to the superior court of the State of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 161. Joseph Wheless et al., appellants, *v.* The City of St. Louis et al. Appeal from the circuit court of the United States for the eastern district of Missouri. Decree affirmed with costs. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced that motions notice for Monday, March 4 next, will be taken on Tuesday, March 5.

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

Order: The Reporter having represented that, owing to the number of decisions at the term, it will 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 681 of the Revised Statutes.

No. 35. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. Leave granted to file petition for rehearing, and briefs on the subject of the taxes of 1892 will be received from counsel within thirty days, twenty days allowed plaintiffs in error to file briefs and ten days for defendant in error.

No. 424. Southern Bell Telephone and Telegraph Company, appellant, *v.* City of Richmond. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 460. The United States Trust Company of New York et al., appellants, *v.* The Territory of New Mexico; and

No. 461. The Territory of New Mexico, appellant, *v.* The United States Trust Company of New York et al. Reassigned for argument on Monday, October 28 next.

No. 336. Edward P. Gallup, executor, etc., plaintiff in error, *v.* William H. Schmidt, treasurer, etc. Motion to advance granted, and cause assigned for argument on Monday, October 28 next, after the cases already set down for that day.

No. 553. J. McGregor Adams, petitioner, *v.* Milton Shirk et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 555. The County of Otoe, petitioner, *v.* John Martin Clapp. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 564. The Gulf, Western Texas and Pacific Railroad Company et al., petitioners, *v.* The New York and Texas Land Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. —, Original. *Ex parte*: In the matter of James M. Sigafus, petitioner. Motion for leave to file petition for a writ of mandamus denied.

No. 268. Frederick Maish et al., etc., appellants, *v.* The United States. Appeal from the Court of Private Land Claims. Dismissed per stipulation, on motion of Mr. Solicitor-General Richards for the appellee.

No. 573. The United States, petitioner, *v.* Rudolph C. Hahn. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Solicitor-General Richards for the petitioner, and by Mr. Albert Comstock and Mr. Everit Brown for the respondent.

No. 572. H. L. Hiller et al., petitioners, *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. Albert Comstock and Mr. Everit Brown for the petitioners, and by Mr. Solicitor-General Richards for the respondent.

No. 560. The Southern Pine Company, petitioner, *v.* Mrs. Olive B. Hall. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. T. C. Catchings and Mr. T. M. Miller for the petitioner, and by Mr. D. B. H. Chaffè and Mr. E. J. Bowers for the respondent.

No. 412. The City of Detroit et al., appellants, *v.* The Detroit Citizens' Street Railway Company. Motion to advance submitted by Mr. T. E. Tarsney for the appellants.

No. 576. Arthur E. Mueller, trustee, etc., petitioner, *v.* William T. Nugent. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. William W. Watts for the petitioner.

No. 542. Franklin S. Buell, petitioner, *v.* The Farmers' Loan and Trust Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. C. Walter Artz for the petitioner, and by Mr. Herbert B. Turner for the respondents.

No. 558. Henry L. Ward, treasurer, etc., petitioner, *v.* Edward Joslin. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. William Reed Bigelow for the petitioner, and by Mr. J. S. H. Frink for the respondent.

No. 463. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* W. H. Reynolds, comptroller, etc., et al. Motion to advance submitted by Mr. W. B. Lamar for the defendants in error.

No. 494. Alfred V. Booth, plaintiff in error, *v.* The People of the State of Illinois. Motion to advance submitted by Mr. Frederic D. McKenney in behalf of counsel for plaintiff in error.

No. 561. Charles W. Colton, petitioner, *v.* James I. Raymond. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Frederic D. McKenney, Mr. Wayne MacVeagh and Mr. A. Walker Otis for the petitioner, and by Mr. E. C. James and Mr. John L. Hell for the respondent.

No. 465. The Board of County Commissioners of Meade County, Kans., petitioner, *v.* Anna Corning. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Chester I. Long in behalf of Mr. S. S. Ashbaugh for the petitioner, and by Mr. C. F. Hutchings for the respondent.

No. 533. Pablo Maese et al., appellants, *v.* Binger Hermann, Commissioner of the General Land Office, et al. Motion to advance submitted by Mr. Fred Beall for the appellants.

No. 554. John E. Hanifen, etc., petitioner, *v.* Edward A. Price et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. W. P. Preble, jr., for the petitioner, and by Mr. Edmund Wetmore for the respondents.

No. 540. The Security Trust Company, as administrator, etc., petitioners, *v.* The Black River National Bank of Lowville. Petition for a writ of certiorari to the United States circuit court of appeals for the

eight circuit submitted by Mr. A. B. Browne and Mr. E. S. Durment for the petitioners, and by Mr. Edward C. Stringer for the respondent.

No. 330. Helen M. Gridley, plaintiff in error, *v.* The Thousand Island Park Association. In error to the supreme court of the State of New York. Dismissed per stipulation, on motion of Mr. William Henry Dennis for the plaintiff in error.

No. 218. The Chicago Cripple Creek Gold Mining Company et al., plaintiffs in error, *v.* The Matoa Gold Mining Company. Continued per stipulation.

No. 246. Samuel T. Davis, plaintiff in error, *v.* J. A. Magoun, jr., treasurer of Woodbury County, Iowa. In error to the supreme court of the State of Iowa. Dismissed with costs on authority of counsel for the plaintiff in error.

No. 332. The Put-in-Bay Water Works, Light and Railway Company, appellant, *v.* Charles W. Ryan et al. Submitted under thirty-second rule by Mr. J. B. Foraker for the appellant, and by Mr. J. K. Hamilton and Mr. William C. Cochran for the appellees.

No. 144. B. F. Thompson, appellant, *v.* D. M. Ferry et al. Submitted by Mr. J. F. Wilson for the appellant, and by Mr. G. W. Kretzinger for the appellees.

No. 17, Original. *Ex parte*: In the matter of Theodore Queen et al., petitioners. Argued by Mr. Walter D. Davidge, jr., and Mr. Walter D. Davidge for the petitioners, and by Mr. A. S. Worthington for the respondents.

No. 253. Pin Kwan, petitioner, *v.* The United States; and

No. 254. Ping Yik, petitioner, *v.* The United States. On writs of certiorari to the United States circuit court of appeals for the second circuit. Dismissed pursuant to the tenth rule.

No. 449. The United States, appellant, *v.* Pin Kwan; and

No. 450. The United States, appellant, *v.* Ping Yik. Appeals from the district court of the United States for the northern district of New York. Dismissed on motion of Mr. Assistant Attorney-General Beck for the appellants.

No. 390. William B. Dinsmore et al., petitioners, *v.* The Southern Express Company et al. Argued by Mr. William K. Miller and Mr. Frank H. Miller for the petitioners, and by Mr. J. M. Terrell for the respondents.

No. 498. Margaret French et al., plaintiffs in error, *v.* The Barber Asphalt Paving Company;

No. 411. The City of Detroit et al., appellants, *v.* Ralzemond A. Parker;

No. 214. The Town of Tonawanda et al., appellants, *v.* James B. Lyon;

No. 378. Mortimer Webster, plaintiff in error, *v.* The City of Fargo et al;

No. 550. John L. Shumate, plaintiff in error, *v.* August Heman; and

No. 508. Cass Farm Company (Limited) et al., plaintiffs in error, *v.* The City of Detroit. Four hours allowed each side in the argument of these cases. Argument commenced by Mr. Henry N. Ess for French et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 26, will be as follows: Nos. 498 (411, 214, 378, 550 and 508), 106, 159, 82, 133, 37, 162, 163, 164 and 165 (and 247).

○

SUPREME COURT OF THE UNITED STATES.

TUESDAY, FEBRUARY 26, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Franklin Brooks of San Francisco, Cal., and Clarence W. De Knight of Washington, D. C., were admitted to practice.

No. 4, Original. The State of Minnesota, complainant, *v.* Ethan Allen Hitchcock, Secretary of the Interior, et al. Leave granted to file agreed statement of facts, and cause assigned for argument on Monday, October 28 next, after the cases already set down for that day, on motion of Mr. Assistant Attorney-General Van Devanter for the defendants.

No. —, Original. *Ex parte*: In the matter of Alexander McKenzie, petitioner. Motion for leave to file petition for writs of habeas corpus and certiorari and that petitioner be admitted to bail submitted by Mr. J. M. Wilson for the petitioner.

No. 498. Margaret French et al., plaintiffs in error, *v.* The Barber Asphalt Paving Company;

No. 411. The City of Detroit et al., appellants, *v.* Ralzemond A. Parker;

No. 214. The Town of Tonawanda et al., appellants, *v.* James B. Lyon;

No. 378. Mortimer Webster, plaintiff in error, *v.* The City of Fargo et al.;

No. 550. John L. Shumate, plaintiff in error, *v.* August Heman; and

No. 508. Cass Farm Company (Limited) et al., plaintiffs in error, *v.* The City of Detroit. Argument continued by Mr. Henry N. Ess for French et al., by Mr. William C. Scarritt for the Barber Asphalt Paving Company, by Mr. Timothy E. Tarsney for the City of Detroit et al., by Mr. Elbridge T. Bacon for R. A. Parker, by Mr. John Cunnene for the Town of Tonawanda et al., and by Mr. Tracy C. Becker for James B. Lyon.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 27, will be as follows: Nos. 496 (and 411, 214, 378, 550 and 508), 106, 159, 82, 133, 37, 162, 163, 164 and 165 (and 247).

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, FEBRUARY 27, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Jerry L. Suddarth of English, Ind., and Edgar J. Adams of Grand Rapids, Mich., were admitted to practice.

No. 498. Margaret French et al., plaintiffs in error, *v.* The Barber Asphalt Paving Company;

No. 411. The City of Detroit et al., appellants, *v.* Ralzemond A. Parker;

No. 214. The Town of Tonawanda et al., appellants, *v.* James B. Lyon;

No. 378. Mortimer Webster, plaintiff in error, *v.* The City of Fargo et al.;

No. 550. John L. Shumate, plaintiff in error, *v.* August Heman; and

No. 508. Cass Farm Company (Limited) et al., plaintiffs in error, *v.* The City of Detroit. Argument continued by Mr. Tracy C. Becker for James B. Lyon, by Mr. Seth Newman for Mortimer Webster, by Mr. G. B. Webster for John L. Shumate, by Mr. Robert E. Collins and Mr. David Goldsmith for August Heman, by Mr. Henry M. Campbell for the Cass Farm Company, and concluded by Mr. C. D. Joslyn for the City of Detroit, and brief submitted by Mr. S. B. Pinney for the City of Fargo et al.

No. 106. Charles F. Champion, appellant, *v.* John C. Ames, United States marshal. Argument commenced by Mr. Moritz Rosenthal for appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 28, will be as follows: Nos. 106, 159, 82, 133, 37, 162, 163, 164, 165 (and 247) and 166.

()

SUPREME COURT OF THE UNITED STATES.

THURSDAY, FEBRUARY 28, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Joseph A. O'Donnell of Chicago, Ill., and Frank C. Hubbard of Columbus, Ohio, were admitted to practice.

No. 106. Charles F. Champion, appellant, *v.* John C. Ames, United States marshal. Argument continued by Mr. Moritz Rosenthal for the appellant, by Mr. Assistant Attorney-General Beck for the appellee, and concluded by Mr. William D. Guthrie for the appellant. Leave granted to counsel for appellant to file an additional brief by March 5 next, and to counsel for appellee to reply thereto.

No. 159. The State of Minnesota, appellant, *v.* C. N. Brundage. Argued by Mr. W. B. Douglas for the appellant, and by Mr. W. D. Guthrie for the appellee.

No. 82. Antone Marks, plaintiff in error, *v.* J. M. Shoup. Submitted by Mr. W. W. Dudley and Mr. L. T. Michener for the plaintiff in error, and by Mr. S. M. Stockslager and Mr. George C. Heard for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 1, will be as follows: Nos. 133, 37, 162, 163, 164, 165 (and 247), 166, 168, 169 and 171.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 1, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Benjamin L. McKinley of San Francisco, Cal., and John Wood of Huron, S. Dak., were admitted to practice.

No. 133. Joel Parker Whitney et al., appellants, *v.* The United States et al. Argued by Mr. John H. Knaebel for the appellants, and by Mr. Matt. G. Reynolds for the appellees.

No. 37. T. Walter Beam et al., appellants, *v.* Gustav H. Schwab. Reargument commenced by Mr. Edmund F. Richardson for the appellants.

Adjourned until Monday next at 11 o'clock.

The day call for Tuesday, March 5, will be as follows: Nos. 37, 162, 163, 164, 165 (and 247), 166, 168, 169, 171 and 172.

○

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 4, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

The Chief Justice announced that the court would take a recess for the purpose of attending the inauguration of the President of the United States. The oath of office was administered to the Honorable William McKinley as President of the United States by the Chief Justice and the court reconvened.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 5, will be as follows: Nos. 37, 162, 163, 164, 165 (and 247), 166, 168, 169, 171 and 172.

O

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 5, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Hervey Bryan Hicks of Chicago, Ill., Calvin Goodwin Swafford of Iroquois, S. Dak., George A. Carpenter of Chicago, Ill., Louis M. Bourne of Asheville, N. C., F. R. Bentley of Baraboo, Wis., Alston G. Dayton of Philippi, W. Va., William G. Wheeler of Janesville, Wis., David L. Whittington of San Diego, Cal., Wiley E. SoRelle of Denver, Colo., William J. Gray of Detroit, Mich., Jas. B. Kilsheimer of New York City, Charles H. Innes of Boston, Mass., and John A. Sullivan, of Boston, Mass., were admitted to practice.

No. 139. Clarence W. Hobbs et al., executors, etc., petitioners, *v.* Fred H. Beach. On writ of certiorari to the United States circuit court of appeals for the first circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the district of Massachusetts. Opinion by Mr. Justice Brown.

No. 45. H. Drusilla Mitchell, petitioner, *v.* The First National Bank of Chicago. On writ of certiorari to the United States circuit court of appeals for the second circuit. Judgment of United States circuit court of appeals reversed with costs, and judgment of circuit court of the United States for the district of Connecticut affirmed, and cause remanded to the said circuit court of the United States for the district of Connecticut. Opinion by Mr. Justice Harlan.

No. 116. W. W. Cargill Company, plaintiff in error, *v.* The State of Minnesota ex rel. The Railroad and Warehouse Commission. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

The Chief Justice announced the following orders of the court:

No. 412. The City of Detroit et al., appellants, *v.* The Detroit Citizens' Street Railway Company;

No. 463. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* W. H. Reynolds, comptroller, etc., et al.;

No. 494. Alfred V. Booth, plaintiff in error, *v.* The People of the State of Illinois; and

No. 533. Pablo Maese et al., appellants, *v.* Binger Hermann, Commissioner of the General Land Office, et al. Motions to advance granted and cases assigned for argument, in the order named, on October 28 next, after the cases already set down for that day.

No. 465. The Board of County Commissioners of Meade County, Kans., petitioner, *v.* Anna Corning. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 540. The Security Trust Company, as administrator, petitioner, *v.* The Black River National Bank of Lowville. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit granted.

No. 542. Franklin S. Buell, petitioner, *v.* The Farmers' Loan and Trust Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 554. John E. Hanifen, etc., petitioner, *v.* Edward A. Price et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 558. Henry L. Ward, treasurer, etc., petitioner, *v.* Edward Joslin. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit granted.

No. 560. The Southern Pine Company, petitioner, *v.* Mrs. Olivia B. Hall. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 561. Charles W. Colton, petitioner, *v.* James I. Raymond. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 572. Hugo L. Hiller et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 573. The United States, petitioner, *v.* Rudolph C. Hahn. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 576. Arthur W. Mueller, trustee, etc., petitioner, *v.* William F. Nugent. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit granted.

No. 186. The United States, appellant, *v.* The Southern Pacific Railroad Company et al. Passed, on motion of Mr. Solicitor-General Richards for the appellant.

No. 278. Homer Bird, plaintiff in error, *v.* The United States. Mandate granted, on motion of Mr. Solicitor-General Richards for the defendant in error.

No. 415. The Interstate Commerce Commission, appellant, *v.* The Chicago, Burlington and Quincy Railroad Company et al. Motion to advance submitted by Mr. Solicitor-General Richards for the appellant.

No. 574. The United States, petitioner, *v.* Lucius Beebe & Sons. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Solicitor-General Richards for the petitioner, with leave to counsel for respondents to file brief in opposition to petition within three days.

No. 570. The Knights Templars and Masons' Life Indemnity Company, petitioner, *v.* Rosa B. Jarman. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Hervey Bryan Hicks and Mr. S. S. Gregory for the petitioner, and by Mr. Frederick H. Bacon for the respondent.

No. 298. The Pacific Coast Steamship Company, plaintiff in error, *v.* Hans Chr. Pande et ux. Motions to dismiss or affirm submitted by Mr. J. J. Darlington for the defendants in error.

No. 453. Eastern Building and Loan Association, plaintiff in error, *v.* David W. Ebaugh. Motion to advance submitted by Mr. William H. Robeson in behalf of counsel.

No. 520. W. P. H. McFaddin et al., plaintiffs in error, *v.* Evans-Snyder-Buel Company. Motion to advance submitted by Mr. William M. Springer in behalf of counsel.

No. 204. The Reloj Cattle Company, appellant, *v.* The United States. Continued per stipulation.

No. 250. Santiago Ainsa, administrator, etc., et al., appellants, *v.* The United States. Continued per stipulation.

No. 37. T. Walter Beam et al., appellants, *v.* Gustav H. Schwab. Reargument continued by Mr. Edmund F. Richardson for the appellants, by Mr. Henry T. Rogers for the appellee, and concluded by Mr. Edmund F. Richardson for the appellants.

No. 162. The Mountain View Mining and Milling Company, appellant, *v.* W. D. McFadden et al. Submitted by Mr. W. B. Heyburn and Mr. L. A. Doherty for the appellant, and by Mr. A. B. Browne, Mr. Alexander Britton and Mr. W. F. Stoll for appellees.

No. 163. Railroad Equipment Company, appellant, *v.* Southern Railway Company et al. Argument commenced by Mr. Tully R. Cornick for the appellant, and continued by Mr. Leon Jourolman for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 6, will be as follows: Nos. 163, 164, 165 (and 247), 166, 168, 169, 171, 172, 174 and 176.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 6, 1901.

Present: The Chief Justice, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Jere Clemens King of Huntsville, Ala., B. G. McKenzie of Dayton, Tenn., Edward T. Sanford of Knoxville, Tenn., C. C. Gittings of Racine, Wis., and Charles B. Younger of Santa Cruz, Cal., were admitted to practice.

No. 535. The American Sugar Refining Company, petitioner, *v.* The City of New Orleans. Motion to fix day for argument on return to rule to show cause submitted by Mr. Thomas H. Clark in behalf of counsel, and return to rule assigned for argument on the 18th instant.

No. 163. Railroad Equipment Company, appellant, *v.* Southern Railway Company et al. Argument continued by Mr. Leon Jourolman and Mr. W. A. Henderson for the appellees, and concluded by Mr. Tully R. Cornick for the appellant.

No. 164. Pennsylvania Company et al., plaintiffs in error, *v.* City of Chicago et al. In error to the supreme court of the State of Illinois. Dismissed for the want of jurisdiction.

No. 165. Browne, Manzanares & Co., plaintiffs in error, *v.* Francisco Chavez, 2d; and

No. 247. Brown & Manzanares Co., appellant, *v.* Francisco Chavez, 2d. Argued by Mr. B. S. Rodey for the defendant in error and appellee, and submitted by Mr. W. B. Childers for the plaintiffs in error and appellant.

No. 166. The Homer Ramsdell Transportation Company, plaintiff in error, *v.* La Compagnie Générale Transatlantique. Argued by Mr. William H. Harris for the plaintiff in error, and by Mr. Edward K. Jones for the defendant in error.

No. 168. Frank X. Werling et al., plaintiffs in error, *v.* Emily E. Ingersoll et al. Argued by Mr. Howard M. Snapp for the plaintiffs in error, and submitted by Mr. W. M. Springer for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 7, will be as follows: Nos. 169, 171, 172, 174, 176, 177, 178, 179 (and 180), 181 and 183.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 7, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

William MacLean, jr., of Philadelphia, Pa., William G. Doolittle of Pittsburg, Pa., and John E. Stryker of St. Paul, Minn., were admitted to practice.

No. 169. Herschel S. Harkins et al., plaintiffs in error, *v.* The City of Asheville. Argued by Mr. Charles A. Moore for the plaintiffs in error. The court declined to hear counsel for defendant in error.

No. 171. Eleanor A. H. Magruder, appellant, *v.* George A. Armes et al. Argued by Mr. Jackson H. Ralston for appellees, and submitted by Mr. Joseph J. Waters for the appellant.

No. 172. The District of Columbia, plaintiff in error, *v.* Camden Iron Works. Submitted by Mr. Andrew B. Duvall and Mr. Clarence A. Brandenburg for the plaintiff in error, and by Mr. Samuel Maddox for the defendant in error.

No. 187. The Dayton Coal and Iron Company (Limited), plaintiff in error, *v.* T. A. Barton. Advanced and assigned for argument with No. 174 as one case, on motion of Mr. F. L. Mansfield for the plaintiff in error.

No. 174. The Knoxville Iron Company, plaintiff in error, *v.* Samuel Harbison; and

No. 187. The Dayton Coal and Iron Company (Limited), plaintiff in error, *v.* T. A. Barton. Argued by Mr. E. T. Sanford for the Knoxville Iron Company, by Mr. B. G. McKenzie for T. A. Barton, and by Mr. F. L. Mansfield for the Dayton Coal and Iron Company, and submitted by Mr. John W. Green for Samuel Harbison.

No. 176. George H. N. Luhrs, appellant, *v.* William A. Hancock et al. Argued by Mr. A. S. Worthington for one of the appellees, and submitted by Mr. L. E. Payson for the appellant.

No. 177. The Texas and Pacific Railway Company, plaintiff in error, *v.* Emma Humble. Argument commenced by Mr. John F. Dillon for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 8, will be as follows: Nos. 177, 178, 179 (and 180), 181, 183, 190, 191, 192, 193 and 194.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 8, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 256. J. M. Bear & Co. et al., appellants, *v.* Robert C. Chase, trustee. Continued, on motion of Mr. Henry A. M. Smith for the appellants.

No. 183. The St. Paul Gas Light Company, plaintiff in error, *v.* The City of St. Paul. Passed temporarily, on motion of Mr. Moses E. Clapp in behalf of counsel.

No. 169. Herschel S. Harkins et al., plaintiffs in error, *v.* The City of Asheville. Leave granted to counsel for plaintiffs in error to file additional brief within five days, on motion of Mr. Charles A. Moore for the plaintiffs in error.

No. 202. John W. Murphy et al., as county commissioners, plaintiffs in error, *v.* John Storey et al. In error to the supreme court of the State of North Dakota. Dismissed with costs, on motion of counsel for plaintiffs in error.

No. 177. The Texas and Pacific Railway Company, plaintiff in error, *v.* Emma Humble. Argument continued by Mr. John F. Dillon for the plaintiff in error, and concluded by Mr. Oscar D. Scott for the defendant in error.

No. 178. Turret Steam Shipping Company (Limited), claimant, petitioner, *v.* A. G. Hall et al. Argued by Mr. J. Parker Kirlin for the petitioner, and by Mr. Albert H. Russell for the respondents.

No. 181. Maximillian W. Falk, plaintiff in error, *v.* The United States. Submitted by Mr. Edwin Forrest for the plaintiff in error, and by Mr. Solicitor-General Richards and Mr. Thomas H. Anderson for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 11, will be as follows: Nos. 179 (and 180), 190, 191, 192, 193, 194, 195, 196, 198 and 199.

O

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 11, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

John L. Dodd of Louisville, Ky., Francis A. Hopkins of Chicago, Ill., Terence V. Powderly of Scranton, Pa., Lamar C. Quintero of New Orleans, La., Abraham S. Gilbert of New York City, Charles Francis Carusi of Washington, D. C., John S. Chapman of Los Angeles, Cal., Christian Linkenbach of Bakersfield, Cal., Frank H. Short of Fresno, Cal., and Nelson S. Spencer of New York City were admitted to practice.

No. 67. Alvin L. Johns et al., appellants, *v.* James Wilson. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice Brown.

No. 23. Henry L. Mitchell, governor, etc., et al., appellants, *v.* Charles M. Furman, as administrator, etc., et al. Appeal from the circuit court of the United States for the southern district of Florida. Decree reversed with costs, and cause remanded with a direction to dismiss the bill. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Shiras and Mr. Justice Peckham.

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

No. 415. The Interstate Commerce Commission, appellant, *v.* The Chicago, Burlington and Quincy Railroad Company et al. Motion to advance granted, and cause assigned for argument on Monday, October 28 next, after the cases already set down for that day.

No. 453. Eastern Building and Loan Association, plaintiff in error, *v.* David W. Ebaugh. Motion to advance denied.

No. 520. W. P. H. McFaddin, etc., et al., plaintiffs in error, *v.* Evans-Snyder-Buel Company. Motion to advance denied.

No. 570. The Knights Templars and Masons' Life Indemnity Company, petitioner, *v.* Rosa B. Jarman. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit granted.

No. 574. The United States, petitioner, *v.* Lucius Beebe & Sons. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 169. Herschel S. Harkins et al., plaintiffs in error, *v.* The City of Asheville. In error to the supreme court of the State of North Carolina. Writ of error dismissed for want of jurisdiction on the authority of *Oxley Stave Company v. Butler County*, 166 U. S., 640; *Kipley v. Illinois*, 170 U. S., 182; *Scudder v. Comptroller*, 175 U. S., 32; *Baltimore C. and A. Railway Company v. Mayor*, 179 U. S., 681, and cases cited.

No. 298. The Pacific Coast Steamship Company, plaintiff in error, *v.* Hans Chr. Pande et ux. In error to the district court of the United States for the district of Alaska. Writ of error dismissed for the want of jurisdiction on the authority of *Thorp v. Bonnifield*, 177 U. S., 15; *Shute v. Keyser*, 149 U. S., 649.

No. 583. Edward H. Clarke, petitioner, *v.* Wilbur Larremore, trustee, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. S. Livingston Samuels and Mr. George Bell for the petitioner, and by Mr. Nelson S. Spencer for the respondent.

No. 585. Thomas L. Sloan, appellant, *v.* The United States. Advanced under the thirty-second rule, on motion of Mr. J. H. McGowan for the appellant.

No. 591. George W. Grimes, petitioner, *v.* George Allen. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. E. W. Bradford, Mr. Chester Bradford and Mr. W. H. H. Miller for the petitioner, and by Mr. James I. Kay for the respondent.

No. 196. The John Hancock Mutual Life Insurance Company, plaintiff in error, *v.* William M. Warren. Submitted by Mr. George K. Nash, Mr. W. Z. Davis and Mr. Louis G. Addison for the plaintiff in error, and by Mr. William B. Jones for the defendant in error.

No. 179. Calvin Hood, plaintiff in error, *v.* T. B. Wallace, as receiver, etc.; and

No. 180. C. J. Lantry, plaintiff in error, *v.* T. B. Wallace, as receiver, etc. Argued by Mr. C. N. Sterry for the plaintiffs in error, and by Mr. William C. Cochran for the defendant in error.

No. 190. Eastern Building and Loan Association of Syracuse, N. Y., plaintiff in error, *v.* Lawrence S. Welling et al. Argued by Mr. William Hepburn Russell for the plaintiff in error, and by Mr. Henry A. M. Smith for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 12, will be as follows: Nos. 191, 192, 193, 194, 195, 198, 199, 200, 201 and 203.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 12, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Joseph C. Helm of Denver, Colo., and John S. Jones of Delaware, Ohio, were admitted to practice.

No. 196. The John Hancock Mutual Life Insurance Company, plaintiff in error, *v.* William M. Warren. Submission set aside and case assigned for argument after No. 201, on motion of Mr. William B. Jones for the defendant in error.

No. 203. James C. Jordan, appellant, *v.* Eben D. Jordan et al., executors, etc. Appeal from the circuit court of the United States for the district of Massachusetts. Dismissed with costs, pursuant to the tenth rule.

No. 191. Jetty Simon, plaintiff in error, *v.* John N. Craft. Argued by Mr. Harry T. Smith for the plaintiff in error, and by Mr. H. Pillans for the defendant in error.

No. 192. The German National Bank et al., appellants, *v.* A. J. Speckert et al. Argued by Mr. Alexander Pope Humphrey for the appellants, and by Mr. John L. Dodd for the appellees.

No. 193. The International Navigation Company, petitioner, *v.* Farr & Baily Manufacturing Company. Argument commenced by Mr. J. Rodman Paul for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 13, will be as follows: Nos. 193, 194, 195, 198, 199, 200, 201, 196, 206 and 207.

O

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 13, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

J. W. Deweese of Lincoln, Nebr., was admitted to practice.

No. 206. The Southern Railway Company, appellant, *v.* The City of Memphis et al. Appeal from the United States circuit court of appeals for the sixth circuit. Dismissed with costs, pursuant to the tenth rule.

No. 193. The International Navigation Company, petitioner, *v.* Farr & Baily Manufacturing Company. Argument continued by Mr. J. Rodman Paul for the petitioner, by Mr. John F. Lewis for the respondent, and concluded by Mr. J. Rodman Paul for the petitioner.

No. 194. The Supreme Lodge Knights of Pythias of the World, plaintiff in error, *v.* Lillian H. Beck. Submitted by Mr. Carlos S. Hardy for the plaintiff in error, and by Mr. C. B. Nolan for the defendant in error.

No. 195. The Calhoun Gold Mining Company, plaintiff in error, *v.* The Ajax Gold Mining Company. Argument commenced by Mr. W. E. SoRelle for the plaintiff in error, and continued by Mr. Joseph C. Helm for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 14, will be as follows: Nos. 195, 198, 199, 200, 201, 196, 207, 208, 209 and 210.

○

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 14, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Ira B. Mills of St. Paul, Minn., was admitted to practice.

No. 195. The Calhoun Gold Mining Company, plaintiff in error, *v.* The Ajax Gold Mining Company. Argument continued by Mr. Joseph C. Helm for the defendant in error, and concluded by Mr. W. E. SoRelle for the plaintiff in error.

Mr. Attorney-General Griggs addressed the court as follows:

If your honors please, it is my sad duty to convey to the court the intelligence of the death of the Hon. Benjamin Harrison, of Indiana, which occurred at his home in Indianapolis yesterday. He was President of the United States from 1889 to 1893, and most distinguished as a citizen and a statesman, as a soldier, and a practitioner at the bar of this court. Out of respect to his memory I move that the court now adjourn until to-morrow.

The Chief Justice responded:

The court fully shares in the national sorrow, and sympathizes with the suggestion which has just been made.

The great services to his country rendered by this distinguished soldier, statesman, and citizen; the exalted offices so worthily filled by him; his conceded eminence at this bar; his private virtues; make recognition of the loss sustained in his death involuntary and universal.

As a mark of respect to the memory of Benjamin Harrison, the court will now adjourn until to-morrow at the usual hour.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 15, will be as follows: Nos. 198, 199, 200, 201, 196, 207, 208, 209, 210 and 212.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 15, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Daniel A. Edwards of Washington, D. C., was admitted to practice.

No. 195. The Calhoun Gold Mining Company, plaintiff in error, *v.* The Ajax Gold Mining Company. Leave granted to file supplemental brief herein within five days, on motion of Mr. W. E. SoRelle for the plaintiff in error.

No. 198. The People of the State of Illinois *ex rel.* George Hunt, attorney-general, appellants, *v.* Illinois Central Railroad Company et al. Argued by Mr. John H. Hamline for the appellants, and by Mr. John N. Jewett and Mr. B. F. Ayer for the appellees. (The Chief Justice did not sit in this case.)

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 18, will be as follows: Nos. 199, 200, 201, 196, 207, 208, 209, 210, 212 and 215.

O

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 18, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Charles Cavender of Leadville, Colo., Charles Phelps of Rockville, Conn., and Conrad H. Poppenhagen of Chicago, Ill., were admitted to practice.

No. 27. *Li Sing, petitioner, v. The United States.* On writ of certiorari to the United States circuit court of appeals for the second circuit. Judgment affirmed, and cause remanded to the circuit court of the United States for the southern district of New York. Opinion by Mr. Justice Shiras.

No. 167. *The Board of Commissioners of Wilkes County et al., appellants, v. W. N. Coler & Co.* On a certificate from the United States circuit court of appeals for the fourth circuit. It is the opinion of this court:

1. That the circuit court of the United States should have regarded the decisions of the supreme court of North Carolina in *Bank v. Commissioners*, *Commissioners v. Snuggs*, *Rodman v. Washington*, *Commissioners of Wilkes County v. Call*, and *Commissioners v. Payne*, referred to in the first certified question, as controlling upon the inquiry whether the legislative enactments of 1868, 1879, and 1881 were passed in such manner as to become, under the Constitution, laws of that State.

2. That the rights of the parties in this case are determinable by the law of the State as it was declared by the State court to be at the time the bonds here involved were made in the name of the county and put upon the market. Opinion by Mr. Justice Harlan.

No. 159. *The State of Minnesota, appellant, v. C. N. Brundage.* Appeal from the circuit court of the United States for the district of Minnesota. Order reversed with costs, and cause remanded with directions to dismiss the application for a writ of habeas corpus, without prejudice to a renewal of it when the appellee shall have exhausted the remedies provided by the State for a review of the judgment of the municipal court of Minneapolis. Opinion by Mr. Justice Harlan.

No. 171. Eleanor A. H. Magruder, appellant, *v.* George A. Armes et al. Appeal from the court of appeals of the District of Columbia. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brewer (announced by Mr. Chief Justice Fuller).

No. 144. B. F. Thompson, appellant, *v.* D. M. Ferry et al. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced that the court would take a recess from Monday, March 25, to Monday, April 8 next.

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

No. 583. Edward H. Clarke, petitioner, *v.* Wilbur Larremore, trustee. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 591. George W. Grimes, petitioner, *v.* George Allen. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 146. The Carnegie Steel Company (Limited), petitioner, *v.* The Cambria Iron Company. Restored to the docket for reargument.

No. 181. Maximillian W. Falk, plaintiff in error, *v.* The United States. Leave granted to counsel to submit briefs on the question of the jurisdiction of this court within five days, if they shall be so advised.

No. 318. Louis Auguste Marande et al., plaintiffs in error, *v.* The Texas and Pacific Railway Company. Motion to advance to be heard immediately after Nos. 307 and 308 submitted by Mr. Thomas H. Clark in behalf of counsel.

No. 593. Illinois Central Railroad Company, petitioner, *v.* Earnest Tutt, by John Tutt, guardian. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. William A. Maury, Mr. J. M. Dickinson and Mr. Edmund F. Trabue for the petitioner.

No. 215. R. Rasmussen, plaintiff in error, *v.* The State of Idaho. Submitted by Mr. Arthur Brown and Mr. Henry P. Henderson for the plaintiff in error, and by Mr. Samuel H. Hays for the defendant in error.

No. 535. The American Sugar Refining Company, petitioner, *v.* The City of New Orleans. Return to rule argued by Mr. Joseph W. Carroll for the petitioner, and submitted by Mr. Samuel L. Gilmore for the respondent.

No. 199. Fred A. McMaster, administrator, etc., petitioner, *v.* The New York Life Insurance Company. Argued by Mr. Henry J. Taylor for the petitioner, and by Mr. W. E. Odell and Mr. Frederic D. McKenney for the respondent.

No. 200. The National Bank of Dangerfield, plaintiff in error, *v.* G. W. Ragland. Submitted by Mr. James Turner for the plaintiff in error. No brief filed for the defendant in error.

No. 201. Thomas F. Farrell et al., plaintiffs in error, *v.* The West Chicago Park Commissioners. Argument commenced by Mr. George W. Wilbur for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 19, will be as follows: Nos. 201, 196, 207, 208, 209, 210, 212, 183, 147 and 216.

O

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 19, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

No. 201. Thomas F. Farrell et al., plaintiffs in error, *v.* The West Chicago Park Commissioners. Argument continued by Mr. George W. Wilbur for the plaintiffs in error, by Mr. R. A. Childs for the defendants in error, and concluded by Mr. George W. Wilbur for the plaintiffs in error. Leave granted to counsel for plaintiffs in error to file additional brief on or before the 25th instant, and to the counsel for defendants in error to file reply brief within two days thereafter.

No. 196. The John Hancock Mutual Life Insurance Company, plaintiff in error, *v.* William M. Warren. Argued by Mr. John S. Jones for the defendant in error, and submitted by Mr. George K. Nash, Mr. W. Z. Davis and Mr. Louis G. Addison for the plaintiff in error.

No. 207. Henry M. Baker, petitioner, *v.* Horace S. Cummings. Argument commenced by Mr. Clarence A. Brandenburg for the petitioner, and continued by Mr. Holmes Conrad for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 20, will be as follows: Nos. 207, 208, 209 (and 210), 212, 183, 147, 216, 217, 219 and 221.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 20, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Francis G. Caffey of Montgomery, Ala., and Jerome Reynolds North of Green Bay, Wis., were admitted to practice.

No. 534. R. S. Hubbard, as treasurer, etc., appellant, *v.* The Mercantile National Bank of Cleveland. Marcellus A. Lauder, successor of R. S. Hubbard as treasurer of Cuyahoga County, Ohio, substituted as the party appellant herein, per stipulation, on motion of Mr. Henry M. Hoyt in behalf of counsel.

No. 248. Albert H. Waite, petitioner, *v.* The City of Santa Cruz. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. Crammond Kennedy in behalf of counsel.

No. 219. The Serosis Fruit Company, appellant, *v.* C. B. Bills, trustee, etc. Appeal from the circuit court of the United States for the northern district of California. Dismissed with costs, pursuant to the tenth rule.

No. 207. Henry M. Baker, petitioner, *v.* Horace S. Cummings. Argument continued by Mr. Holmes Conrad for the respondent, and concluded by Mr. Clarence A. Brandenburg for the petitioner.

No. 208. Wilson Brothers (a corporation) et al., appellants, *v.* Cassius B. Nelson. Argued by Mr. Harrison Musgrave for the appellants, and by Mr. William F. Vilas for the appellee.

No. 209. Alejandro Barker et al., plaintiffs in error, *v.* J. Downey Harvey, administrator, etc., et al.; and

No. 210. Jesus Quevas et al., plaintiffs in error, *v.* J. Downey Harvey, administrator, etc. Argument commenced by Mr. Shirley C. Ward for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 21, will be as follows: Nos. 209 (and 210), 212, 183, 147, 216, 217, 221, 222, 224 and 225 (and 236).

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 21, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Henry W. Rudd of New York City, John T. Deweese of Denver, Colo., and Joseph H. Steere of Sault Ste. Marie, Mich., were admitted to practice.

No. 225. The American Sugar Refining Company, petitioner, *v.* The United States. Passed, to be heard with No. 236 as one case, on motion of Mr. Assistant Attorney-General Hoyt for the respondent.

No. 209. Allejandro Barker et al., plaintiffs in error, *v.* J. Downey Harvey, administrator, etc., et al.; and

No. 210. Jesus Quevas et al., plaintiffs in error, *v.* J. Downey Harvey, administrator, etc. Argument continued by Mr. David L. Withington for the defendants in error, and concluded by Mr. Assistant Attorney-General Hoyt for the plaintiffs in error.

No. 212. Charles H. Nutting, plaintiff in error, *v.* The Commonwealth of Massachusetts. Passed on account of sickness of counsel.

No. 183. The St. Paul Gas Light Company, plaintiff in error, *v.* The City of St. Paul. Argued by Mr. F. W. M. Cutcheon for the plaintiff in error, and by Mr. James E. Markham for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 22, will be as follows: Nos. 147, 216, 217, 221, 222, 224, 227, 229, 230 and 231.

O

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 22, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Andrew Foulds, jr., of Passaic, N. J., was admitted to practice.

No. 229. The United States, appellant, *v.* Juan Pedro Camou. Submitted by Mr. Solicitor-General Richards, Mr. Matthew G. Reynolds and Mr. William H. Pope for the appellant, and by Mr. William Herring and Mr. Rochester Ford for the appellee.

No. 147. Henry Lockhart, plaintiff in error, *v.* J. A. Johnson et al. Argued by Mr. J. H. McGowan for the plaintiff in error, and by Mr. W. B. Childers for the defendants in error.

No. 216. The National Foundry and Pipe Works (Limited), plaintiff in error, *v.* Oconto City Water Supply Company. Argued by Mr. George H. Noyes for the plaintiff in error, and submitted by Mr. Jerome R. North and Mr. George G. Greene for the defendant in error, with leave to counsel for defendant in error to file an additional brief within one week.

Adjourned until Monday next at 12 o'clock.

○

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 25, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Matt. O'Doherty of Louisville, Ky., was admitted to practice.

No. 348. The Freeport Water Company, plaintiff in error, *v.* The City of Freeport;

No. 373. The Danville Water Company, plaintiff in error, *v.* The City of Danville; and

No. 56. The Rogers Park Water Company, plaintiff in error, *v.* John B. Fergus. In error to the supreme court of the State of Illinois. Judgments affirmed with costs. Opinions by Mr. Justice McKenna. Dissenting: Mr. Justice White, Mr. Justice Brewer, Mr. Justice Brown and Mr. Justice Peckham.

No. 21. Josephine H. Throckmorton et al., plaintiffs in error, *v.* Washington D. Holt et al. In error to the court of appeals of the District of Columbia. Judgment reversed with costs, and cause remanded with directions to reverse the judgment of the supreme court of the District of Columbia, and remand the cause to that court with instructions to grant a new trial. Opinion by Mr. Justice Peckham. Dissenting in part: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna. Mr. Justice Brown concurs in the result.

No. 162. The Mountain View Mining and Milling Company, appellant, *v.* W. D. McFadden et al. Appeal from the United States circuit court of appeals for the ninth circuit. Decree of the United States circuit court of appeals and of the circuit court of the United States for the district of Washington reversed, and cause remanded to said circuit court with a direction to remand it to the State court, the costs of this court and of the other courts to be paid by the Mountain View Mining and Milling Company. Opinion by Mr. Chief Justice Fuller.

No. —, Original. Ex parte: In the matter of Alexander McKenzie, petitioner. Motion for leave to file petition for writs of certiorari and habeas corpus denied. Opinion by Mr. Chief Justice Fuller.

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

No. 318. Louis Auguste Marande et al., plaintiffs in error, *v.* The Texas and Pacific Railway Company. Motion to advance for argument immediately after Nos. 307 and 308 denied.

No. 593. Illinois Central Railroad Company, petitioner, *v.* Earnest Tutt by John Tutt, guardian. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 93. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky; and

No. 108. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* T. R. Eubank & Co. Restored to the docket for reargument as one case on Monday, October 28 next, after the cases already set down for that day.

No. 396. Charles C. McChord et al., appellants, *v.* The Louisville and Nashville Railroad Company;

No. 397. Charles C. McChord et al., appellants, *v.* The Louisville, Henderson and St. Louis Railway Company;

No. 398. Charles C. McChord et al., appellants, *v.* The Chesapeake and Ohio Railway Company;

No. 399. Charles C. McChord et al., appellants, *v.* The Southern Railway Company in Kentucky; and

No. 400. Charles C. McChord et al., appellants, *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company. Restored to the docket for reargument as one case on Monday, October 28 next, after cases Nos. 93 and 108.

No. 296. Horace W. Philbrook, plaintiff in error, *v.* Wm. H. Beatty et al.; and

No. 297. Horace W. Philbrook, plaintiff in error, *v.* William J. Newman et al. Application for leave to prosecute these cases in forma pauperis denied, and cases continued until the next term.

No. 181. Maximilian W. Falk, plaintiff in error, *v.* The United States. In error to the court of appeals of the District of Columbia. Dismissed for the want of jurisdiction on the authority of Chapman *v.* United States, 164 U. S., 436.

No. 532. The United States, appellant, *v.* William T. Ewing. Motion to advance submitted by Mr. Assistant Attorney-General Hoyt for the appellant.

No. 606. The Board of Liquidation of the City Debt of New Orleans, petitioner, *v.* The United States on the relation of Ann Warner et al.; and

No. 607. The Board of Liquidation of the City Debt of New Orleans, petitioner, *v.* John Fisher, tutor, etc., et al. Petitions for writs of certi-

orari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Branch K. Miller for the petitioner, and by Mr. Richard De Gray, Mr. J. D. Rouse and Mr. William Grant for the respondents in No. 606, and by Mr. Charles Louque and Mr. E. Howard McCaleb for the respondents in No. 607.

No. 576. Arthur W. Mueller, trustee, etc., petitioner, *v.* William F. Nugent. Motion to advance submitted by Mr. W. W. Watts for the petitioner.

No. 454. The Fidelity and Deposit Company of Maryland, petitioner, *v.* R. H. Courtney, receiver, etc. Motion to advance to be heard with No. 261, and for additional time in the argument, submitted by Mr. H. W. Williams for the petitioner.

Adjourned until Monday, April 8, at 12 o'clock.

The day call for Monday, April 8, will be as follows: Nos. 189, 217, 221, 222, 224, 227, 230, 231, 232 and 234.

O

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 8, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

William M. Mellette of Vinita, Ind. T., Thomas F. Shay of Cincinnati, Ohio, Melven Cornish of South McAlester, Ind. T., E. Spencer Miller of Philadelphia, Pa., Herbert H. Ward of Wilmington, Del., Edwin T. Hoyt of New York City and Ronald Kelly of Detroit, Mich., were admitted to practice.

No. 160. J. L. Lombard et al., plaintiffs in error, *v.* The West Chicago Park Commissioners. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 200. The National Bank of Dangerfield, plaintiff in error, *v.* G. W. Ragland. In error to the court of civil appeals of the fourth supreme judicial district of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 190. Eastern Building and Loan Association of Syracuse, N. Y., plaintiff in error, *v.* Laurence S. Welling et al. In error to the supreme court of the State of South Carolina. Dismissed for the want of jurisdiction. Opinion by Mr. Justice White.

No. 175. The East Tennessee, Virginia and Georgia Railway Company et al., appellants, *v.* The Interstate Commerce Commission. Appeal from the United States circuit court of appeals for the sixth circuit. Decree reversed with costs, and cause remanded to the circuit court of the United States for the eastern district of Tennessee, with directions to set aside its decree adjudging that the order of the Commission be enforced, and to dismiss the application made for that purpose, with costs, the whole to be without prejudice to the right of the Commission to proceed upon the evidence already introduced before it or upon such further pleadings and evidence as it may allow to be made or introduced, to hear and determine the matter in controversy according to law. Opinion by Mr. Justice White. Dissenting: Mr. Justice Harlan.

No. 68. The Interstate Commerce Commission, appellant, *v.* The Clyde Steamship Company et al.;

No. 69. The Interstate Commerce Commission, appellant, *v.* The Western and Atlantic Railroad Company et al.; and

No. 70. The Interstate Commerce Commission, appellant, *v.* The Clyde Steamship Company et al. Appeals from the United States circuit court of appeals for the fifth circuit. Decrees of the United States circuit court of appeals and the circuit court of the United States for the northern district of Georgia modified by providing that the dismissal of the bills shall be without prejudice to the right of the Interstate Commerce Commission, if it so elects, to make an original investigation of the questions contained in the records pertinent to the complaints presented to that body, and, as so modified, said decrees affirmed with costs. Opinion by Mr. Justice White. Dissenting: Mr. Justice Harlan.

No. 194. The Supreme Lodge Knights of Pythias of the World, plaintiff in error, *v.* Lillian H. Beck. In error to the United States circuit court of appeals for the ninth circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the district of Montana. Opinion by Mr. Justice Brewer.

No. 112. Anna V. Whitney, appellant, *v.* Edwin B. Hay. Appeal from the court of appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Harlan.

No. 165. Browne, Manzanares & Co., plaintiffs in error, *v.* Francisco Chavez, 2d. In error to the supreme court of the Territory of New Mexico. Dismissed with costs. Opinion by Mr. Chief Justice Fuller.

No. 247. Browne and Manzanares Company, appellant, *v.* Francisco Chavez, 2d. Appeal from the supreme court of the Territory of New Mexico. Decree affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 177. The Texas and Pacific Railway Company, plaintiff in error, *v.* Emma Humble. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the western district of Arkansas. Opinion by Mr. Chief Justice Fuller.

No. 196. The John Hancock Mutual Life Insurance Company, plaintiff in error, *v.* William M. Warren. In error to the supreme court of the State of Ohio. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

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

No. 454. The Fidelity and Deposit Company of Maryland, petitioner, *v.* R. H. Courtney, receiver, etc. Motion to advance to be heard with No. 261 and for additional time in argument denied.

No. 532. The United States, appellant, *v.* William T. Ewing. Motion to advance granted, and cause assigned for argument on Monday, October 28 next, after the cases already set down for that day.

No. 576. Arthur W. Mueller, trustee, etc., petitioner, *v.* William F. Nugent. Motion to advance granted, and cause assigned for argument on Monday, October 28 next, after the cases already set down for that day.

No. 606. The Board of Liquidation of the City Debt of New Orleans, petitioner, *v.* United States ex rel. Ann Warner et al.; and

No. 607. The Board of Liquidation of the City Debt of New Orleans, petitioner, *v.* United States ex rel. John Fisher et al. Petitions for writs of certiorari to the United States circuit court of appeals for the fifth circuit denied. (Mr. Justice White and Mr. Justice Peckham took no part in the consideration and disposition of these applications.)

No. 208. Wilson Brothers (a corporation) et al., appellants, *v.* Cassius B. Nelson. Restored to the docket, with leave to submit on briefs within two weeks.

No. 625. The Hartford Fire Insurance Company, petitioner, *v.* Albert A. Wilson et al. Petition for a writ of certiorari to the court of appeals of the District of Columbia submitted by Mr. Alexander Wolf and Mr. Samuel B. Paul for petitioner, and by Mr. Henry P. Blair for respondents.

No. 605. Aaron A. Parker et al., petitioners, *v.* John W. Squires. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Charles L. Frailey in behalf of Mr. William J. Gray for the petitioners, and by Mr. Ronald Kelly for respondent.

No. 7, Original. Ex parte: In the matter of Orange Fuller, assignee, etc., petitioner. Assigned for argument on Monday, the 15th instant, on motion of Mr. William M. Springer in behalf of counsel.

No. 380. The United States, appellant, *v.* The Officers and Crew of the United States Steamer Mangrove; and

No. 445. The Officers and Enlisted Men of the United States Ships New York, Indiana and Wilmington, appellants, *v.* The Officers and Crew of the United States Steamer Mangrove. Motion for leave to take further proof herein submitted by Mr. Assistant Attorney-General Hoyt for appellant in No. 380, by Mr. James H. Hayden, Mr. Joseph K. McCammon, Mr. George A. King and Mr. William B. King for the appellants in No. 445, in support of motion, and by Mr. H. A. Herbert and Mr. Benjamin Micou for the appellees in opposition thereto.

No. 623. Michael Kelly, petitioner, *v.* Jutte & Foley Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. E. Spencer Miller for the petitioner, and by Mr. Richard P. White for the respondent.

No. 624. David V. Rieger, 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. Frank Hagerman and Mr. W. P. Hall for petitioners, with leave to Mr. Solicitor-General Richards to file opposition within three days.

No. 260. Annie R. Kean et al., plaintiffs in error, *v.* The Calumet Canal and Improvement Company. Motion for a continuance submitted by Mr. E. D. F. Brady in behalf of counsel for plaintiffs in error, and by Mr. George E. Hamilton for the defendant in error in opposition thereto.

No. 594. The Passaic Print Works, petitioner, *v.* Ely & Walker Dry Goods Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Edwin T. Hoyt and Mr. F. B. Van Vorst for the petitioner, and by Mr. William B. Thompson for the respondent.

No. 241. Michael W. O'Brien et al., executors, etc., petitioners, *v.* John G. Wheelock et al. Motion for a continuance submitted by Mr. A. C. Matthews for the respondents in support of motion, and by Mr. Henry M. Duffield for the petitioners in opposition thereto.

No. 626. John Francis et al., petitioners, *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. Miller Outcalt and Mr. Thomas F. Shay for the petitioners.

No. 1, Original. The State of New Jersey, complainant, *v.* The State of Delaware. Leave to defendant to plead, answer or demur on or before October 14 next granted, on motion of Mr. Herbert H. Ward for the defendant. Motion for decree pro confesso submitted by Mr. S. H. Grey for complainant and continued until next term.

No. 567. I. Stanton Carter (on behalf of Oberlin M. Carter), appellant, *v.* Robert W. McClaughry, warden, etc. Motion to admit Oberlin M. Carter to bail submitted by Mr. J. M. Wilson for the appellant, with leave to Mr. Solicitor-General Richards to file opposition within five days.

No. 548. The United States, appellant, *v.* The Rio Grande Dam and Irrigation Company et al. Motion to advance submitted by Mr. J. H. McGowan for the appellees.

No. 353. The United States, appellant, *v.* William Edmonston. Submitted by Mr. Assistant Attorney-General Pradt for the appellant, and by Mr. Harvey Spalding and Mr. E. W. Spalding for the appellee.

No. 413. Charles A. Gregory, appellant, *v.* Mary H. Pike. Motions to dismiss or affirm submitted by Mr. Thomas H. Talbot in support of motions, and by Mr. F. A. Brooks in opposition thereto.

No. 189. John P. Mallett et al., plaintiffs in error, *v.* The State of North Carolina. Argued by Mr. F. H. Busbee for the plaintiffs in error, and by Mr. J. C. L. Harris and Mr. B. G. Green for the defendant in error, with leave to counsel for plaintiffs in error to file an additional brief within five days.

No. 217. Florence Audubon et al., appellants, *v.* Robert W. Shufeldt. Argued by Mr. Henry Randall Webb for the appellants, and by Mr. John T. Deweese for the appellee.

No. 221. Rollinson Colburn et al., appellants, *v.* Robert E. Grant, executor, etc., et al. Argument commenced by Mr. Franklin H. Mackey for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 9, will be as follows: Nos. 221, 222, 224, 227, 230, 231, 232, 234, 212 and 235.

O

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 9, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

The Chief Justice announced the following order of the court:

No. 241. Michael W. O'Brien et al., executors, etc., petitioners, *v.* John G. Wheelock et al. Motion for continuance granted.

No. 21. Josephine H. Throckmorton et al., plaintiffs in error, *v.* Washington D. Holt et al. Mandate granted, on motion of Mr. Calderon Carlisle for the plaintiffs in error.

No. 221. Rollinson Colburn et al., appellants, *v.* Robert E. Grant, executor, et al. Argument concluded by Mr. Franklin H. Mackey for the appellants, and submitted by Mr. J. Holdsworth Gordon for the appellees.

No. 222. David Wells et al., plaintiffs in error, *v.* The Mayor and Aldermen of the City of Savannah et al. Argued by Mr. Pope Barrow and Mr. J. R. Saussy for the plaintiffs in error, and by Mr. Samuel B. Adams for the defendants in error.

No. 212. Charles H. Nutting, plaintiff in error, *v.* The Commonwealth of Massachusetts. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. H. M. Knowlton for the defendant in error.

No. 224. The District of Columbia, plaintiff in error, *v.* Hosea B. Moulton. Argument commenced by Mr. Andrew B. Duvall for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 10, will be as follows: Nos. 224, 227, 230, 231, 232, 234, 235, 236 (and 225), 237 and 238.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 10, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

The Solicitor-General presented to the court the Hon. Philander C. Knox as Attorney-General of the United States, and it was ordered that his commission be recorded.

No. 457. The Farmers' Loan and Trust Company, trustee, petitioner, *v.* The Penn Plate Glass Company et al. Motion to advance submitted by Mr. Bernard Carter for the respondents.

No. 237. The District of Columbia, appellant, *v.* Columbus J. Eslin, administrator, etc., et al. Passed temporarily, on motion of Mr. John W. Douglass for the appellees.

No. 224. The District of Columbia, plaintiff in error, *v.* Hosea B. Moulton. Argument continued by Mr. Andrew B. Duvall for the plaintiff in error, by Mr. Charles L. Frailey and Mr. A. S. Worthington for the defendant in error, and concluded by Mr. Andrew B. Duvall for the plaintiff in error.

No. 227. Charles H. Treat, United States collector, etc., plaintiff in error, *v.* Stephen V. White. Argued by Mr. Assistant Attorney-General Beck for the plaintiff in error, and by Mr. Stephen V. White in propria persona.

No. 230. Edward W. Speed, as administrator, etc., et al., plaintiffs in error, *v.* Patrick B. McCarthy. Argument commenced by Mr. George Lines for the plaintiffs in error, and continued by Mr. W. L. McLaughlin for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 11, will be as follows: Nos. 230, 231, 232, 234, 235, 236 (and 225), 238, 239, 240 and 242.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 11, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

The Chief Justice announced the following order of the court:

No. 260. Annie R. Kean et al., plaintiffs in error, *v.* The Calumet Canal and Improvement Company. Motion to continue denied.

No. 230. Edward W. Speed, as administrator, etc., et al., plaintiffs in error, *v.* Patrick B. McCarthy. Argument continued by Mr. W. L. McLaughlin for the defendant in error, and concluded by Mr. George Lines for the plaintiffs in error.

No. 231. The Red River Valley National Bank of Fargo, plaintiff in error, *v.* Archibald J. Craig et al. Argued by Mr. Ira B. Mills for plaintiff in error, and submitted by Mr. S. B. Pinney for the defendants in error.

No. 232. The Joseph Schlitz Brewing Company, appellant, *v.* The United States. Argued by Mr. William B. King for the appellant, and by Mr. Assistant Attorney-General Pradt for the appellee.

No. 234. John E. Codlin, chairman, et al., appellants, *v.* Charles B. Kohlhausen et al. Argued by Mr. Andricus A. Jones for the appellees, and submitted by Mr. R. E. Twitchell for the appellants.

No. 235. John Glavey, appellant, *v.* The United States. Argument commenced by Mr. R. D. Benedict for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 12, will be as follows: Nos. 235, 236 (and 225), 238, 239, 240, 242, 243, 244, 245 and 249.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 12, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

William J. Carr of New York City and F. M. Ballinger of Keokuk, Iowa, were admitted to practice.

No. —, Original. Ex parte: In the matter of Wilder's Steamship Company, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Duane E. Fox for the petitioner.

No. 235. John Glavey, appellant, *v.* The United States. Argument continued by Mr. R. D. Benedict for the appellant, by Mr. Assistant Attorney-General Pradt for the appellee, and concluded by Mr. R. D. Benedict for the appellant.

Nos. 236 and 225. The American Sugar Refining Company, petitioner, *v.* The United States. Argued by Mr. H. B. Closson for the petitioner, and by Mr. Assistant Attorney-General Hoyt for the respondent.

No. 238. The District of Columbia, appellant, *v.* Stephen Talty. Argument commenced by Mr. Robert A. Howard for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 15, will be as follows: Nos. 238, 239, 240, 242, 243, 244, 245, 249, 251 and 252.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 15, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

John Malmesbury Wright of San Francisco, Cal., Charles A. Gardner of New York City, John J. O'Connell of Boston, Mass., Albert Hessberg of Albany, N. Y., Robert Chetwood Beatty of New York City, John B. Chapman of Pittsburg, Pa., Edward McSweeney of Pittsburg, Pa., Alex. Dulin of Sutton, W. Va., William H. Carson of New York City and Maurice Kelly of Washington, D. C., were admitted to practice.

No. 133. Joel Parker Whitney et al., appellants, *v.* The United States et al. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice Peckham.

No. 168. Frank X. Werling et al., plaintiffs in error, *v.* Emily E. Ingersoll et al. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 207. Henry M. Baker, petitioner, *v.* Horace S. Cummings. On writ of certiorari to the court of appeals of the District of Columbia. Judgment reversed with costs, and cause remanded with directions to reinstate the judgment of the supreme court of the District of Columbia in favor of the plaintiff. Opinion by Mr. Justice Peckham. (Mr. Justice Brewer did not hear the argument and took no part in the decision of this cause.)

No. 183. The St. Paul Gas Light Company, plaintiff in error, *v.* The City of St. Paul. In error to the supreme court of the State of Minnesota. Dismissed for the want of jurisdiction. Opinion by Mr. Justice White.

No. 117. The Western Union Telegraph Company, plaintiff in error, *v.* The Call Publishing Company. In error to the supreme court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 226. Frank M. Fairbank, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of

Minnesota. Judgment reversed, and cause remanded with directions to grant a new trial. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice White and Mr. Justice McKenna. Mr. Justice Brown concurs in the judgment.

No. 17. Peter Lee Atherton, plaintiff in error, *v.* Mary G. Atherton. 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. Opinion by Mr. Justice Gray. Dissenting: Mr. Justice Peckham and Mr. Chief Justice Fuller.

No. 39. Frederick A. Bell, plaintiff in error, *v.* Mary G. Bell. In error to the supreme court of the State of New York. Judgment affirmed with costs *nunc pro tunc* as of April 26, 1900. Opinion by Mr. Justice Gray.

No. 109. August Streitwolf, plaintiff in error, *v.* Elizabeth Streitwolf. In error to the court of errors and appeals of the State of New Jersey. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 305. Charles W. Lynde, plaintiff in error, *v.* Mary W. Lynde. In error to the supreme court of the State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Gray.

No. 369. Mary W. Lynde, plaintiff in error, *v.* Charles W. Lynde. In error to the supreme court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 58. L. J. Bryan, as marshal, etc., petitioners, *v.* Louis Bernheimer. On writ of certiorari to 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 middle district of Alabama for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Gray.

No. 148. George H. Scott, plaintiff in error, *v.* Parry L. Deweese, receiver, etc. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the western district of Missouri. Opinion by Mr. Justice Harlan.

No. 234. John E. Codlin, chairman, et al., appellants, *v.* Charles B. Kohlhousen et al. In error to the supreme court of the Territory of New Mexico. Dismissed without costs to either party. Opinion by Mr. Chief Justice Fuller.

No. 337. The City of New Orleans, appellant, *v.* Alphone Emsheimer. Appeal from the circuit court of the United States for the eastern district of Louisiana. Dismissed with costs. Opinion by Mr. Chief Justice Fuller.

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

Order: Ordered that the Territory of Hawaii be, and it is hereby, assigned to the ninth judicial circuit under section 15 of the judiciary act of March 3, 1891.

No. 380. The United States, appellant, *v.* The Officers and Crew of the United States Steamer Mangrove; and

No. 445. The Officers, etc., of the United States Ships New York, Indiana and Wilmington, appellants, *v.* The Officers and Crew of the United States Steamer Mangrove. Motion that all the parties to these appeals have leave to take further proofs granted.

No. 413. Charles A. Gregory, appellant, *v.* Mary H. Pike. Appeal from the circuit court of the United States for the district of Massachusetts. Dismissed for the want of jurisdiction.

No. 548. The United States, appellant, *v.* The Rio Grande Dam and Irrigation Company et al. Motion to advance granted, and cause assigned for argument on Monday, the 28th of October next, after the cases already set down for that day.

No. 594. The Passaic Print Works, petitioner, *v.* Ely & Walker Dry Goods Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 605. Aaron A. Parker et al., petitioners, *v.* John W. Squires. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 623. Michael Kelly, petitioner, *v.* Jutte & Foley Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 624. David V. Rieger, 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. 625. The Hartford Fire Insurance Company, petitioner, *v.* Albert A. Wilson et al. Petition for a writ of certiorari to the court of appeals of the District of Columbia granted.

No. 626. John Francis et al., petitioners, *v.* The United States. Execution of judgment of court below stayed until Monday, May 13 next.

No. 457. The Farmers Loan and Trust Company, trustee, petitioner, *v.* The Penn Plate Glass Company. Motion to advance denied.

No. 18, Original. *Ex parte*: In the matter of The Wilder's Steamship Company, petitioner. Motion for leave to file petition for a writ of mandamus granted, and rule to show cause awarded, returnable on Monday, May 13 next.

No. 615. Ferdinand Eidman, United States collector, plaintiff in error, *v.* Miguel R. Martinez; and

No. 628. Frank R. Moore, as United States collector, plaintiff in error, *v.* Max Ruckgaber, sr. Motions to advance submitted by Mr. Assistant Attorney-General Hoyt for the plaintiffs in error.

No. 610. S. M. Burt et al., petitioners, *v.* The Union Central Life Insurance Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. A. S. Burleson and Mr. A. W. Terrell for the petitioners.

No. 631. The Terre Haute and Indianapolis Railroad Company et al., petitioners, *v.* Mark T. Cox et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Laurence Maxwell, jr., and Mr. S. O. Pickens for the petitioners, and by Mr. John G. Williams and Mr. George W. Wickersham for the respondents.

No. —, Original. Ex parte: In the matter of The American Sugar Refining Company, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Simon Lyon in behalf of counsel for the petitioner.

No. 619. New York Life Insurance Company, petitioner, *v.* James Allison. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Frederic D. McKenney, Mr. G. W. Hubbell and Mr. E. E. McCall for the petitioner, and by Mr. A. J. Dittenhoefer for the respondent.

No. 456. Elias S. A. de Lima et al., plaintiffs in error, *v.* George R. Bidwell. Motion for leave to file brief herein on behalf of certain interested parties submitted by Mr. Charles A. Gardiner in support of motion, and by Mr. Assistant Attorney-General Hoyt in opposition thereto.

No. 575. The Kennedy Mining and Milling Company, plaintiff in error, *v.* The Argonaut Mining Company. Motions to dismiss or affirm submitted by Mr. S. S. Burdett in behalf of Mr. C. H. Lindley and Mr. Henry Eickhoff in support of motions, and by Mr. John M. Wright in opposition thereto.

No. 633. Maximilian W. Falk, petitioner, *v.* The United States. Petition for a writ of certiorari to the court of appeals of the District of Columbia submitted by Mr. Edwin Forrest for the petitioner, with leave to Mr. Assistant Attorney-General Hoyt to file brief in opposition within five days.

No. 617. The Allegheny Oil Company, petitioner, *v.* Hiram A. Snyder et al.; and

No. 618. George Gillmor et al., petitioners, *v.* H. W. Brown et al. Petitions for writs of certiorari to the United States circuit court of

appeals for the sixth circuit submitted by Mr. John B. Chapman, Mr. W. H. H. Miller, Mr. Benjamin Harrison and Mr. Walter G. Shotwell for the petitioners, and by Mr. D. A. Hollingsworth and Mr. Edward McSweeney for the respondents.

No. 81. The Gulf and Ship Island Railroad Company, plaintiff in error, *v.* George P. Hewes, tax collector, etc. Motions to dismiss or affirm submitted by Mr. R. C. Beckett and Mr. F. A. Critz in support of motions, and by Mr. Eaton J. Bowers in opposition thereto.

No. 504. J. D. Wall et al., appellants, *v.* Walter O. Cox, trustee. Submitted under 32d rule by Mr. Clement Manly for the appellants, and by Mr. Louis M. Swink for the appellee.

No. 599. The Mobile Transportation Company, plaintiff in error, *v.* The City of Mobile. Motions to dismiss or affirm submitted by Mr. Harry T. Smith in support of motions, and by Mr. Frederic G. Bromberg and Mr. William B. Putney in opposition thereto.

No. 252. The State of Arkansas, appellant, *v.* The Kansas and Texas Coal Company et al. Passed.

No. 238. The District of Columbia, appellant, *v.* Stephen Talty. Writ of certiorari awarded, and certificate of clerk of Court of Claims taken as a return thereto, on motion of Mr. Robert A. Howard for the appellant.

No. 238. The District of Columbia, appellant, *v.* Stephen Talty. Argument continued by Mr. Robert A. Howard for the appellant, and concluded by Mr. V. B. Edwards for the appellee.

No. 7, Original. *Ex parte*: In the matter of Orange Fuller, assignee, etc., petitioner. Return to rule argued by Mr. James Hagerman for the respondent, and submitted by Mr. H. O. Shepard and Mr. W. T. Hutchings for the petitioner.

No. 239. Wm. R. Reagan, appellant, *v.* The United States. Argued by Mr. William B. King for the appellant, and by Mr. Assistant Attorney-General Pradt for the appellee.

No. 240. The McKinley Creek Mining Company et al., appellants, *v.* The Alaska United Mining Company et al. Argument commenced by Mr. S. M. Stockslager for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 16, will be as follows: Nos. 240, 242, 243, 244, 245, 249, 251, 186, 255 and 257.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 16, 1901.

Present: The Chief Justice, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Fred M. Bixby and Walter I. Lane of Brockton, Mass., were admitted to practice.

No. 240. The McKinley Creek Mining Company et al., appellants, *v.* The Alaska United Mining Company et al. Argument continued by Mr. S. M. Stockslager for the appellants, by Mr. L. T. Michener for the appellees, and concluded by Mr. S. M. Stockslager for the appellants.

No. 242. Andrew H. Russell et al., appellants, *v.* The United States. Argued by Mr. James H. Hayden for the appellants, and by Mr. C. C. Binney for the appellee.

No. 243. Barbara Chavez De Armijo, appellant, *v.* Justo R. Armijo. Argument commenced by Mr. J. H. McGowan for the appellant, and continued by Mr. Neill B. Field for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 17, will be as follows: Nos. 243, 244, 245, 249, 251, 186, 255, 257, 259 and 260.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 17, 1901.

Present: The Chief Justice, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

John Morris Perry of New York City and Andrew L. Jackson of Fort Worth, Tex., were admitted to practice.

No. 262. The Sun Printing and Publishing Association, petitioner, *v.* William L. Moore. Continued per stipulation.

No. 243. Barbara Chavez De Armijo, appellant, *v.* Justo R. Armijo. Argument continued by Mr. Neill B. Field for the appellee, and concluded by Mr. J. H. McGowan for the appellant.

No. 244. John Charles Barclay, plaintiff in error, *v.* Grace Leslie Barclay. In error to the supreme court of the State of Illinois. Dismissed with costs, on the authority of counsel for the plaintiff in error.

No. 245. Henry Clews et al., petitioners, *v.* Malcolm M. Jamieson et al. Argument commenced by Mr. Henry D. Estabrook for the petitioners, and continued by Mr. John H. Hamline and Mr. Horace K. Tenney for the respondents, and by Mr. Henry D. Estabrook for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 18, will be as follows: Nos. 245, 249, 251, 186, 255, 257, 259, 260, 261 and 248.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 18, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice Peckham and Mr. Justice McKenna.

George W. Jacobs, jr., of Philadelphia, Pa., was admitted to practice.

No. 567. I. Stanton Carter (on behalf of Oberlin M. Carter), appellant, *v.* Robert W. McClaughry, warden, etc. Statement and motion as to the brief of the Solicitor-General herein submitted by Mr. A. A. Hoehling, jr., in behalf of Mr. J. M. Wilson for the petitioner.

No. 263. Hippolite Filhiol et al., plaintiffs in error, *v.* Charles E. Maurice et al. Continued per stipulation.

No. 245. Henry Clews et al., petitioners, *v.* Malcolm M. Jamieson et al. Argument concluded by Mr. Henry D. Estabrook for the petitioners.

No. 249. Wm. H. Carson, plaintiff in error, *v.* The Sewerage Commissioners of the City of Brockton, etc. Argued by Mr. William H. Carson in propria persona. No brief filed for the defendants in error.

No. 251. Augustus Burgdorf et al., plaintiffs in error, *v.* The United States to use of Vermont Marble Company. Argued by Mr. William G. Johnson and Mr. J. J. Darlington for the plaintiffs in error, and by Mr. John B. Cotton for the defendant in error.

No. 186. The United States, appellant, *v.* The Southern Pacific Railroad Company et al. Argument commenced by Mr. Joseph H. Call for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 19, will be as follows: Nos. 186, 255, 257, 259, 260, 261, 248, 212, 264 and 265.

○

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 19, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Paul Sheldon of New York City, James Hamilton of Boston, Mass., Harrison J. Barrett of Baltimore, Md., W. W. Brannon of Weston, W. Va., and John A. Sheppard of Williamson, W. Va., were admitted to practice.

No. 264. Milton C. Mitchell, plaintiff in error, *v.* The Potomac Insurance Company of Georgetown, D. C. Continued, on motion of Mr. J. Holdsworth Gordon for the defendant in error.

No. 265. The State of Iowa, plaintiff in error, *v.* Edwin O. Rood et al. Continued.

No. 186. The United States, appellant, *v.* The Southern Pacific Railroad Company et al. Argument continued by Mr. Maxwell Evarts and Mr. M. D. Brainard for the appellees, and concluded by Mr. Joseph H. Call for the appellant.

No. 255. Northwestern Life Assurance Company, plaintiff in error, *v.* Sweetie Villeneuve. Argued by Mr. Maurice E. Locke for the plaintiff in error, and submitted by Mr. J. S. Hogg for the defendant in error.

No. 257. The Capital City Dairy Company, plaintiff in error, *v.* The State of Ohio ex rel. Attorney-General. Argument commenced by Mr. Thomas Ewing Steele for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 22, will be as follows: Nos. 257, 259, 260, 261, 248, 212, 266, 267, 269 and 270.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 22, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

William H. Clark of Dallas, Tex., James B. Ruhl of Cleveland, Ohio, William B. Reilly of Washington, D. C., William McAdoo of New York City, R. B. McMaster of New York City and Thomas P. Wickes of New York City were admitted to practice.

No. 153. H. M. Bedford et ux., petitioners, *v.* The Eastern Building and Loan Association. On writ of certiorari to the United States circuit court of appeals for the sixth circuit. Decree of the circuit court of the United States for the western district of Tennessee modified so as to release Lou M. Bedford from personal liability for any indebtedness to the respondent in this cause, with costs to her on the appeal to and in the circuit court of appeals and in this court, and, as so modified, affirmed with costs, and cause remanded to said circuit court. Opinion by Mr. Justice McKenna.

No. 155. W. P. Smith, plaintiff in error, *v.* The St. Louis and Southwestern Railway Company of Texas. In error to the court of civil appeals of the second supreme judicial district of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice Brown.

No. 215. R. Rasmussen, plaintiff in error, *v.* The State of Idaho. In error to the supreme court of the State of Idaho. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 193. The International Navigation Company, petitioner, *v.* The Farr and Bailey Manufacturing Company. On writ of certiorari to 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. Chief Justice Fuller.

The Chief Justice announced that the court would suspend the call of the docket for the term on Friday, the 26th instant; that the court would take a recess from Monday, the 29th instant, to Monday, May 13 next, and that the court would adjourn for the term on Monday, May 27 next.

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

No. 567. *I. Stanton Carter* (on behalf of *Oberlin M. Carter*), appellant, *v. Robert W. McClaughry*, warden, etc. Motion to admit *Oberlin M. Carter* to bail denied.

No. 81. *The Gulf and Ship Island Railroad Company*, plaintiff in error, *v. George P. Hewes*, tax collector, etc. Motions to dismiss or affirm postponed to the hearing of the case on its merits.

No. 575. *The Kennedy Mining and Milling Company*, plaintiff in error, *v. The Argonaut Mining Company*. Motions to dismiss or affirm postponed to the hearing of the case on its merits.

No. 599. *The Mobile Transportation Company*, plaintiff in error, *v. The City of Mobile*. Motions to dismiss or affirm postponed to the hearing of the case on its merits.

No. 610. *S. M. Burt et al.*, petitioners, *v. The Union Central Life Insurance Company*. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit granted.

No. 615. *Ferdinand Eidman*, United States collector, plaintiff in error, *v. Miguel R. Martinez*, etc.; and

No. 628. *Frank R. Moore*, United States collector, plaintiff in error, *v. Max Ruckgaber, sr.*, etc. Motions to advance granted, and cases assigned for argument on Monday, October 28 next, after the cases already set down for that day.

No. 617. *The Allegheny Oil Company*, petitioner, *v. Hiram A. Snyder et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 618. *George Gillmor et al.*, petitioners, *v. H. W. Brown et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 619. *New York Life Insurance Company*, petitioner, *v. James Allison*. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 631. *The Terre Haute and Indianapolis Railroad Company et al.*, petitioners, *v. Mark T. Cox et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 633. *Maximilian W. Falk*, petitioner, *v. The United States*. Petition for a writ of certiorari to the court of appeals of the District of Columbia denied.

No. —, Original. *Ex parte*: In the matter of *The American Sugar Refining Company*, petitioner. Motion for leave to file petition for a writ of mandamus denied.

No. 248. *Albert H. Waite*, petitioner, *v. The City of Santa Cruz*.

Leave granted to file brief herein of Mr. Frank J. Sullivan as *amicus curia*, on motion of Mr. J. K. Richards in his behalf.

No. 428. The Fidelity Mutual Life Association of Philadelphia, plaintiff in error, *v.* Jennie M. Mettler. Motions to dismiss or affirm submitted by Mr. Charles A. Culberson and Mr. William H. Clark in support of motions, and by Mr. John G. Johnson in opposition thereto.

No. 632. Miltenberger Lawder et al., petitioners, *v.* William F. Stone, collector, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Thomas P. Wickes and Mr. Edward S. Hatch for the petitioners, with leave to respondent to file brief in opposition thereto.

No. 642. William R. Tucker, vice-consul of Russia at Philadelphia, Pa., petitioner, *v.* The United States ex rel. Leo Alexandroff. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Frederic R. Coudert, jr., Mr. Paul Fuller and Mr. John F. Lewis for the petitioner, with leave to Mr. Solicitor-General Richards to file suggestion in relation thereto.

No. 592. Metcalf Brothers & Co., petitioners, *v.* Benjamin Barker, jr., trustee, etc. Motion to advance submitted by Mr. N. S. Spencer for the petitioners.

No. 640. Ferdinand L. Loeb et al., petitioners, *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. W. Wickham Smith and Mr. Charles Curie for the petitioners, and by Mr. Solicitor-General Richards for the respondent.

No. 208. Wilson Brothers (a corporation) et al., appellants, *v.* Cassius B. Nelson. Submitted per stipulation by Mr. J. M. Flower, Mr. Harrison Musgrave and Mr. D. K. Tenney for the appellants, and by Mr. William F. Vilas for the appellee.

No. 269. The Citizens' Bank of Louisiana, plaintiff in error, *v.* Caleb H. Parker, tax collector, etc. Continued per stipulation.

No. 257. The Capital City Dairy Company, plaintiff in error, *v.* The State of Ohio ex rel. Attorney-General. Argument continued by Mr. Thomas Ewing Steele for the plaintiff in error, by Mr. E. B. Dillon for the defendant in error, and concluded by Mr. Thomas Ewing Steele for the plaintiff in error.

No. 259. Thomas Connolly et al., plaintiffs in error, *v.* Union Sewer Pipe Company. Argument commenced by Mr. Henry D. Coghlan for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 23, will be as follows: Nos. 259, 260, 261, 248, 212, 266, 267, 270, 271 and 272.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 23, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

George Halverson of Ogden, Utah, and Rhodes S. Baker of Dallas, Tex., were admitted to practice.

No. 259. Thomas Connolly et al., plaintiffs in error, *v.* Union Sewer Pipe Company. Argument continued by Mr. Herbert Hamlin and Mr. Edwin Walker for the defendant in error, and concluded by Mr. Henry D. Coghlan for the plaintiffs in error.

No. 260. Annie R. Kean et al., plaintiffs in error, *v.* The Calumet Canal and Improvement Company. In error to the supreme court of the State of Indiana. Dismissed with costs, pursuant to the tenth rule.

No. 261. The Guarantee Company of North America, petitioner, *v.* The Mechanics' Savings Bank and Trust Company for the use of J. J. Pryor, trustee. Argument commenced by Mr. William L. Granbery for the petitioner, and continued by Mr. Edward H. East for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 24, will be as follows: Nos. 261, 248, 266, 267, 270, 271, 272, 273, 274 and 275.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 24, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Halleck F. Rose of Lincoln, Nebr., and Lucius L. Bridges of Washington, D. C., were admitted to practice.

No. 272. The Territory of Oklahoma *ex rel.* S. P. Ridings, county attorney of the county of Grant, appellant, *v.* T. P. Neville et al., etc. Submitted by Mr. John W. Shartel and Mr. J. R. Keaton for the appellant, and by Mr. Horace Speed for the appellees.

No. 261. The Guarantee Company of North America, petitioner, *v.* The Mechanics' Savings Bank and Trust Company for the use of J. J. Pryor. Argument concluded by Mr. William L. Granbery for the petitioner.

No. 248. Albert H. Waite, petitioner, *v.* The City of Santa Cruz. Argument commenced by Mr. John F. Dillon for the petitioner, and continued by Mr. James G. Maguire for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 25, will be as follows: Nos. 248, 266, 267, 270, 271, 273, 274, 275, 276 and 277.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 25, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

John C. Welles of Washington, D. C., Walter S. Fulton of Seattle, Wash., and Clifford Histed of Topeka, Kans., were admitted to practice.

No. 642. Wm. R. Tucker, vice consul, etc., petitioner, *v.* The United States ex rel. Leo Alexandroff. Leave granted to submit certain correspondence, on motion of Mr. F. R. Coudert, jr., for the petitioner.

No. 248. Albert H. Waite, petitioner, *v.* The City of Santa Cruz. Argument continued by Mr. F. R. Coudert, jr., for the respondent, and concluded by Mr. John F. Dillon for the petitioner.

No. 266. A. W. Corbus, appellant, *v.* The Alaska Treadwell Gold Mining Company. Argued by Mr. L. T. Michener for the appellant. No counsel appeared for the appellee.

No. 267. Holzapfels Compositions Company (Limited), petitioner, *v.* Rahtjens American Composition Company. Argument commenced by Mr. William McAdoo for the petitioner, and continued by Mr. T. D. Merwin for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 26, will be as follows: Nos. 267, 270, 271, 273 (and 274), 275, 276, 277, 279 (and 280), 282 and 284.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 26, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Otto T. Hess of New York City was admitted to practice.

No. 284. H. L. Pinney et al., plaintiffs in error, *v.* R. T. Nelson. Submitted by Mr. M. L. Graff for the plaintiffs in error, with leave to counsel for defendant in error to file brief hereafter.

No. 267. Holzapfels Compositions Company (Limited), petitioner, *v.* Rahtjens American Composition Company. Argument continued by Mr. T. D. Merwin and Mr. T. B. Kerr for the respondent, and concluded by Mr. John G. Carlisle for the petitioner. Leave granted to respondent to file an additional brief within three days and to petitioner to reply thereto within three days thereafter.

No. 270. The Commercial National Bank, plaintiff in error, *v.* Alma D. Chambers, as treasurer of Weber County, Utah. Argued by Mr. James N. Kimball for the defendant in error, and submitted by Mr. Abbot R. Heywood for the plaintiff in error.

No. 271. The Board of County Commissioners of the County of Lake, Colorado, petitioner, *v.* James R. Sutliff. Argued by Mr. W. H. Bryant for the petitioner, and by Mr. Edmund F. Richardson for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call has been suspended for the term.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 29, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice Peckham and Mr. Justice McKenna.

Louis P. Paquet of New Orleans, La., Donald G. Perkins of Norwich, Conn., Federico Degetan of San Juan, Porto Rico, John C. Davis of Washington, D. C., Henry C. Fink of Montrese, Colo., Thomas Evans of Wilmington, N. C., Francis B. Bracken of Philadelphia, Pa., and Ivan W. Goodner of Pierre, S. Dak., were admitted to practice.

No. 283. John B. Wight et al., Commissioners of the District of Columbia, appellants, *v.* Charles H. Davidson et al. 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. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna.

No. 101. James T. Wormley, plaintiff in error, *v.* The District of Columbia; and

No. 102. Anna P. Hoover Allen et al., plaintiffs in error, *v.* The District of Columbia. In error to the court of appeals of the District of Columbia. Judgments affirmed with costs. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna.

No. 498. Margaret French et al., plaintiffs in error, *v.* The Barber Asphalt Paving Company. In error to the supreme court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna.

No. 411. The City of Detroit et al., appellants, *v.* Ralzemond A. Parker. Appeal from the circuit court of the United States for the eastern district of Michigan. Decree reversed with costs, and cause remanded with directions to dismiss the bill of complaint. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna.

No. 214. The Town of Tonawanda, in Erie County, et al., appellants, *v.* James B. Lyon. Appeal from the circuit court of the United States for the northern district of New York. Decree reversed with costs, and cause remanded with directions to dismiss the bill of complaint. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna.

No. 378. Mortimer Webster, plaintiff in error, *v.* The City of Fargo et al. In error to the supreme court of the State of North Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna.

No. 508. Cass Farm Company (Limited) et al., plaintiffs in error, *v.* City of Detroit et al. In error to the supreme court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna.

No. 550. John L. Shumate, plaintiff in error, *v.* August Heman. In error to the supreme court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna.

No. 201. Thomas F. Farrell et al., plaintiffs in error, *v.* The West Chicago Park Commissioners. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice White and Mr. Justice McKenna.

No. 227. Charles H. Treat, United States collector of internal revenue, plaintiff in error, *v.* Stephen V. White. On a certificate from the United States circuit court of appeals for the second circuit. Question certified answered in the affirmative. Opinion by Mr. Justice Brewer.

No. 504. John D. Wall et al., appellants, *v.* Walter O. Cox, trustee, etc. On a certificate from the United States circuit court of appeals for the fourth circuit. First question certified answered in the negative. Opinion by Mr. Justice Gray.

No. 230. Edward W. Speed, as administrator, etc., et al., plaintiffs in error, *v.* Patrick B. McCarthy. In error to the circuit court of Pennington County, State of South Dakota. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 535. The American Sugar Refining Company, petitioner, *v.* The City of New Orleans. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit granted, the certified copy of transcript of record taken and filed as return to writ of certiorari, and judgment of said United States circuit court of appeals reversed

with costs, and cause remanded to said court with directions to reinstate the same and hear and determine it on its merits. Opinion by Mr. Chief Justice Fuller. Mr. Justice Gray concurs in the result.

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

No. 428. The Fidelity Mutual Life Association of Philadelphia, plaintiff in error, *v.* Jennie M. Mettler. Motions to dismiss or affirm postponed to the hearing of the case on its merits.

No. 592. Metcalf Brothers & Co., petitioner, *v.* Benjamin Barker, jr., trustee. Motion to advance denied.

No. 632. Miltenburger Lawder et al., petitioners, *v.* William F. Stone, collector. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit granted.

No. 640. Ferdinand L. Loeb et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 642. William R. Tucker, vice-consul, etc., petitioner, *v.* The United States ex rel. Leo Alexandroff. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 92. Elliott H. Phelps et al., plaintiffs in error, *v.* Robert Radford Beard, receiver, etc. Restored to the docket for reargument.

No. 106. Charles F. Champion, appellant, *v.* John C. Ames, United States marshal. Restored to the docket for reargument.

No. 626. John Francis et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit granted and case advanced to be heard with No. 106.

No. 272. The Territory of Oklahoma upon the relation of S. P. Ridings, county attorney of the county of Grant, appellant, *v.* T. P. Neville et al. as the board of county commissioners of the county of Grant et al. Appeal from the supreme court of the Territory of Oklahoma. Dismissed for the want of jurisdiction on the authority of *Smith v. Adams*, 130 U. S., 167; *Thomas v. Wooldridge*, 23 Wall., 283, 288.

No. 266. A. W. Corbus, appellant, *v.* The Alaska Treadwell Gold Mining Company. Restored to the docket for reargument on motion of Mr. Solicitor-General Richards for the United States.

No. 388. Charles W. Nordstrom (by his next friend, J. Henry Denning), appellant, *v.* A. T. Van de Vanter, sheriff, et al. Motions to dismiss or affirm submitted by Mr. Walter S. Fulton in support of motions, and by Mr. James Hamilton Lewis in opposition thereto.

No. 389. Charles W. Nordstrom, plaintiff in error, *v.* The State of Washington. Motion for leave to submit motions to dismiss or affirm herein without the notice required by the rule submitted by Mr. Walter

S. Fulton for the defendant in error, in support of motion, and by Mr. James Hamilton Lewis for the plaintiff in error, in opposition thereto.

No. 621. Wm. E. Hale, as receiver, petitioner, *v.* Edward P. Allinson et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. James H. Hayden, Mr. Joseph K. McCammon and Mr. M. H. Boutelle for the petitioner, and by Mr. John G. Johnson for the respondents.

No. 584. John Romig et al., appellants, *v.* Myrtle Gillett. Motions to dismiss and to vacate supersedeas submitted by Mr. William M. Springer in support of motions, with leave to counsel for appellants to file brief in opposition on or before May 10 next.

No. 311. Gideon Manchester, plaintiff in error, *v.* The Central Baptist Church and Society of Tiverton. Motions to dismiss or affirm submitted by Mr. W. P. Sheffield, jr., in support of the motions.

No. 647. Peyton Rowan et al., petitioners, *v.* E. T. Ide. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Thomas H. Clark and Mr. W. A. Gunter for the petitioners.

No. 649. The Western Union Telegraph Company, petitioner, *v.* Francis N. Burgess. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Rush Taggart, Mr. George H. Fearons, and Mr. Henry Newbegin for the petitioner. Mandate of the United States circuit court of appeals herein stayed until May 13, on motion of Mr. Rush Taggart for the petitioner.

No. 645. The New England Railroad Company, petitioner, *v.* Ruth E. Hyde. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Frederic D. McKenney and Mr. Frank A. Farnham for the petitioner, and by Mr. Donald G. Perkins for the respondent.

No. 655. Anton Mencke, petitioner, *v.* A Cargo of Java Sugar, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. J. Parker Kirlin for the petitioner, and by Mr. Wilhelmus Mynderse for the respondent.

No. 305. Charles W. Lynde, plaintiff in error, *v.* Mary W. Lynde; and

No. 369. Mary W. Lynde, plaintiff in error, *v.* Charles W. Lynde. Motion that mandates issue submitted by Mr. Frederic D. McKenney in behalf of Mr. James Westervelt in support of motion, and by Mr. George S. Ingraham in opposition thereto.

No. 638. The Republic of Colombia, petitioner, *v.* The Canca Company et al. Petition for a writ of certiorari to the United States circuit

court of appeals for the fourth circuit submitted by Mr. Calderon Carlisle and Mr. William G. Johnson for the petitioner.

No. 643. Mart Jones, petitioner, *v.* Walker Newton. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Samuel Park and Mr. R. G. Bickford for the petitioner, and by Mr. Thomas Evans for the respondent.

No. 653. The Louisville Trust Company, trustee, etc., petitioner, *v.* Leonard Comingor. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Augustus E. Willson for the petitioner.

No. 656. City of Pierre, petitioner, *v.* Godfrey Dunscomb et al. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Ivan W. Goodner for the petitioner, and by Mr. A. B. Kittredge and Mr. M. H. Cardozo for the respondents.

Adjourned until Monday, May 13, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 13, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

James Rudolph Garfield of Cleveland, Ohio, George C. De Lacy of New York City, Francis S. Laws of Philadelphia, Pa., Charles C. Post of Denver, Colo., Edmund B. McClanahan of Honolulu, Hawaii, John G. Drennan of Chicago, Ill., Howland J. Hamlin of Springfield, Ill., Judson S. West of Topeka, Kans., R. H. Bennett of Iola, Kans., Simon R. Huss of Pittsburg, Pa., John W. Davis of Clarksburg, W. Va., Millard F. Snider of Clarksburg, W. Va., Bayard Wyman of Saginaw, Mich., Robert Briggs of Baltimore, Md., Horace E. Deming of New York City, Charles H. Van Alstine of Oconomowoc, Wis., George R. Willis of Baltimore, Md., Allen A. Davis of Washington, D. C., Joel M. Long of Portland, Oreg., Oscar Luckett of Washington, D. C., and W. T. Gardner of Portland, Oreg., were admitted to practice.

No. 82. Antone Marks, plaintiff in error, *v. J. M. Shoup*. In error to the district court of the United States for the district of Alaska. Judgment reversed with costs, and cause remanded with directions to grant a new trial. Opinion by Mr. Justice McKenna.

No. 176. George H. N. Luhrs, appellant, *v. Wm. A. Hancock et al.* Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 147. Henry Lockhart, plaintiff in error, *v. J. A. Johnson et al.* In error to the supreme court of the Territory of New Mexico. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 222. David Wells et al., plaintiffs in error, *v. The Mayor and Aldermen of the City of Savannah et al.* In error to the supreme court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 231. The Red River Valley National Bank of Fargo, plaintiff in error, *v. Archibald J. Craig et al.* In error to the supreme court of the State of North Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 243. Barbara Chavez de Armijo, appellant, *v.* Justo R. Armijo. Appeal from the supreme court of the Territory of New Mexico. Decree affirmed with costs and interest. Opinion by Mr. Justice Peckham.

No. 150. United States Rubber Company et al., petitioners, *v.* American Oak Leather Company et al. On writ of certiorari to the United States circuit court of appeals for the seventh circuit. Decree of the United States circuit court of appeals reversed with costs and that of the circuit court of the United States for the northern district of Illinois affirmed and cause remanded to said circuit court. Opinion by Mr. Justice Shiras. (Mr. Justice Brown took no part in the decision of this case.)

No. 332. The Put-in-Bay Water Works, Light and Railway Company, appellant, *v.* Charles W. Ryan et al. Appeal from the circuit court of the United States for the northern district of Ohio. Dismissed with costs. Opinion by Mr. Justice Shiras.

No. 151. Wm. D. Hale, receiver, etc., plaintiff in error, *v.* L. V. Lewis et al. In error to the supreme court of the State of Wisconsin. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 178. Turret Steam Shipping Company (Limited), claimant, petitioner, *v.* A. G. Hall et al. On writ of certiorari to the United States circuit court of appeals for the first circuit. Decrees of the United States circuit court of appeals and of the district court of the United States for the district of Massachusetts reversed with costs, and cause remanded to said district court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brown.

No. 353. The United States, appellant, *v.* William Edmonston. Appeal from the Court of Claims. Judgment reversed, and cause remanded with directions to enter judgment for the United States. Opinion by Mr. Justice Brewer.

No. 209. Allejandro Barker et al., plaintiffs in error, *v.* J. Downey Harvey, administrator, etc., et al.; and

No. 210. Jesus Quevas, etc., et al., plaintiffs in error, *v.* J. Downey Harvey, administrator, etc. In error to the supreme court of the State of California. Judgments affirmed with costs. Opinion by Mr. Justice Brewer. (Mr. Justice White took no part in the decision of these cases.)

No. 192. The German National Bank et al., appellants, *v.* A. J. Speckert et al. Appeal from the United States circuit court of appeals for the sixth circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Gray.

No. 172. The District of Columbia, plaintiff in error, *v.* Camden Iron Works. In error to the court of appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced that the court would adjourn from to-day until Monday, the 20th instant.

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

No. 311. Gideon Manchester, plaintiff in error, *v.* The Central Baptist Church and Society of Tiverton. In error to the supreme court of the State of Rhode Island. Dismissed for the want of jurisdiction.

No. 388. Charles W. Nordstrom (by his next friend, J. Henry Denning), appellant, *v.* A. T. Van De Vanter, sheriff, etc., et al. Appeal from the circuit court of the United States for the district of Washington. Order affirmed with costs, on the authority of *Nobles v. Georgia*, 168 U. S., 398; *Kohl v. Lehlback*, 160 U. S., 293.

No. 389. Charles W. Nordstrom, plaintiff in error, *v.* The State of Washington. Motions to dismiss or affirm will be taken on Monday, May 27 next.

No. 584. John Romig et al., appellants, *v.* Myrtle Gillett. Motions to dismiss and to vacate supersedeas postponed to the hearing of the case on its merits.

No. 621. William E. Hale, as receiver, petitioner, *v.* Edward P. Allinson et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 638. The Republic of Colombia, petitioner, *v.* The Cauca Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 643. Mart Jones, petitioner, *v.* Walker Newton. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 645. The New England Railroad Company, petitioner, *v.* Ruth E. Hyde. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 647. Peyton Rowan et al., petitioners, *v.* E. T. Ide. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 649. The Western Union Telegraph Company, petitioner, *v.* Francis N. Burgess. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 653. The Louisville Trust Company, trustee, petitioner, *v.* Leonard Comingor. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit granted, and case advanced to be heard with No. 576.

No. 655. Anton Mencke, petitioner, *v.* A Cargo of Java Sugar, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 670. The United States, petitioner, *v.* Robert McBratney. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Solicitor-General Richards and Mr. Assistant Attorney-General Hoyt for the petitioner, and by Mr. W. Wickham Smith and Mr. Charles Curie for the respondent.

No. 671. The United States, petitioner, *v.* C. E. Lackey. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Solicitor-General Richards for the petitioner, with leave to counsel for respondent to file brief within one week.

No. 636. Joseph Bancroft & Sons Company, petitioner, *v.* Victor G. Bloede. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. John N. Steele and Mr. Herbert H. Ward for the petitioner, with leave to counsel for respondent to file brief within five days.

No. 674. The Union Steamboat Company, petitioner, *v.* The Erie and Western Transportation Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. J. J. Darlington in behalf of Mr. C. E. Kremer, Mr. F. C. Harvey and Mr. W. O. Johnson in support of petition, and Mr. F. H. Canfield opposing.

No. 662. The Connecticut Mutual Life Insurance Company, petitioner, *v.* Sallie E. Hillmon. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Edward S. Isham, Mr. William G. Beale, Mr. Gilbert E. Porter and Mr. James W. Green for the petitioner, and by Mr. C. F. Hutchings and Mr. L. B. Wheat for the respondent.

No. 253. Pin Kwan, petitioner, *v.* The United States; and

No. 254. Ping Yik, petitioner, *v.* The United States. Motion to vacate orders of dismissal herein and to reinstate cases upon the docket submitted by Mr. Heber J. May for the petitioners, and suggestions filed by Mr. Solicitor-General Richards for the United States.

No. 654. E. M. Ayres, plaintiff in error, *v.* John H. Polsdorfer et ux. Motion to be allowed to furnish sixteen copies of the printed record used in lower court submitted by Mr. Heber J. May in behalf of counsel for plaintiff in error.

No. 193. The International Navigation Company, petitioner, *v.* Farr & Bailey Manufacturing Company. Mandate granted per stipulation, on motion of Mr. Frederic D. McKenney in behalf of counsel.

No. 663. William H. Wright et al., petitioners, *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. H. M. Jordan in behalf of

Mr. J. D. Rouse and Mr. William Grant for the petitioners, with leave to counsel for respondent to file brief within one week.

No. 651. A. N. King et al., plaintiffs in error, *v.* The City of Portland et al. Motion to advance submitted by Mr. Joel M. Long for the defendants in error.

No. 669. The Lake Street Elevated Railroad Company, plaintiff in error, *v.* The Farmers' Loan and Trust Company et al. Motions to vacate the supersedeas or to dismiss or affirm submitted by Mr. William Burry and Mr. Herbert B. Turner in support of motions, with leave to counsel for the plaintiff in error to file brief in opposition within five days.

No. —, Original. The State of Kansas, complainant, *v.* The State of Colorado. Motion for leave to file bill of complaint submitted by Mr. Judson S. West for the complainant, with leave to Mr. Charles C. Post to submit objections.

No. 469. Grand Island and Wyoming Central Railroad Company et al., appellants, *v.* Thomas Sweeney. Motions to dismiss or affirm submitted by Mr. S. S. Burdett in behalf of Mr. Charles W. Brown, Mr. Eben W. Martin and Mr. Norman T. Mason in support of motions, and by Mr. C. F. Manderson, Mr. N. T. Griggs, Mr. Henry Frawley and Mr. J. P. Laffey in opposition thereto.

No. 524. Edward S. Richards, plaintiff in error, *v.* Michigan Central Railroad Company. Motion for writ of certiorari to correct the record herein submitted by Mr. G. H. Howard in behalf of counsel for defendant in error, and by Mr. John C. Chaney in opposition thereto.

No. 642. William R. Tucker, vice-consul, etc., petitioner, *v.* The United States ex rel. Leo Alexandroff. Motion to advance submitted by Mr. Crammond Kennedy for the petitioner.

No. 661. The United States ex rel. Cotter T. Bride, petitioner, *v.* Henry B. F. Macfarland et al. Petition for a writ of certiorari to the court of appeals of the District of Columbia submitted by Mr. A. B. Browne in behalf of Mr. O. B. Hallam for the petitioner, and by Mr. A. B. Duvall and Mr. C. A. Brandenburg for the respondents.

No. 673. Edmund Zacher, as receiver, petitioner, *v.* The Fidelity Trust and Safety Vault Company, assignee. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Alexander Pope Humphrey for the petitioner, and by Mr. John G. Simrall and Mr. W. O. Harris for the respondent.

No. 5, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Leave granted to file supplemental bill herein, on motion of Mr. B. Schnurmacher for the complainant. Leave granted to file a demurrer to part of supplemental bill and an answer to supplemental

bill, on motion of Mr. William M. Springer for the defendants. Leave granted to file reply to answer to supplemental bill, on motion of Mr. B. Schnurmacher for the complainant.

No. —, Original. Ex parte: In the matter of J. H. Adriaans, petitioner. Motion for leave to file a petition for a writ of mandamus submitted by Mr. William M. Springer in behalf of counsel for petitioner.

No. 18, Original. Ex parte: In the matter of The Wilders' Steamship Company, petitioner. Submitted by Mr. Duane E. Fox for the petitioner, and by Mr. Charles Page, Mr. E. J. McCutchen, Mr. C. H. Lindley, Mr. Henry Eickhoff and Mr. Paul Newman for the respondent, with leave to file additional brief for petitioner on or before Friday next.

No. 675. The President and Directors of the Insurance Company of North America, petitioners, *v.* The Steamship St. Hubert. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Francis S. Laws and Mr. John F. Lewis for the petitioners, and by Mr. J. Parker Kirlin for the respondent.

No. 401. The United States for the use and benefit of The Edward Hines Lumber Company, plaintiff in error, *v.* Frank Henderlong et al. In error to the circuit court of the United States for the district of Indiana. Dismissed with costs per stipulation.

No. 585. Thomas L. Sloan, appellant, *v.* The United States. Appeal from the circuit court of the United States for the district of Nebraska. Dismissed per stipulation.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 20, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Clarence A. Farnum of Wellsville, N. Y., Harwood Dudley of Johnstown, N. Y., Brainard Toller of New York City, Louis Prevost Whitaker of Washington, D. C., John Luzerne Taylor of Washington, D. C., Louis W. Southgate of Worcester, Mass., Robert T. Frazier of Washington, D. C., and George Philip Wardner of Boston, Mass., were admitted to practice.

Nos. 225 and 236. The American Sugar Refining Company, petitioner, *v.* The United States. On writs of certiorari to the United States circuit court of appeals for the second circuit. Judgments affirmed, and causes remanded to the circuit court of the United States for the southern district of New York. Opinion by Mr. Justice McKenna.

No. 189. John P. Mallett et al., plaintiffs in error, *v.* The State of North Carolina. In error to the supreme court of the State of North Carolina. Judgment affirmed with costs. Opinion by Mr. Justice Shiras.

No. 221. Rollinson Colburn et al., appellants, *v.* Robert E. Grant, executor, et al. Appeal from the court of appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Shiras.

No. 35. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. In error to the supreme court of the State of Mississippi. Rehearing denied. Opinion by Mr. Justice Brown.

No. 232. The Joseph Schlitz Brewing Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 217. Florence Audubon and John W. Hulse, assignee, appellants, *v.* Robert W. Shufeldt. Appeal from the supreme court of the District of Columbia. Order granting a discharge covering arrears of alimony reversed with costs, and cause remanded for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Gray.

The Chief Justice announced the following orders of the court:

No. 253. Pin Kwan, petitioner, *v.* The United States; and

No. 254. Ping Yik, petitioner, *v.* The United States. Motions to vacate orders of dismissal and to reinstate cases postponed to next term, and leave given to the United States to make similar motions in Nos. 449 and 450, which will also stand over.

No. 469. Grand Island and Wyoming Central Railroad Company et al., appellants, *v.* Thomas Sweeney. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed for the want of jurisdiction.

No. 524. Edward S. Richards, plaintiff in error, *v.* Michigan Central Railroad Company. Motion for writ of certiorari to correct the record herein postponed to the hearing of the cause on its merits.

No. 636. Joseph Bancroft & Sons Company, petitioner, *v.* Victor G. Bloede. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 642. William R. Tucker, vice-consul, etc., petitioner, *v.* The United States ex rel. Leo Alexandroff. Motion to advance granted, and cause assigned for argument on Monday, October 28 next, after the cases already set down for that day.

No. 651. A. N. King et al., plaintiffs in error, *v.* The City of Portland et al. Motion to advance granted, and cause assigned for argument on Monday, October 28 next, after the cases already set down for that day.

No. 654. E. M. Ayres, plaintiff in error, *v.* John H. Polsdorfer et ux. Motion for leave to use sixteen copies of the record printed for lower court granted.

No. 661. The United States ex rel. Cotter T. Bride, petitioner, *v.* Henry B. F. Macfarland et al. Petition for writ of certiorari to the court of appeals of the District of Columbia denied.

No. 662. The Connecticut Mutual Life Insurance Company, petitioner, *v.* Sallie E. Hillmon. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit granted.

No. 663. William H. Wright et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 670. The United States, petitioner, *v.* Robert McBratney. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 673. Edmund Zacher, as receiver, petitioner, *v.* The Fidelity Trust and Safety Vault Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 675. The President and Directors of the Insurance Company of North America, petitioner, *v.* The Steamship St. Hubert. Petition for a

writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. —, Original. The State of Kansas, complainant, *v.* The State of Colorado. Motion for leave to file bill of complaint herein granted, and leave given to defendant to plead, answer or demur.

No. 251. Augustus Burgdorf et al., plaintiffs in error, *v.* The United States to the use of the Vermont Marble Company. Restored to the docket for reargument.

No. 656. The City of Pierre, petitioner, *v.* Godfrey Dunscomb et al. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 665. The Leicester Mills Company et al., petitioners, *v.* John G. Powell et al. Petition for writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Hector T. Fenton for the petitioners, and by Mr. Charles Howson for the respondents.

No. 683. The Trust Company of North America, petitioner, *v.* The Manhattan Trust Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Charles Henry Jones for the petitioner, and by Mr. George W. Wickersham for the respondent.

No. 678. The Paul Shean Sanitary Plumbing and Manufacturing Company et al., petitioners, *v.* The Guaranty Trust Company of New York; and

No. 679. George A. Christie et al., petitioners, *v.* The Guaranty Trust Company of New York. Petitions for writs of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Alexander Britton, Mr. A. B. Browne and Mr. J. W. Terry for the petitioners, and by Mr. Julien T. Davies, Mr. R. S. Lovett and Mr. B. Toller for the respondents.

No. 178. Turret Steam Shipping Company (Limited), petitioner, *v.* A. G. Hall et al. Mandate granted per stipulation, on motion of Mr. G. Philip Wardner in behalf of counsel.

No. 685. Luigi Storti, appellant, *v.* The Commonwealth of Massachusetts et al. Motions to dismiss, to dismiss or affirm and to suspend the provisions of rule 6 as to notice submitted by Mr. H. M. Knowlton in support of motions, and by Mr. William M. Stockbridge and Mr. G. Philip Wardner in opposition thereto.

No. 370. Loeng Un, appellant, *v.* The United States. Appeal from the district court of the United States for the district of Montana. Dismissed on authority of counsel for appellant.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 27, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

Charles F. Wilson of Washington, D. C., Charles L. Sturtevant of Washington, D. C., Arthur P. Greeley of Washington, D. C., Arthur W. De Goosh of Boston, Mass., Thomas H. Dorr of Milwaukee, Wis., and Thompson P. Estes of Pierre, S. Dak., were admitted to practice.

No. 391. John T. Pirie et al., as Carson, Pirie, Scott & Co., appellants, *v.* Chicago Title and Trust Company, trustee. 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 McKenna. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham.

No. 17, Original. *Ex parte*: In the matter of Theodore Queen et al., petitioners. Rule to show cause discharged and petition for writ of mandamus denied. Opinion by Mr. Justice McKenna.

No. 195. The Calhoun Gold Mining Company, plaintiff in error, *v.* The Ajax Gold Mining Company. In error to the supreme court of the State of Colorado. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 238. The District of Columbia, appellant, *v.* Stephen Talty. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. 242. Andrew H. Russell et al., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham. (Mr. Justice Harlan took no part in the decision of this case.)

No. 245. Henry Clews et al., petitioners, *v.* Malcolm M. Jamieson et al. On writ of certiorari to the United States circuit court of appeals

for the seventh circuit. Decree of said United States circuit court of appeals and of the circuit court of the United States for the northern district of Illinois reversed with costs, and cause remanded to said circuit court for such further proceedings therein as are not inconsistent with the opinion of this court. Opinion by Mr. Justice Peckham. Dissenting: Mr. Justice Harlan.

No. 191. Jetty Simon, plaintiff in error, *v.* John N. Craft. In error to the supreme court of the State of Alabama. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 270. The Commercial National Bank, plaintiff in error, *v.* Alma D. Chambers, as treasurer, etc. In error to the supreme court of the State of Utah. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 224. The District of Columbia, plaintiff in error, *v.* Hosea B. Moulton. In error to the court of appeals of the District of Columbia. Judgment reversed with costs, and cause remanded with directions to reverse the judgment of the supreme court of the District of Columbia and to remand the cause to that court with directions to grant a new trial. Opinion by Mr. Justice White.

No. 410. Louis Jacobs, plaintiff in error, *v.* Dora Marks. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Shiras.

No. 669. The Lake Street Elevated Railroad Company, plaintiff in error, *v.* The Farmers' Loan and Trust Company et al. In error to the supreme court of the State of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Shiras.

No. 249. William H. Carson, plaintiff in error, *v.* The Sewerage Commissioners of the City of Brockton, Plymouth County, Mass. In error to the supreme judicial court of the State of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 456. Elias S. A. de Lima et al., plaintiffs in error, *v.* George R. Bidwell. In error to the circuit court of the United States for the southern district of New York. Judgment reversed with costs, and cause remanded for further proceedings in consonance with the opinion of this court. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice McKenna, Mr. Justice Shiras, Mr. Justice White and Mr. Justice Gray.

No. 340. John H. Goetze, appellant, *v.* The United States. Appeal from the circuit court of the United States for the southern district of New York. Decree reversed, and cause remanded with directions to reverse the action of the Board of General Appraisers. Opinion by Mr. Justice Brown.

No. 515. George W. Crossman et al., appellants, *v.* The United States. Appeal from the circuit court of the United States for the southern district of New York. Decree reversed, and cause remanded with directions to reverse the action of the Board of General Appraisers. Opinion by Mr. Justice Brown.

No. 501. Henry W. Dooley et al., plaintiffs in error, *v.* The United States. In error to the circuit court of the United States for the southern district of New York. Judgment reversed, and cause remanded for further proceedings in consonance with the opinion of this court. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice White, Mr. Justice Gray, Mr. Justice Shiras and Mr. Justice McKenna.

No. 509. Carlos Armstrong, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice White, Mr. Justice Gray, Mr. Justice Shiras and Mr. Justice McKenna.

No. 507. Samuel B. Downes, etc., plaintiff in error, *v.* George R. Bidwell. In error to the circuit court of the United States for the southern district of New York. Judgment affirmed with costs. Opinion by Mr. Justice Brown. Concurring opinion by Mr. Justice White for himself and Mr. Justice Shiras and Mr. Justice McKenna. Concurring opinion by Mr. Justice Gray. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Harlan, Mr. Justice Brewer and Mr. Justice Peckham.

No. 514. Christian Huus, appellant, *v.* New York and Porto Rico Steamship Company. On a certificate from the United States circuit court of appeals for the second circuit. Second and third questions certified answered in the affirmative. Opinion by Mr. Justice Brown.

No. 166. The Homer-Ramsdell Transportation Company, plaintiff in error, *v.* La Compagnie Generale Transatlantique. On a certificate from the United States circuit court of appeals for the second circuit. First question answered in the affirmative and the second in the negative. Opinion by Mr. Justice Gray.

No. 7, Original. *Ex parte*: In the matter of Orange Fuller, assignee, etc., petitioner. Rule to show cause discharged, and petition for writ of mandamus denied. Opinion by Mr. Justice Harlan.

No. 235. John Glavey, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and cause remanded for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Harlan. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Brown, Mr. Justice Peckham and Mr. Justice McKenna.

No. 180. C. J. Lantry, plaintiff in error, *v.* T. B. Wallace, as receiver, etc. In error to the United States circuit court of appeals for the eighth

circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the district of Kansas. Opinion by Mr. Justice Harlan.

No. 179. Calvin Hood, plaintiff in error, *v.* T. B. Wallace, as receiver, etc. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the district of Kansas. Opinion by Mr. Justice Harlan.

No. 239. William R. Reagan, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Fuller.

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

No. 671. The United States, petitioner, *v.* C. E. Lackey. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 674. The Union Steamboat Company, petitioner, *v.* The Erie and Western Transportation Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit granted.

No. 665. The Leicester Mills Company et al., petitioners, *v.* John G. Powell et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 678. The Paul Shean Sanitary Plumbing and Manufacturing Company et al., petitioners, *v.* The Guaranty Trust Company of New York; and

No. 679. George A. Christie et al., petitioners, *v.* The Guaranty Trust Company of New York. Petitions for writs of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 683. The Trust Company of North America, petitioner, *v.* The Manhattan Trust Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 685. Luigi Storti, appellant, *v.* The Commonwealth of Massachusetts et al. Advanced and assigned for argument on Monday, October 28 next, after the cases already set down for that day, and consideration of the motions to dismiss or affirm postponed to the hearing on the merits.

No. —, Original. *Ex parte*: In the matter of J. H. Adriaans, petitioner. Motion for leave to file a petition for a writ of mandamus denied.

No. 5, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Demurrer of defendants to the fourth paragraph of the supplemental bill sustained.

No. 687. The Lake Street Elevated Railroad Company, plaintiff in error, *v.* The Farmers' Loan and Trust Company et al. In error to the

supreme court of the State of Illinois. The writ of error having been dismissed in No. 669, this case is stricken from the docket.

No. 226. Frank M. Fairbank, plaintiff in error, *v.* The United States. Leave to submit petition for rehearing granted, on motion of Mr. Solicitor-General Richards for the defendant in error.

No. 635. Ben de Lemos, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted, on motion of Mr. Solicitor-General Richards, by Mr. Thomas H. Clark and Mr. Frank G. Caffey for the petitioner, and by Mr. Assistant Attorney-General Beck for the respondent.

No. 703. Modern Woodmen of America, petitioner, *v.* Union National Bank of Omaha. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. John L. Kennedy for the petitioner.

No. 697. The British and Foreign Marine Insurance Company, petitioner, *v.* The International Navigation Company;

No. 698. The Insurance Company of North America, petitioner, *v.* The International Navigation Company; and

No. 699. The Thames and Mersey Insurance Company, petitioner, *v.* The International Navigation Company. Petitions for writs of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Treadwell Cleveland for the petitioners, and by Mr. Henry Galbraith Ward for the respondent.

No. 700. The Atlantic Mutual Insurance Company, petitioner, *v.* The International Navigation Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Lewis Cass Ledyard for the petitioner, and by Mr. Henry Galbraith Ward for the respondent.

No. 672. The Board of Education of the City of Pierre, petitioner, *v.* Hector T. McLean. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Thompson P. Estes, in behalf of Mr. Ivan W. Goodner, for the petitioner, and by Mr. Robert W. Stewart for the respondent.

No. 694. The County of Hughes, in the State of South Dakota, petitioner, *v.* Crawford Livingston. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Thompson P. Estes for the petitioner, and by Mr. Edward C. Stringer for the respondent.

No. 133. Joel Parker Whitney et al., appellants, *v.* The United States et al. Motion to modify decree submitted by Mr. C. H. Armes, in behalf of Mr. John H. Knaebel, for the appellants.

No. 704. The London Company et al., appellants, *v.* John H. Bolton et al. Appeal from the supreme court of the Territory of Arizona. Docketed and dismissed with costs; on motion of Mr. L. T. Michener for the appellees.

No. 701. Charles Meyer, petitioner, *v.* Oliver C. Fuller, trustee. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. A. B. Browne, Mr. Alexander Britton and Mr. Thomas H. Dorr for the petitioner, with leave to counsel for the respondent to file brief within twenty days.

No. 680. Daniel E. Dougherty, petitioner, *v.* The United States;

No. 681. James P. Farraher, petitioner, *v.* The United States; and

No. 682. Michael F. Lavin, petitioner, *v.* The United States. Petitions for writs of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Francis B. Bracken for the petitioners, and by Mr. Assistant Attorney-General Beck for the respondent.

No. 260. Annie R. Kean et al., plaintiffs in error, *v.* The Calumet Canal and Improvement Company. Motion to set aside order of dismissal and to reinstate case upon the docket granted, on motion of Mr. Thomas H. Clark in behalf of counsel for the plaintiffs in error.

No. 581. The City of Huron, petitioner, *v.* Everett M. Warren;

No. 582. The City of Huron, petitioner, *v.* Isaac L. Ellwood; and

No. 644. The City of Huron, petitioner, *v.* Edward D. Shepard. Petitions for writs of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Thomas H. Clark in behalf of Mr. John Wood for the petitioners, and by Mr. C. O. Bailey for the respondent in No. 582.

No. 143. Jacob Gardner et al., plaintiffs in error, *v.* Louis H. Bonestell, executor, etc. Motion to recall mandate and for leave to file petition for rehearing at the next term submitted by Mr. E. W. Bradford in behalf of counsel for the plaintiffs in error.

No. 389. Charles W. Nordstrom, plaintiff in error, *v.* The State of Washington. Motions to dismiss or affirm submitted by Mr. Walter S. Fulton and Mr. Frank B. Crosthwaite in support of motions, and by Mr. James Hamilton Lewis in opposition thereto.

Adjourned until to-morrow at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 28, 1901.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice Brewer, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White, Mr. Justice Peckham and Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 389. Charles W. Nordstrom, plaintiff in error, *v.* The State of Washington. In error to the supreme court of the State of Washington. Judgment affirmed with costs, on the authority of *Nobles v. Georgia*, 168 U. S., 398; *Nordstrom v. Van de Vanter*, May 13, and cases cited. Mandate will issue at once.

No. 388. Charles W. Nordstrom (by his next friend, J. Henry Denning), appellant, *v.* A. T. Van de Vanter, sheriff, et al. Mandate will issue at once.

No. 581. The City of Huron, petitioner, *v.* Everett M. Warren;

No. 582. The City of Huron, petitioner, *v.* Isaac L. Ellwood; and

No. 644. The City of Huron, petitioner, *v.* Edward D. Shepard. Petitions for writs of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 635. Ben de Lemos, petitioner, *v.* The United States. Petition for a writ of certiorari or mandamus to the United States circuit court of appeals for the fifth circuit denied.

No. 672. The Board of Education of the City of Pierre, petitioner, *v.* Hector McLean. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 680. Daniel E. Dougherty, petitioner, *v.* The United States;

No. 681. James P. Farraher, petitioner, *v.* The United States; and

No. 682. Michael F. Lavin, petitioner, *v.* The United States. Petitions for writs of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 694. The County of Hughes, South Dakota, petitioner, *v.* Crawford Livingston. Petition for writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 697. The British and Foreign Marine Insurance Company (Limited), petitioner, *v.* The International Navigation Company;

No. 698. The Insurance Company of North America, petitioner, *v.* The International Navigation Company;

No. 699. The Thames and Mersey Insurance Company (Limited), petitioner, *v.* The International Navigation Company; and

No. 700. The Atlantic Mutual Insurance Company, petitioner, *v.* The International Navigation Company. Petitions for writs of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 703. Modern Woodmen of America, petitioner, *v.* Union National Bank of Omaha. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 133. Joel Parker Whitney et al., appellants, *v.* The United States et al. Motion to modify decree postponed to next term and mandate stayed.

No. 242. Andrew H. Russell et al., appellants, *v.* The United States. Motion for leave to file petition for rehearing at the next term submitted by Mr. James H. Hayden for the appellants.

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 by the court, be, and the same are hereby, continued until the next term of the court.

Adjourned to the time and place appointed by law.