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SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 14, 1901.

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, Mr. Justice Peckham and Mr. Justice McKenna.

M'Cready Sykes of New York City, Mortimer H. Stanford of Duluth, Minn., Lawson W. Magruder of Vicksburg, Miss., Luther C. Harris of Duluth, Minn., Leo Simmons of Washington, D. C., Robert A. Knight of Springfield, Mass., Charles M. Rice of Worcester, Mass., Jared W. Hill of San Angelo, Tex., Morrison R. Waite of Cincinnati, Ohio, James H. McGiffert of Ashtabula, Ohio, James F. Scaggs of the District of Columbia, Anthony B. Porter of the city and State of New York, Willis W. Stover of Boston, Mass., Thomas T. Fauntleroy of St. Louis, Mo., John W. Adams of Wichita, Kans., and John E. Taylor of Washington, D. C., 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 15, will be as follows: Nos. 2, 5, 6, 8, 9 (and 293), 11, 14, 17, 20 and 23.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 15, 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.

Gardner Ruggles of Austin, Tex., Reese M. Ling of Prescott, Ariz., J. W. Zeverly of Jefferson City, Mo., A. L. Pincoffs of New York City, Samuel M. Sayler of Huntington, Ind., Benjamin S. Minor of Washington, D. C., Horace H. Cobb of Fort Worth, Tex., T. L. Edelen of Frankfort, Ky., Ellwood O. Wagenhorst of Washington, D. C., Robert Ryan of Lincoln, Nebr., Seward A. Haseltine of Springfield, Mo., and F. J. Haulon of Covington, Ky., were admitted to practice.

No. 244. The United States, appellant, *v. A. D. Morgan*, master, etc. Appeal from the United States circuit court of appeals for the fourth circuit. Dismissed, on motion of Mr. Solicitor-General Richards for the appellant.

No. 287. Ferdinand Eidman, United States collector, etc., plaintiff in error, *v. Miguel R. Martinez*, etc.; and

No. 295. Frank R. Moore, as United States collector, etc., plaintiff in error, *v. Max Ruckgaber*, as sole executor, etc. Reassigned for argument on Monday, November 11, on motion of Mr. Solicitor-General Richards for the plaintiffs in error.

No. 16. James D. Patton, etc., plaintiff in error, *v. J. D. Brady*, collector, etc. Motion to vacate order of publication and to dismiss submitted by Mr. Assistant Attorney-General Beck in support of motion, and by Mr. William L. Royall in opposition thereto.

No. 404. The City of Galveston, petitioner, *v. The United States Mortgage and Trust Company et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. D. W. Baker and Mr. J. B. Stubbs for the petitioner, and by Mr. Julian T. Davies, Mr. R. S. Lovett and Mr. Brainard Tolles for the respondents.

No. 425. George L. Whitman, petitioner, *v. Kate A. Norton*;

No. 426. George L. Whitman, petitioner, *v. John Watts*, as receiver; and

No. 427. George L. Whitman, petitioner, *v.* The Citizens' Bank of Reading, Pa. Petitions for writs of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. William G. Wilson for the petitioner, and by Mr. C. E. Hughes and Mr. Arthur C. Rounds for the respondent in No. 425, and by Mr. W. B. Hornblower and Mr. M'Creedy Sykes for the respondents in Nos. 426 and 427.

No. 388. N. O. Murphy et al., appellants, *v.* James L. Utter et al. Motion to advance submitted by Mr. John F. Dillon, Mr. Harry Hubbard, Mr. John M. Dillon and Mr. W. H. Barnes in support of motion, and by Mr. Rochester Ford in opposition thereto.

No. 290. Wm. E. Hale, as receiver, petitioner, *v.* Edward P. Allison et al. Motion to advance submitted by Mr. John F. Dillon for the petitioner.

No. 399. Kate Tootle et al., petitioners, *v.* R. R. Coleman et al. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. J. W. Adams and Mr. R. E. Ball for the petitioners, and by Mr. David Smyth for the respondent.

No. 394. Lottie F. Powers, petitioner, *v.* Massachusetts Homœopathic Hospital. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Arthur H. Russell for the petitioner, and by Mr. Solomon Lincoln for the respondent.

No. 71. Charles Stewart, appellant, *v.* The Washington and Alaska Steamship Company et al.;

No. 139. The Pacific Steam Whaling Company, appellant, *v.* The United States;

No. 155. The Pacific Coast Steamship Company, appellant, *v.* The United States;

No. 156. The Pacific Coast Steamship Company, appellant, *v.* The United States; and

No. 157. The Pacific Coast Steamship Company, appellant, *v.* The United States. Motion to advance for argument with No. 53 submitted by Mr. S. M. Stockslager for the appellants.

No. 215. E. Bement & Sons, plaintiffs in error, *v.* The National Harrow Company. Motion to dismiss submitted by Mr. Andrew Wilson for Mr. Edwin H. Risley in support of motion, and by Mr. Edward Cahill, Mr. Clark C. Wood and Mr. Henry J. Cookinham in opposition thereto.

No. 339. Rublee A. Cole, plaintiff in error, *v.* F. S. Garland et al. Motion to dismiss submitted by Mr. J. H. Ralston in support of motion, and by Mr. Rublee A. Cole in opposition thereto.

No. 433. Henry Nelson, claimant, et al., petitioners, *v.* H. Buchanan, claimant, et al. Petition for writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. J. H. Ralston for the petitioners.

No. 94. The Huguley Manufacturing Company et al., appellants, *v.* The Galeton Cotton Mills et al. Suggestion of diminution of record and motion for writ of certiorari submitted by Mr. John T. Morgan for the appellants.

No. 432. John N. Stewart, petitioner, *v.* Village of Ashtabula, Ohio, et al. Petition for writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Morrison R. Waite for the petitioner, and by Mr. James H. McGiffert for the respondents.

No. 253 of October term, 1900. Pin Kwan, petitioner, *v.* The United States; and

No. 254 of October term, 1900. Ping Yik, petitioner, *v.* The United States. Motion to reinstate cases resubmitted by Mr. Heber J. May for the petitioners.

No. 424. Morgan's Louisiana and Texas Railroad and Steamship Company, petitioner, *v.* The Schooner Robert Graham Dun, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Maxwell Evarts for the petitioner, with leave to counsel for respondent to file brief on or before the 21st instant.

No. 403. Louisa V. Kidd, executrix, etc., plaintiff in error, *v.* The State of Alabama. Motion to advance submitted by Mr. Thomas H. Clark for the defendant in error.

No. 62. S. A. & S. C. Haseltine, plaintiffs in error, *v.* The Central National Bank of Springfield, Mo. Motion to dismiss submitted by Mr. John Ridout for the defendant in error, with leave to counsel for plaintiffs in error to file brief in opposition on or before the 21st instant.

No. 353. Alvin H. Armstrong et al., plaintiffs in error, *v.* Simon D. Mayer et al. Motions to dismiss or affirm submitted by Mr. Robert Ryan and Mr. Walter J. Lamb in support of motions, and by Mr. C. O. Whedon, Mr. L. C. Burr and Mr. C. L. Burr in opposition thereto.

No. 306. The Board of Councilmen of the City of Frankfort, appellant, *v.* The State National Bank of Frankfort, Ky. Motion to advance submitted by Mr. F. J. Hanlon in behalf of counsel.

No. 255. The City of Covington, Ky., et al., appellants, *v.* The First National Bank of Covington, Ky. Motion to advance submitted by Mr. F. J. Hanlon for the appellants.

No. 10, Original. The State of Kansas, complainant, *v.* The State of

Colorado. Leave granted to file demurrer to bill of complaint, on motion of Mr. Frederic D. McKenney in behalf of counsel for defendant.

No. 336. The Mutual Life Insurance Company, plaintiff in error, *v.* Alphonsine McGrew. Counsel for plaintiff in error granted three weeks in which to file brief in opposition to motions to dismiss or affirm, on motion of Mr. Frederic D. McKenney for the plaintiff in error.

No. 50. Hippolite Filhiol et al., plaintiffs in error, *v.* Charles E. Maurice et al. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. J. H. McGowan for the plaintiffs in error.

No. 417. Isadore Minder, plaintiff in error, *v.* The State of Georgia. Leave granted to plaintiff in error to proceed in forma pauperis and record ordered printed at public expense, on motion of Mr. J. E. Laskey in behalf of counsel for the plaintiff in error.

No. 124. The French-Glenn Live Stock Company, plaintiff in error, *v.* Alva Springer. Motion to remit part of supervising fee submitted by Mr. C. A. Keigwin for the plaintiff in error.

No. 392. The Vicksburg Water Works Company, appellant, *v.* The Mayor and Aldermen of the City of Vicksburg. Advanced, to be submitted as under the thirty-second rule, on motion of Mr. E. J. Bowers in behalf of counsel.

No. 431. Southern Pacific Company, petitioner, *v.* Kate Yeargin, administratrix, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. L. E. Payson, Mr. Thomas T. Fauntleroy and Mr. Shepard Barclay for the petitioner.

No. 378. Luigi Storti, appellant, *v.* The Commonwealth of Massachusetts et al. Advanced and assigned for argument on Monday, the 28th instant, after the cases already set down for that day, on motion of Mr. A. W. De Goosh for the appellees.

No. 32. Charles H. Nutting, plaintiff in error, *v.* The Commonwealth of Massachusetts. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. A. W. De Goosh for the defendant in error.

No. 23. The State of Minnesota ex rel. William B. Mohler, plaintiff in error, *v.* Phil T. Megaarden, as sheriff of Hennepin County, Minn. In error to the supreme court of the State of Minnesota. Dismissed, per stipulation.

No. 140. The Pacific States Savings, Loan and Building Company, plaintiff in error, *v.* Thomas F. Howells et al. In error to the supreme court of the State of Utah. Dismissed, per stipulation.

Nos. 184, 185 and 186. Grand Island and Wyoming Central Railroad Company et al., appellants, *v.* Thomas Sweeney. Appeals from the United States circuit court of appeals for the eighth circuit. Dismissed, per stipulation.

No. 196. North American Transportation and Trading Company, plaintiff in error, *v.* George Ransberry. In error to the supreme court of the State of Washington. Dismissed, per stipulation.

No. 301. The Leavenworth City and Fort Leavenworth Water Company, plaintiff in error, *v.* The City of Leavenworth. In error to the supreme court of the State of Kansas. Dismissed with costs, on motion of counsel for plaintiff in error.

No. 2. John Cadwalader, late collector, etc., petitioner, *v.* Charles H. Meyer et al. On writ of certiorari to the United States circuit court of appeals for the third circuit. Dismissed with costs, on motion of Mr. Solicitor-General Richards for the petitioner.

No. 14. Fred A. Baker, plaintiff in error, *v.* Stephen Baldwin. Passed temporarily, on motion of Mr. A. B. Hall for the plaintiff in error.

No. 20. The Southern Pacific Railroad Company, plaintiff in error, *v.* Isaac T. Bell. Passed, to be heard with No. 82 as one case, on motion of Mr. Maxwell Evarts for the plaintiff in error.

No. 5. The Gulf and Ship Island Railroad Company, plaintiff in error, *v.* George P. Hewes, tax collector, etc. Argument commenced by Mr. E. J. Bowers for the plaintiff in error, and continued by Mr. R. C. Beckett for the defendant in error, and by Mr. Edward Mayes for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 16, will be as follows: Nos. 5, 6, 8, 9 (and 293), 11, 17, 27, 30, 34 and 36.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 16, 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.

No. 40. Santiago Ainsa, administrator, etc., et al., appellants, *v.* The United States. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. M. G. Reynolds for appellee.

No. 27. The Glucose Sugar Refining Company, plaintiff in error, *v.* George F. Harding et al. Continued, on motion of Mr. John P. Wilson for the plaintiff in error.

No. 210. John K. Cowen et al., receivers, etc., plaintiffs in error, *v.* Adelaide M. Merriman, administratrix, etc. In error to the court of appeals of the District of Columbia. Dismissed with costs, on motion of counsel for plaintiffs in error.

No. 44. J. M. Bear & Co. et al., appellants, *v.* Robert C. Chase, trustee. Appeal from the United States circuit court of appeals for the fourth circuit. Dismissed with costs, on motion of counsel for appellants.

No. 5. The Gulf and Ship Island Railroad Company, plaintiff in error, *v.* George P. Hewes, tax collector, etc. Argument concluded by Mr. Edward Mayes for the plaintiff in error.

No. 6. Elliott H. Phelps et al., plaintiffs in error, *v.* Robert Radford Beard, receiver, etc. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 8. John D. Weber et al., appellants, *v.* John H. Dillon, county treasurer, etc. Appeal from the supreme court of the Territory of Oklahoma. Dismissed with costs, pursuant to the nineteenth rule.

No. 11. The Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* H. W. Hickman et al., etc. Argued by Mr. George P. B. Jackson for the plaintiff in error, and submitted by Mr. Edward C. Crow for the defendants in error.

No. 9. Charles F. Champion, appellant, *v.* John C. Ames, United States marshal; and

No. 293. John Francis et al., petitioners, *v.* The United States. Three counsel allowed to make oral argument for the appellant and petitioners and one hour additional time allowed for the argument. Argument commenced by Mr. William D. Guthrie for Champion, and continued by Mr. Miller Outcalt for Francis et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 17, will be as follows: Nos. 9 (and 293), 17, 30, 34, 36, 38, 41, 42, 47 and 49.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 17, 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.

Will D. Gould of Los Angeles, Cal., and William C. Keegin of Washington, D. C., were admitted to practice.

No. 106. The Texas and Pacific Railway Company, plaintiff in error, *v.* John Wineland. In error to the United States circuit court of appeals for the fifth circuit. Dismissed with costs, on motion of Mr. W. W. Howe for the plaintiff in error.

No. 9. Charles F. Champion, appellant, *v.* John C. Ames, United States marshal; and

No. 293. John Francis et al., petitioners, *v.* The United States. Argument continued by Mr. Miller Outcalt for Francis et al., by Mr. Assistant Attorney-General Beck for the marshal and the United States, and concluded by Mr. George F. Edmunds for Francis et al.

No. 17. The Carnegie Steel Company (Limited), petitioner, *v.* The Cambria Iron Company. One hour additional time allowed each side in the argument, on motion of Mr. James I. Kay for the respondent. Reargument commenced by Mr. Thomas W. Bakewell for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 18, will be as follows: Nos. 17, 30, 34, 36, 38, 41, 42, 47, 49 and 51.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 18, 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.

Harry S. Mecartney of Chicago, Ill., James K. Bakewell of Pittsburg, Pa., Silas H. Strawn of Chicago, Ill., Horace A. Dodge of Washington, D. C., and Richard Smith Miner of San Francisco, Cal., were admitted to practice.

No. 17. The Carnegie Steel Company (Limited), petitioner, *v.* The Cambria Iron Company. Reargument continued by Mr. Thomas W. Bakewell for the petitioner, and by Mr. Francis T. Chamber and Mr. James I. Kay for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 21, will be as follows: Nos. 17, 30, 34, 36, 38, 41, 42, 47, 49 and 51.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 21, 1901.

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

Robert M. Bashford of Madison, Wis., Mayhew Robinson Hitch of New Bedford, Mass., Thomas R. Brown of Catlettsburg, Ky., Charles J. Kappler of Washington, D. C., and Julius Henry Cohen of New York City were admitted to practice.

No. 54. Holzapfels Compositions Company (Limited), petitioner, *v.* Rahtjens American Composition Company. On writ of certiorari to the United States circuit court of appeals for the second circuit. Decree of United States circuit court of appeals reversed with costs, and decree of the circuit court of the United States for the southern district of New York affirmed, and cause remanded to said circuit court. Opinion by Mr. Justice Peckham.

No. 22. The Knoxville Iron Company, plaintiff in error, *v.* Samuel Harbison. In error to the supreme court of the State of Tennessee. Judgment affirmed with costs and interest. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Brewer and Mr. Justice Peckham.

No. 26. The Dayton Coal and Iron Company (Limited), plaintiff in error, *v.* T. A. Barton. In error to the supreme court of the State of Tennessee. Judgment affirmed with costs and interest. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Brewer and Mr. Justice Peckham.

The Chief Justice announced the following orders of the court:

No. 335. Charles Mayer, petitioner, *v.* Oliver C. Fuller, trustee. Petition for writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 16. James D. Patton, etc., plaintiff in error, *v.* J. D. Brady, collector of internal revenue, etc. Motions to vacate order of publication and to dismiss postponed until the hearing of the cause on its merits.

No. 71. Charles Stewart, appellant, *v.* The Washington and Alaska Steamship Company;

No. 139. The Pacific Steam Whaling Company, appellant, *v.* The United States; and

Nos. 155, 156 and 157. The Pacific Coast Steamship Company, appellant, *v.* The United States. Motion to advance granted, and cases assigned for argument with No. 53 as one case.

No. 215. E. Bement & Sons, plaintiffs in error, *v.* The National Harrow Company. Motion to dismiss postponed to the hearing of the cause on the merits.

No. 255. The City of Covington, Ky., et al., appellants, *v.* The First National Bank of Covington, Ky. Motion to advance granted, and cause assigned for argument on Monday, March 3 next.

No. 290. Wm. E. Hale, as receiver, etc., petitioner, *v.* Edward P. Allinson et al. Motion to advance denied.

No. 306. The Board of Councilmen of the City of Frankfort, appellant, *v.* The State National Bank of Frankfort, Ky. Motion to advance granted, and cause assigned for argument on Monday, March 3 next, after the case already set down for that day.

No. 388. N. O. Murphy et al., appellants, *v.* James L. Utter et al. Motion to advance granted, and cause assigned for argument on Monday, March 3 next, after the cases already set down for that day.

No. 394. Lottie F. Powers, petitioner, *v.* Massachusetts Homœopathic Hospital. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 399. Kate Tootle et al., petitioners, *v.* R. R. Coleman et al. Petition for writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 403. Louisa V. Kidd, executrix, etc., plaintiff in error, *v.* The State of Alabama. Motion to advance postponed for a more definite statement of its grounds.

No. 404. The City of Galveston, petitioner, *v.* The United States Mortgage and Trust Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 425. George L. Whitman, petitioner, *v.* Kate A. Norton;

No. 426. George L. Whitman, petitioner, *v.* John Watts, as receiver; and

No. 427. George L. Whitman, petitioner, *v.* The Citizens Bank of Reading, Pa. Petitions for writs of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 431. Southern Pacific Company, petitioner, *v.* Kate Yeargin, administratrix. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 432. John N. Stewart, petitioner, *v.* Village of Ashtabula, Ohio, et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 433. Henry Nelson, claimant, et al., petitioners, *v. H. Buchanan*, claimant, et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 339. Rublee A. Cole, plaintiff in error, *v. F. S. Garland et al.* In error to the United States circuit court of appeals for the seventh circuit. Writ of error dismissed for the want of jurisdiction, on the authority of *German National Bank v. Speckert*, 181 U. S., 405.

No. 353. Alvin H. Armstrong et al., plaintiffs in error, *v. Simon D. Mayer 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 *Eustis v. Bolles*, 150 U. S., 361.

No. 133 of October term, 1900. Joel Parker Whitney et al., appellants, *v. The United States et al.* Motion to modify decree denied.

No. 226 of October term, 1900. Frank M. Fairbank, plaintiff in error, *v. The United States.* Petition for rehearing denied.

No. 242 of October term, 1900. Andrew H. Russell et al., appellants, *v. The United States.* Motion for leave to file petition for rehearing denied.

No. 124. The French-Glenn Live Stock Company, plaintiff in error, *v. Alva Springer.* Motion to remit part of supervising fee granted.

No. 365. Benjamin D. Greene et al., appellants, *v. William Henkel*, United States marshal, etc. Motion to advance submitted by Mr. Solicitor-General Richards for the appellee, with leave to Mr. A. J. Rose for the appellants to file suggestions in regard to motion on or before Thursday next.

No. 352. Wilcox & Gibbs Sewing Machine Company, petitioner, *v. Thomas P. Sherborne, jr., et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. George Tucker Bispham, Mr. Preston K. Erdman and Mr. Hubert Howson for the petitioner, and by Mr. John G. Johnson and Mr. Frank P. Prichard for the respondents.

No. 389. Kokomo Fence Machine Company, petitioner, *v. Alva L. Kitselman et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. C. C. Shirley in behalf of Mr. Thomas A. Banning and Mr. Ephraim Banning for the petitioner, and by Mr. Robert H. Parkinson for the respondents.

No. 351. Alexander E. Orr et al., as executors, etc., plaintiffs in error, *v. Theodore P. Gilman*, comptroller, et al. Motion to advance submitted by Mr. Julius Henry Cohen in behalf of counsel.

No. 374. Yellow Poplar Lumber Company, petitioner, *v. John F. Daniel.* Petition for a writ of certiorari to the United States circuit

court of appeals for the sixth circuit submitted by Mr. John N. Baldwin, Mr. John F. Hager, and Mr. J. W. M. Stewart for the petitioner, and by Mr. Thomas R. Brown for the respondent.

No. 10, Original. The State of Kansas, complainant, *v.* The State of Colorado. Leave granted to defendant to file brief on or before December 2, to complainant to file reply brief on or before February 3, and case assigned for argument on demurrer on the 24th of February next, on motion of Mr. A. A. Godard for the complainant.

No. 359. Francis Winslow et al., etc., appellants, *v.* The Baltimore and Ohio Railroad Company. Motion to advance submitted by Mr. William G. Johnson for appellants in support of motion, and by Mr. George E. Hamilton and Mr. M. J. Colbert for the appellee in opposition thereto.

No. 340. The Campbell Printing Press and Manufacturing Company, petitioner, *v.* The Duplex Printing Press Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Louis W. Southgate for the petitioner, and by Mr. Arthur E. Dowell for the respondent.

No. 203. The Hanover National Bank of New York City, plaintiff in error, *v.* Max Moyses. Motion to advance submitted by Mr. R. C. Beckett in behalf of counsel.

No. 435. Robert Herbst, petitioner, *v.* The Steamship Asiatic Prince, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Nathaniel Wilson in behalf of Mr. J. Hubley Ashton for the petitioner, and by Mr. J. Parker Kirlin for the respondent.

No. 326. John F. Kumler, petitioner, *v.* George W. Hale, executor, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Arthur Peter in behalf of Mr. J. B. Foraker and Mr. Orville S. Brumback for the petitioner, and by Mr. Barton Smith and Mr. R. H. Baker for the respondent.

No. 52. The State of Iowa, plaintiff in error, *v.* Edwin O. Rood et al. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Thomas H. Clark in behalf of counsel.

No. 68. Freida Schradsky, plaintiff in error, *v.* The Board of County Commissioners of the County of Lake. Continued per stipulation, on motion of Mr. H. B. Johnson for the plaintiff in error.

No. 406. The Board of County Commissioners of the County of Lake, petitioner, *v.* The Keene Five Cents Savings Bank. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. H. B. Johnson, Mr. Charles Cavender, Mr. C.

S. Thomas and Mr. W. H. Bryant for the petitioner, and by Mr. Edmund F. Richardson for the respondent.

No. 300. Joseph H. Beals, plaintiff in error, *v.* James J. Cone. Motion for supersedeas submitted by Mr. H. B. Johnson for the plaintiff in error, with leave to counsel for defendant in error to file brief in opposition on or before Thursday next. Motions to dismiss or affirm submitted by Mr. Charles S. Thomas and Mr. W. H. Bryant in support of motions, and by Mr. H. B. Johnson in opposition thereto.

No. 108. Simon Rothschild et al., plaintiffs in error, *v.* Robert A. Knight, assignee. Motions to dismiss or affirm submitted by Mr. Robert A. Knight and Mr. C. M. Rice in support of motions, and by Mr. H. J. Jaquith in opposition thereto.

No. 187. Martha J. Sweringen, plaintiff in error, *v.* The City of St. Louis. Motions to dismiss or affirm submitted by Mr. B. Schnurmacher and Mr. C. C. Allen in support of motions, and by Mr. G. A. Finkelnburg in opposition thereto.

No. 369. Commercial Publishing Company, plaintiff in error, *v.* Samuel C. Beckwith. Motions to dismiss or affirm submitted by Mr. Anthony B. Porter in support of motions, and by Mr. A. Walker Otis in opposition thereto.

No. 43. Northwestern Life Assurance Company, plaintiff in error, *v.* Sweetie Villeneuve. In error to the circuit court of the United States for the western district of Texas. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 17. The Carnegie Steel Company (Limited), petitioner, *v.* The Cambria Iron Company. Reargument continued by Mr. James I. Kay for the respondent, and concluded by Mr. Thomas B. Reed for the petitioner.

No. 30. The Reloj Cattle Company, appellant, *v.* The United States. Argued by Mr. H. H. Cobb for the appellant, and submitted by Mr. M. G. Reynolds for the appellee.

No. 34. The Cripple Creek Gold Mining Company et al., plaintiffs in error, *v.* The Matoa Gold Mining Company. Passed.

No. 38. Michael W. O'Brien et al., executors, etc., petitioners, *v.* John G. Wheelock et al. Argument commenced by Mr. Henry M. Duffield for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 22, will be as follows: Nos. 38, 36, 41, 42, 47, 49, 51, 53 (and 71, 139, 155, 156 and 157), 55 and 57.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 22, 1901.

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

James Francis Meagher of Chicago, Ill., and Thomas C. Munger of Lincoln, Nebr., were admitted to practice.

No. 53. A. W. Corbus, appellant, *v.* The Alaska Treadwell Gold Mining Company;

No. 71. Charles Stewart, appellant, *v.* The Washington and Alaska Steamship Company;

No. 139. The Pacific Steam Whaling Company, appellant, *v.* The United States; and

Nos. 155, 156 and 157. The Pacific Coast Steamship Company, appellant, *v.* The United States. Assigned for argument on Monday, November 18 next, on motion of Mr. Assistant Attorney-General Beek for the United States.

No. 55. The Citizens' Bank of Louisiana, plaintiff in error, *v.* Caleb H. Parker, tax collector, etc. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 38. Michael W. O'Brien et al., executors, petitioners, *v.* John G. Wheelock et al. Argument continued by Mr. Thomas Worthington and Mr. W. H. H. Miller for the respondents, and concluded by Mr. Henry M. Duffield for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 23, will be as follows: Nos. 36, 41, 42, 47, 49, 51, 57 (and 58), 59, 60 and 61.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 23, 1901.

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

Thomas Olin Crawford of Oakland, Cal., was admitted to practice.

No. 41. Augustus Burgdorf et al., plaintiffs in error, *v.* The United States to use of the Vermont Marble Company. Passed temporarily.

No. 36. The District of Columbia, appellant, *v.* Columbus J. Eslin, administrator, etc., et al. Argued by Mr. Robert A. Howard for the appellant, and by Mr. George A. King and Mr. J. W. Douglass for the appellees.

No. 42. The State of Arkansas, appellant, *v.* The Kansas and Texas Coal Company et al. Submitted by Mr. Ben T. DuVal for appellant, and by Mr. Adiel Sherwood, Mr. Joseph M. Hill and Mr. James Brizzolara for the appellees.

No. 47. Annie R. Kean et al., plaintiffs in error, *v.* The Calumet Canal and Improvement Company. Argued by Mr. William P. Fennell for the plaintiffs in error, and by Mr. Silas H. Strawn for the defendant in error.

No. 51. Milton C. Mitchell, plaintiff in error, *v.* The Potomac Insurance Company of Georgetown, D. C. Argument commenced by Mr. Samuel Maddox for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 24, will be as follows: Nos. 51, 49, 57 (and 58), 59, 60, 61, 62 (and 63), 64, 66 and 67.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 24, 1901.

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

No. 183. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* W. H. Reynolds, comptroller, etc., et al. Death of W. H. Reynolds suggested, and appearance of Alonzo C. Croom, his successor in office, as a party defendant in error herein filed and entered, on motion of Mr. W. B. Lamar for the defendants in error.

No. 51. Milton C. Mitchell, plaintiff in error, *v.* The Potomac Insurance Company of Georgetown, D. C. Argument continued by Mr. Samuel Maddox for the plaintiff in error, by Mr. J. H. Gordon for the defendant in error, and concluded by Mr. Samuel Maddox for the plaintiff in error.

No. 49. The Sun Printing and Publishing Association, petitioner, *v.* William L. Moore. Argument commenced by Mr. James Russell Soley for the petitioner, and continued by Mr. George Zabriskie for the respondent, and by Mr. Franklin Bartlett for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 25, will be as follows: Nos. 49, 57 (and 58), 59, 60, 61, 62 (and 63), 64, 66 and 67.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 25, 1901.

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

W. F. Clyborne of Eureka, Cal., William B. Hatch of Detroit, Mich., and Nathaniel Baker Frisbie of San Francisco, Cal., were admitted to practice.

No. 253 of October term, 1900. Pin Kwan, petitioner, *v.* The United States; and

No. 254 of October term, 1900. Ping Yik, petitioner, *v.* The United States. Leave granted to Mr. Richard Crowley to file affidavit in connection with motion to reinstate cases.

No. 49. The Sun Printing and Publishing Association, petitioner, *v.* Wm. L. Moore. Argument concluded by Mr. Franklin Bartlett for the petitioner.

No. 57. The Chicago, Rock Island and Pacific Railway Company, plaintiff in error, *v.* Webster Eaton, administrator, etc.; and

No. 58. The Chicago, Rock Island and Pacific Railway Company, plaintiff in error, *v.* Bertha Zerneck, administratrix, etc. Argued by Mr. W. F. Evans for the plaintiff in error, and by Mr. Thomas C. Munger for the defendants in error.

No. 59. A. J. Tullock, plaintiff in error, *v.* Joab Mulvane. Argument commenced by Mr. W. H. Rossington for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 28, will be as follows: Nos. 59, 60, 61, 62 (and 63), 66, 67, 181 (and 182), 100, 4 (original) and 152.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 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.

Henry Floyd Samuels of Wallace, Idaho, Frank E. Hyde of Hartford, Conn., George Forbes of Annapolis, Md., H. L. Rollins of Boston, Mass., Preston C. West of Muskogee, Ind. T., and Philip H. Seymour of Duluth, Minn., were admitted to practice.

No. 29. Fred A. McMaster, administrator, etc., petitioner, *v.* The New York Life Insurance Company. On writ of certiorari to the United States circuit court of appeals for the eighth circuit. Judgment of United States circuit court of appeals and judgment of circuit court of the United States for the northern district of Iowa reversed with costs, and cause remanded to said circuit court with a direction to enter judgment for plaintiff in accordance with the eighteenth finding, with interest and costs. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Brewer did not hear the argument and took no part in the decision.)

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

No. —, Original. *Ex parte*: In the matter of the Pacific Export Lumber Company et al., petitioners. Leave to file petition for an order allowing appeals, etc., denied.

No. 37. The McKinley Creek Mining Company et al., appellants, *v.* The Alaska United Mining Company et al. Counsel are requested to file briefs on the question as to what errors in respect of giving or refusing instructions or other rulings on trial by a jury in a case of this character are open for consideration on appeal from the district court of Alaska.

No. 253 of October term, 1900. Pin Kwan, petitioner, *v.* The United States; and

No. 254 of October term, 1900. Ping Yik, petitioner, *v.* The United States. Motions to vacate orders of dismissal and to reinstate these cases denied.

No. 62. S. A. and S. C. Haseltine, plaintiffs in error, *v.* The Central National Bank of Springfield, Mo. Motion to dismiss postponed to the hearing of the case on its merits.

No. 108. Simon Rothschild et al., plaintiffs in error, *v.* Robert A. Knight, assignee, etc. Motions to dismiss or affirm postponed to the hearing of the case on its merits.

No. 187. Martha J. Sweringen, plaintiff in error, *v.* The City of St. Louis. Motions to dismiss or affirm postponed to the hearing of the case on its merits.

No. 203. The Hanover National Bank of New York City, plaintiff in error, *v.* Max Moyses. Motion to advance denied.

No. 300. Joseph H. Beals, plaintiff in error, *v.* James J. Cone. Motion for supersedeas and motions to dismiss or affirm postponed until the record is printed.

No. 326. John F. Kumler, petitioner, *v.* George W. Hale, executor, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 340. The Campbell Printing Press and Manufacturing Company, petitioner, *v.* The Duplex Printing Press Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 352. Wilcox and Gibbs Sewing Machine Company, petitioner, *v.* Thomas P. Sherborne, jr., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 374. Yellow Poplar Lumber Company, petitioner, *v.* John F. Daniel. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 424. Morgan's Louisiana and Texas Railroad and Steamship Company, petitioner, *v.* The Schooner Robert Graham Dun, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 435. Robert Herbst, petitioner, *v.* The Steamship Asiatic Prince. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 351. Alexander E. Orr et al., as executors, etc., et al., plaintiffs in error, *v.* Theodore P. Gilman, comptroller, et al. Motion to advance granted, and cause assigned for argument on Monday, November 25 next.

No. 359. Francis Winslow et al., etc., appellants, *v.* The Baltimore and Ohio Railroad Company. Motion to advance denied.

No. 365. Benjamin D. Greene et al., appellants, *v.* William Henkel, U. S. marshal, etc. Motion to advance granted, and cause assigned for argument on Monday, November 11 next, after the cases already set down for that day.

No. 369. Commercial Publishing Company, plaintiff in error, *v.* Samuel C. Beckwith. Motions to dismiss or affirm postponed to the hearing of the case on its merits.

No. 389. Kokomo Fence Machine Company, petitioner, *v.* Alva L. Kitselman et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit granted.

No. 109. The United States, appellant, *v.* A. A. Green et al. Passed, to be heard with No. 129 as one case, on motion of Mr. Solicitor-General Richards for the appellant.

No. 318. J. Henrietta Hoffeld, executrix, etc., appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Richards for the appellee.

No. 418. Bank of Topeka, petitioner, *v.* Wm. S. Eaton et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. N. H. Loomis for petitioner, and by Mr. Edward W. Hutchins, Mr. Henry Wheeler, Mr. Charles T. Gallagher and Mr. M. R. Hitch for the respondents.

No. 445. Simpson's Patent Dry Dock Company, petitioner, *v.* The Atlantic and Eastern Steamship Company, owner of the steamship Borderer. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. Eugene P. Carver and Mr. E. E. Blodgett for the petitioner, and by Mr. L. S. Dabney and Mr. Frederic Cunningham for the respondent.

Nos. 141, 142, 143, 144 and 145. Charles C. McChord et al., appellants, *v.* The Louisville and Nashville Railroad Company and others.

Each side allowed one hour additional time in the argument of these cases, on motion of Mr. Fairfax Harrison for the appellees.

No. 59. A. J. Tullock, plaintiff in error, *v.* Joab Mulvane. Argument continued by Mr. N. H. Loomis for the defendant in error, and concluded by Mr. W. H. Rossington for the plaintiff in error.

No. 60. The Northern Assurance Company of London, England, petitioner, *v.* Grand View Building Association. Argued by Mr. R. W. Breckenridge and Mr. Charles J. Greene for the petitioner, and by Mr. Halleck F. Rose for the respondent.

No. 61. United States Repair and Guaranty Company, petitioner, *v.* Assyrian Asphalt Company. Argument commenced by Mr. Lysander Hill for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 29, will be as follows: Nos. 61, 62 (and 63), 66, 67, 181 (and 182), 100, 4 (original), 152, 183 and 201.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 29, 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.

Martin L. Pipes of Portland, Oreg., and Elmer L. Allor of Detroit, Mich., were admitted to practice.

No. 350. Robert C. Chase, trustee, etc., plaintiff in error, *v.* Thompson & Shipp et al. In error to the supreme court of the State of South Carolina. Dismissed with costs, on authority of counsel for plaintiff in error.

No. 61. United States Repair and Guaranty Company, petitioner, *v.* Assyrian Asphalt Company. Argument concluded by Mr. Lysander Hill for the petitioner.

Nos. 62 and 63. S. A. & S. C. Haseltine et al., plaintiffs in error, *v.* The Central National Bank of Springfield, Mo. Submitted by Mr. S. A. Haseltine and Mr. James Baker for the plaintiffs in error, and by Mr. John Ridout for the defendant in error.

No. 66. The State of Wisconsin ex rel. James L. Gates, plaintiff in error, *v.* Commissioners of Public Lands et al. Argued by Mr. Rublee A. Cole for the plaintiff in error, and by Mr. E. R. Hicks for the defendants in error.

No. 67. E. T. Wilson, receiver, etc., plaintiff in error, *v.* The Merchants' Loan and Trust Company. Argument commenced by Mr. Delvan A. Holmes for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 30, will be as follows: Nos. 67, 181 (and 182), 100, 4 (original), 152, 183, 201, 226, 154 and 7 (and 10).

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 30, 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.

John H. Holt of Huntington, W. Va., was admitted to practice.

No. 67. E. T. Wilson, receiver, etc., plaintiff in error, *v.* The Merchants' Loan and Trust Company. Argument continued by Mr. Delevan A. Holmes for the plaintiff in error, by Mr. John N. Jewett for the defendant in error, and concluded by Mr. Delevan A. Holmes for the plaintiff in error.

No. 181. The United States Trust Company of New York et al., appellants, *v.* The Territory of New Mexico; and

No. 182. The Territory of New Mexico, appellant, *v.* The United States Trust Company of New York et al. Leave granted to Mr. C. N. Sterry to file an additional brief herein within five days. Argument commenced by Mr. C. N. Sterry for The United States Trust Company of New York et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 31, will be as follows: Nos. 181 (and 182), 100, 4 (original), 152, 183, 201, 226, 154, 7 (and 10) and 141 (and 142, 143, 144 and 145).

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 31, 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.

Martin M. Hugg of Indianapolis, Ind., was admitted to practice.

No. 181. The United States Trust Company of New York et al., appellants, *v.* The Territory of New Mexico; and

No. 182. The Territory of New Mexico, appellant, *v.* The United States Trust Company of New York et al. Argument continued by Mr. Frank W. Clancy for The Territory of New Mexico, and concluded by Mr. C. N. Sterry for The United States Trust Company of New York et al.

No. 100. Edward P. Gallup, executor, etc., plaintiff in error, *v.* William H. Schmidt, treasurer, etc. Argument commenced by Mr. W. H. H. Miller for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 1, will be as follows: Nos. 100, 4 (original), 152, 183, 201, 226, 154, 7 (and 10), 141 (and 142, 143, 144 and 145) and 225.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 1, 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.

Frederick A. Joss and Cassius C. Hadley of Indianapolis, Ind., were admitted to practice.

No. 100. Edward P. Gallup, executor, etc., plaintiff in error, *v.* William H. Schmidt, treasurer, etc. Argument continued by Mr. W. H. H. Miller for the plaintiff in error, by Mr. William L. Taylor and Mr. W. A. Ketcham for the defendant in error, and concluded by Mr. Wayne MacVeagh for the plaintiff in error.

No. 4, Original. The State of Minnesota, complainant, *v.* Ethan Allen Hitchcock, Secretary of the Interior, et al. Argument commenced by Mr. Frank B. Kellogg for the complainant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 4, will be as follows: Nos. 4 (original), 152, 183, 201, 226, 154, 7 (and 10), 141 (and 142, 143, 144 and 145), 225 and 257 (and 309).

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SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 4, 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.

Alford M. Fuller of Appleton, Wis., David J. Leahy of Raton, N. Mex., C. N. Post of Sacramento, Cal., and A. A. Moore, jr., of San Francisco, Cal., were admitted to practice.

No. 36. The District of Columbia, appellant, *v.* Columbus J. Eslin, administrator of Daniel A. Connolly, deceased, et al. Appeal from the Court of Claims. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Harlan.

The Chief Justice announced the following orders of the court:

No. 318. J. Henrietta Hoffeld, executrix, etc., appellant, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, April 14 next.

No. 418. Bank of Topeka, petitioner, *v.* William S. Eaton et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 445. Simpson's Patent Dry Dock Company, petitioner, *v.* Atlantic and Eastern Steamship Company. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 66. The State of Wisconsin ex rel. James L. Gates, plaintiff in error, *v.* Commissioners of Public Lands et al. In error to the supreme court of the State of Wisconsin. Dismissed for the want of jurisdiction on authority of *Hamblin v. Western Land Company*, 147 U. S., 531; *Wilson v. North Carolina*, 169 U. S., 595; *Mills County v. Railroad Companies*, 107 U. S., 557; *Cook County v. Calumet and Chicago Canal Company*, 138 U. S., 635, 655; *Walsh v. Railroad Company*, 176 U. S., 479; *Zadig v. Baldwin*, 166 U. S., 485; *Chapin v. Fye*, 179 U. S., 127; and see *State ex rel. Gates v. Commissioners*, 106 Wis., 584.

No. 16. James D. Patton, trading as J. D. Patton & Company, plaintiff in error, *v.* J. D. Brady, collector, etc. Appearance of Maggie A. Brady, executrix of J. D. Brady, deceased, as the party defendant in error herein, entered, on motion of Mr. Assistant Attorney-General Beck for the defendant in error.

No. 296. J. Ellis Rodley, plaintiff in error, *v.* The People of the State of California. Motions to dismiss or affirm submitted by Mr. C. N. Post and Mr. Tirey L. Ford in support of motions, and by Mr. George D. Collins in opposition thereto.

No. 398. John E. Sexton, plaintiff in error, *v.* The People of the State of California. Motions to dismiss or affirm submitted by Mr. A. A. Moore, jr., Mr. Tiley L. Ford and Mr. C. N. Post in support of motions, and by Mr. James Parker and Mr. George D. Collins in opposition thereto.

No. 375. Excelsior Wooden Pipe Company, appellant, *v.* Pacific Bridge Company et al. Advanced as under the thirty-second rule, on motion of Mr. L. S. Bacon for the appellant.

No. 415. Nashua Savings Bank, petitioner, *v.* Anglo-American Land Mortgage and Agency Company (Limited). Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. John S. H. Frink for the petitioner, and by Mr. Omar Powell for the respondent.

No. 164. Daniel H. Talbot, plaintiff in error, *v.* The First National Bank of Sioux City, Iowa. Motions to dismiss or affirm submitted by Mr. Asa F. Call in support of motions, and by Mr. A. A. Hoehling, jr., and Mr. J. K. Redington in opposition thereto.

No. 444. John A. Brill et al., petitioners, *v.* The Peckham Motor Truck and Wheel Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Thomas H. Clark in behalf of Mr. Francis Rawle and Mr. Frederick P. Fish for the petitioners, and by Mr. Henry P. Wells for the respondent.

No. 251. I. Stanton Carter (on behalf of Oberlin M. Carter), appellant, *v.* Robert W. McClaughry, warden, etc. Motion to advance submitted by Mr. Blair Lee in behalf of counsel for appellant.

No. 34. The Chicago Cripple Creek Gold Mining Company et al., plaintiffs in error, *v.* The Matoa Gold Mining Company. On a certificate from the United States circuit court of appeals for the eighth circuit. Dismissed.

No. 4, Original. The State of Minnesota, complainant, *v.* Ethan Allen Hitchcock, Secretary of the Interior, et al. Argument continued by Mr. F. B. Kellogg for the complainant, by Mr. Assistant Attorney-General Van Devanter for the defendants, and concluded by Mr. H. W. Childs for the complainant.

No. 152. The City of Detroit et al., appellants, *v.* The Detroit Citizens' Street Railway Company. Argument commenced by Mr. Timothy E. Tarsney for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 5, will be as follows: Nos. 152, 183, 201, 226, 154, 7 (and 10), 141 (and 142, 143, 144 and 145), 225, 257 (and 309) and 239.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 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.

Frank P. Lewis of Seattle, Wash., and Thomas L. Clarke of Monticello, Fla., were admitted to practice.

No. 152. The City of Detroit et al., appellants, *v.* The Detroit Citizens' Street Railway Company. Argument continued by Mr. Timothy E. Tarsney for the appellants, by Mr. John C. Donnelly and Mr. Henry M. Duffield for the appellee, and concluded by Mr. Timothy E. Tarsney for the appellants. Leave granted to counsel to file additional briefs within one week.

No. 183. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* Alonzo C. Croom, comptroller, etc., et al. Argument commenced by Mr. F. D. McKenney for the plaintiff in error, and continued by Mr. W. B. Lamar for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 6, will be as follows: Nos. 183, 201, 226, 154, 7 (and 10), 141 (and 142, 143, 144 and 145), 225, 257 (and 309), 239 and 303.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 6, 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. 183. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* Alonzo C. Croom, comptroller, etc., et al. Argument continued by Mr. W. B. Lamar for the defendants in error, and concluded by Mr. Wayne MacVeagh for the plaintiff in error. Leave granted to counsel for defendants in error to file an additional brief herein within five days.

No. 201. Alfred V. Booth, plaintiff in error, *v.* The People of the State of Illinois. Argued by Mr. Charles H. Aldrich for the plaintiff in error, and submitted by Mr. H. J. Hamlin and Mr. Elbert S. Smith for the defendants in error.

No. 226. Pablo Maese et al., appellants, *v.* Binger Hermann, Commissioner of the General Land Office. Argument commenced by Mr. Fred. Beall for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 7, will be as follows: Nos. 226, 154, 7 (and 10), 141 (and 142, 143, 144 and 145), 225, 257 (and 309), 239, 303, 307 and 325.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 7, 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.

Eugene Sweeney of New York City was admitted to practice.

No. 161. Southern Bell Telephone and Telegraph Company, appellant, *v.* City of Richmond. Appeal from the United States circuit court of appeals for the fourth circuit. Dismissed with costs, and mandate granted, on motion of Mr. George H. Fearons for the appellant.

No. 325. Luigi Storti, appellant, *v.* The Commonwealth of Massachusetts et al. Appeal from the circuit court of the United States for the district of Massachusetts. Dismissed with costs, per stipulation.

No. 226. Pablo Maese et al., appellants, *v.* Binger Hermann, Commissioner of the General Land Office. Argument continued by Mr. Assistant Attorney-General Van Devanter for appellee, and concluded by Mr. H. C. Burnett for the appellants.

No. 154. The Interstate Commerce Commission, appellant, *v.* The Chicago, Burlington and Quincy Railroad Company et al. Leave granted to three counsel for appellant to make oral argument, and one-half hour additional time allowed on both sides, on motion of Mr. David Willcox for appellant. Argument commenced by Mr. William A. Day for appellant, and continued by Mr. S. H. Cowan for appellant, and by Mr. Lloyd W. Bowers for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 8, will be as follows: Nos. 154, 7 (and 10), 141 (and 142, 143, 144 and 145), 225, 257 (and 309), 239, 303, 307, 378 and 32.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 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.

Frederick L. Taft of Cleveland, Ohio, and I. L. Purcell of Pensacola, Fla., were admitted to practice.

No. 53. A. W. Corbus, appellant, *v.* The Alaska Treadwell Gold Mining Company;

No. 71. Charles Stewart, appellant, *v.* The Washington and Alaska Steamship Company;

No. 139. The Pacific Steam Whaling Company, appellant, *v.* The United States; and

Nos. 155, 156 and 157. The Pacific Coast Steamship Company, appellant, *v.* The United States. Passed, to be restored to the call subject to the provisions of section 9, rule 26, on motion of Mr. Assistant Attorney-General Beck for the United States.

No. 120. The Colorado Fuel and Iron Company, appellant, *v.* The Southern Pacific Company et al. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed, per stipulation, and mandate granted.

No. 154. The Interstate Commerce Commission, appellant, *v.* The Chicago, Burlington and Quincy Railroad Company et al. Argument continued by Mr. Lloyd W. Bowers for the appellees, and concluded by Mr. David Willcox for the appellant.

No. 7. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky; and

No. 10. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* T. R. Eubank & Co. Reargument commenced by Mr. Walker D. Hines for the plaintiffs in error, and continued by Mr. H. W. Rives for the defendant in error in No. 7.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 11, will be as follows: Nos. 7 (and 10), 141 (and 142, 143, 144 and 145), 225, 257 (and 309), 303, 307, 378, 32 and 287.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 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.

Samuel Balkam Schoyer of Pittsburg, Pa., was admitted to practice.

No. 51. Milton C. Mitchell, plaintiff in error, *v.* The Potomac Insurance Company of Georgetown, D. C. In error to the court of appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 11. The Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* H. W. Hickman et al., as the board of railroad and warehouse commissioners of Missouri. In error to the supreme court of the State of Missouri. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brewer. (Mr. Justice Gray 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. 164. Daniel H. Talbot, plaintiff in error, *v.* The First National Bank of Sioux City, Iowa. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 251. I. Stanton Carter (on behalf of Oberlin M. Carter), appellant, *v.* Robert W. McLaughry, warden, etc. Motion to advance granted, and cause assigned for argument on Monday, December 2 next.

No. 398. John E. Sexton, plaintiff in error, *v.* The People of the State of California. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 415. Nashua Savings Bank, petitioner, *v.* Anglo-American Land Mortgage and Agency Company (Limited). Petition for writ of certiorari to the United States circuit court of appeals for the first circuit granted.

No. 444. John A. Brill et al., petitioners, *v.* The Peckham Motor Truck and Wheel Company et al. Petition for writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 296. J. Ellis Rodley, plaintiff in error, *v.* The People of the State of California. In error to the supreme court of the State of California.

Dismissed for the want of jurisdiction, on the authority of *Caldwell v. Texas*, 137 U. S., 692; *Oxley Stave Company v. Butler County*, 166 U. S., 648; *Powell v. Brunswick County*, 150 U. S., 433.

No. 303. William R. Tucker, vice-consul, etc., petitioner, *v. The United States ex rel. Leo Alexandroff*. Leave granted to Mr. Bernard Harris and Mr. Isaac Hassler to appear specially for the respondent, to file briefs and make oral argument, on motion of Mr. Paul Fuller for the petitioner.

No. —, Original. The State of South Dakota, complainant, *v. The State of North Carolina et al.* Motion for leave to file bill of complaint submitted by Mr. Henry M. Ward in behalf of Mr. Wheeler H. Peckham for the complainant.

No. 429. City of Austin, petitioner, *v. E. C. Bartholomew et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. S. R. Fisher for the petitioner.

No. 458. The City of New Orleans, petitioner, *v. James Jackson*. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Samuel L. Gilmore for the petitioner, and by Mr. J. D. Rouse, Mr. William Grant and Mr. Richard De Gray for the respondent.

No. 417. Isadore Minder, plaintiff in error, *v. The State of Georgia*. Advanced and assigned for argument on Monday, December 2, after the case already set down for that day, on motion of Mr. J. M. Terrell for the defendant in error.

No. 183. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v. Alonzo C. Croom, comptroller, etc., et al.* Three days' additional time granted in which to file supplemental brief, on motion of Mr. W. B. Lamar for the defendants in error.

No. —. James Tarrance et al., plaintiffs in error, *v. The State of Florida*. Motion for leave to docket cause without payment of costs submitted by Mr. W. B. Lamar in behalf of Mr. I. L. Purcell for the plaintiffs in error, and motion denied.

No. 221. S. D. Hatfield et al., appellants, *v. Henry C. King*. Motion for a rule against H. C. Flesher and to dismiss the appeal, etc., submitted by Mr. Holmes Conrad for certain interested parties, with leave to Mr. Maynard F. Stiles for the appellee to file reply within fifteen days.

No. 94. The Huguley Manufacturing Company et al., appellants, *v. The Galeton Cotton Mills et al.* Motion to dismiss submitted by Mr. Louis D. Brandeis in support of motion, and by Mr. John T. Morgan in opposition thereto.

No. 336. The Mutual Life Insurance Company of New York, plaintiff in error, *v.* Alphonsine McGrew. Motions to dismiss or affirm submitted by Mr. J. Hubley Ashton in behalf of Mr. Richard Bayne and Mr. H. G. Platt in support of motions, and by Mr. Julien T. Davies, Mr. Edward Lyman Short, Mr. Frederic D. McKenney, Mr. W. H. Chickering and Mr. Warren Gregory in opposition thereto.

No. 7. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky; and

No. 10. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* T. R. Eubank & Co. Reargument continued by Mr. H. W. Rives for the defendant in error in No. 7, and concluded by Mr. Walker D. Hines for the plaintiff in error.

Nos. 141, 142, 143, 144 and 145. Charles C. McChord et al., appellants, *v.* The Louisville and Nashville Railroad Company and others. Reargument commenced by Mr. Alexander Pope Humphrey for the appellee in No. 144, and continued by Mr. David W. Baird for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 12, will be as follows: Nos. 141 (and 142, 143, 144 and 145), 225, 257 (and 309), 239, 303, 307, 378, 32, 287 and 295.

O

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 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.

Thomas Ruffin of Chapel Hill, N. C., D. A. Sachs of Louisville, Ky., and Theodore W. Reath of Philadelphia, Pa., were admitted to practice.

Nos. 141, 142, 143, 144 and 145. Charles C. McChord et al., appellants, *v.* The Louisville and Nashville Railroad Company and others. Reargument continued by Mr. David W. Baird for the appellants, by Mr. James P. Helm for appellees in Nos. 141 and 142, by Mr. Walker D. Hines for appellee in No. 141, and concluded by Mr. Lewis McQuown for the appellants.

No. 225. The United States, appellant, *v.* Wm. T. Ewing. Argument commenced by Mr. Assistant Attorney-General Pradt for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 13, will be as follows: Nos. 225, 257 (and 309), 239, 303, 307, 378, 32, 287, 295 and 365.

O

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 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.

No. 225. The United States, appellant, *v.* William T. Ewing. Argument concluded by Mr. Harvey Spalding for the appellee.

No. 257. Arthur W. Mueller, trustee, etc., petitioner, *v.* William T. Nugent. Argued by Mr. William W. Watts for the petitioner, and submitted by Mr. W. M. Smith for the respondent.

No. 309. The Louisville Trust Company, trustee, petitioner, *v.* Leonard Comingor. Argument commenced by Mr. Augustus E. Willson for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 14, will be as follows: Nos. 309, 239, 303, 307, 378, 32, 287, 295, 365 and 64.

O

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 14, 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.

Harry H. Lee of Denver, Colo., and Lauriston L. Scaife of Boston, Mass., were admitted to practice.

No. 309. The Louisville Trust Company, trustee, petitioner, *v.* Leonard Comingor. Argument continued by Mr. Augustus E. Willson for the petitioner, by Mr. D. A. Sacks for the respondent, and concluded by Mr. Augustus E. Willson for the petitioner.

No. 239. The United States, appellant, *v.* The Rio Grande Dam and Irrigation Company et al. Argument commenced by Mr. Marsden E. Bureh for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 15, will be as follows: Nos. 239, 303, 307, 378, 32, 287, 295, 365, 64 and 19.

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8057—01—24

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 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.

No. 239. The United States, appellant, *v.* The Rio Grande Dam and Irrigation Company et al. Argument continued by Mr. J. H. McGowan for the appellees, and concluded by Mr. Marsden C. Burch for the appellant.

No. 303. William R. Tucker, vice-consul, etc., petitioner, *v.* The United States ex rel. Leo Alexandroff. Argument commenced by Mr. John F. Lewis for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 18, will be as follows: Nos. 303, 307, 378, 32, 287, 295, 365, 64, 19 and 12.

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8057—01—25

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 18, 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.

William C. Gross of Philadelphia, Pa., George F. Thompson of Middleport, N. Y., Alfred E. Hinricks of New York City and Charles E. Brock of Washington, D. C., were admitted to practice.

No. 5. The Gulf and Ship Island Railroad Company et al., plaintiffs in error, *v.* George P. Hewes, tax collector of Harrison County, Miss. In error to the supreme court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice Brown. (Mr. Justice Gray was not present at the argument and took no part in the decision of this case.)

No. 136. William B. Dinsmore et al., executors, etc., petitioners, *v.* The Southern Express Company et al. On writ of certiorari to the United States circuit court of appeals for the fifth circuit. Decree affirmed without costs in this court, and cause remanded to the circuit court of the United States for the southern district of Georgia. Opinion by Mr. Justice Harlan.

The Chief Justice announced the following orders of the court:

No. 133 of October term, 1900. Joel Parker Whitney et al., appellants, *v.* The United States et al. Order staying mandate vacated and leave granted to issue mandate at once.

No. 336. The Mutual Life Insurance Company, plaintiff in error, *v.* Alphonsine McGrew. Motions to dismiss or affirm postponed, to the hearing of the cause on its merits.

No. 429. City of Austin, petitioner, *v.* E. C. Bartholomew and Joseph Nalle, receivers. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 458. The City of New Orleans, petitioner, *v.* James Jackson. Petition for a writ 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 decision on this application.)

No. 11, Original. The State of South Dakota, complainant, *v.* The State of North Carolina et al. Motion for leave to file bill of complaint granted, and subpoenas ordered to be issued returnable on Monday, March 3, 1902.

No. 365. Benjamin D. Greene et al., appellants, *v.* William Henkel, United States marshal, etc. Passed temporarily, on motion of Mr. Solicitor-General Richards for the appellee.

No. 450. American Ordnance Company, petitioner, *v.* The Driggs-Seabury Gun and Ammunition Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. W. H. Singleton for the petitioner, and by Mr. Ernest Wilkinson and Mr. Samuel T. Fisher for the respondent.

No. 446. William J. F. Dwyer, petitioner, *v.* Lewis Nixon. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. James M. Beck and Mr. Louis Marshall for the petitioner, and by Mr. William G. Low for the respondent.

No. 316. The Connecticut Mutual Life Insurance Company, petitioner, *v.* Sallie E. Hillmon. Motion that transcript of record filed with petition for writ of certiorari be taken as return to the writ submitted by Mr. Edward S. Isham, Mr. James W. Green and Mr. Gilbert E. Porter for petitioner in support of motion, and by Mr. L. B. Wheat for the respondent in opposition thereto.

No. 465. Eustace R. Tracy, executrix, etc., et al., petitioners, *v.* Mary S. Eggleston et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. H. M. Jordan, Mr. J. D. Rouse and Mr. William Grant for the petitioners.

No. 448. William Stuber, petitioner, *v.* The Louisville and Nashville Railroad Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Heber J. May and Mr. Thomas B. Turley for the petitioner, and by Mr. H. W. Bruce for the respondent.

No. 344. Harriet M. Zane, petitioner, *v.* The County of Hamilton, Ill. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Thomas H. Clark in behalf of Mr. George A. Sanders for the petitioner, and by Mr. J. M. Hamill for the respondent.

No. 200. The City of Marion et al., appellants, *v.* James Charles. Appeal from the circuit court of the United States for the district of Indiana. Decree reversed with costs, upon confession of error by counsel

for appellee, and cause remanded for further proceeding and mandate granted, on motion of Mr. Thomas H. Clark in behalf of counsel for appellee.

No. 12. A. J. Daggs, and D. A. Abrams, assignee of the Bank of Tempo, appellants, *v.* Thompson Walker et al. Appeal from the supreme court of the Territory of Arizona. Dismissed with costs, pursuant to the tenth rule.

No. 303. Wm. R. Tucker, vice-consul, etc., petitioner, *v.* The United States ex rel. Leo Alexandroff. Argument continued by Mr. Isaac Hassler and Mr. Bernard Harris for the respondent, and concluded by Mr. Paul Fuller for the petitioner.

No. 307. A. N. King et al., plaintiffs in error, *v.* The City of Portland et al. Argument commenced by Mr. Martin L. Pipes for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 19, will be as follows: Nos. 307, 378, 32, 287, 295, 64, 19, 69 (and 70), 72 (and 73, 74 and 75) and 76.

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 19, 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.

Alfred M. Scales of Greensboro, N. C., and William B. Dillard of St. Helens, Oreg., were admitted to practice.

No. 307. A. N. King et al., plaintiffs in error, *v.* The City of Portland et al. Argument continued by Mr. Martin L. Pipes for the plaintiffs in error, by Mr. Joel M. Long for the defendants in error, and concluded by Mr. Martin L. Pipes for the plaintiffs in error.

No. 378. Luigi Storti, appellant, *v.* The Commonwealth of Massachusetts et al. Argument commenced by Mr. G. Philip Wardner for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 20, will be as follows: Nos. 378, 32, 287, 295, 64, 19, 69 (and 70), 72 (and 73, 74 and 75), 76 and 77.

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8057—01—27

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 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.

Martin Clark of Buffalo, N. Y., and Frank L. Welles of Washington, D. C., were admitted to practice.

No. —, Original. Ex parte: In the matter of The Huguley Manufacturing Company et al., petitioners. Motion for leave to file petition for writs of prohibition and mandamus submitted by Mr. J. C. Welles for the petitioners.

No. 378. Luigi Storti, appellant, *v.* The Commonwealth of Massachusetts et al. Argument continued by Mr. G. Philip Wardner for the appellant, by Mr. H. M. Knowlton for the appellees, and concluded by Mr. W. M. Stockbridge for the appellant.

No. 32. Charles H. Nutting, plaintiff in error, *v.* The Commonwealth of Massachusetts. Argument commenced by Mr. J. Hubley Ashton for the plaintiff in error, and continued by Mr. H. M. Knowlton for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 21, will be as follows: Nos. 32, 287, 295, 64, 19, 69 (and 70), 72 (and 73, 74 and 75), 76, 77 and 78.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 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.

No. 32. Charles H. Nutting, plaintiff in error, *v.* The Commonwealth of Massachusetts et al. Argument concluded by Mr. J. Hubley Ashton for the plaintiff in error.

No. 287. Ferdinand Eidman, United States collector, etc., plaintiff in error, *v.* Miguel R. Martinez, as ancillary administrator, etc.; and

No. 295. Frank R. Moore, as United States collector, etc., plaintiff in error, *v.* Max Ruckgaber, sr., as sole executor, etc. Three counsel allowed to make oral argument herein on behalf of defendants in error, on motion of Mr. John G. Carlisle for the defendant in error in No. 287. Argued by Mr. Solicitor-General Richards for the plaintiffs in error, and by Mr. Wheeler H. Peckham and Mr. John G. Carlisle for the defendant in error in No. 287, and by Mr. Alfred E. Himrichs for the defendant in error in No. 295. Leave granted to counsel for the defendant in error in No. 287 to file additional brief within one week, and to counsel for plaintiffs in error to file reply within one week thereafter.

No. 64. The United States, petitioner, *v.* The American Steamship Laurada, etc. Argument commenced by Mr. Assistant Attorney-General Hoyt for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 22, will be as follows: Nos. 64, 19, 69 (and 70), 72 (and 73, 74 and 75), 76, 77, 78, 79, 80 (and 81) and 82 (and 20).

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 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.

George H. Beckwith of Toledo, Ohio, and Edward B. Hill of New York City were admitted to practice.

No. 135. The New Orleans Pacific Railway Company et al., plaintiffs in error, *v.* John E. De Loach et al. In error to the supreme court of the State of Louisiana. Dismissed with costs, on authority of counsel for the plaintiffs in error.

No. 64. The United States, petitioner, *v.* The American Steamship Laurada, etc. Argument continued by Mr. Assistant Attorney-General Hoyt for the petitioner, by Mr. Andrew C. Gray for respondent, and concluded by Mr. Assistant Attorney-General Hoyt for the petitioner. Leave granted to counsel for petitioner to file an additional brief within three days, and to counsel for respondent to file reply thereto within three days thereafter.

No. 19. John Schrimpscher et al., plaintiffs in error, *v.* John S. Stockton et al. Argued by Mr. William M. Springer for the plaintiffs in error. No briefs filed for the defendants in error.

No. 69. Horace W. Philbrook, plaintiff in error, *v.* Wm. H. Beatty, chief justice of the supreme court of California, et al.; and

No. 70. Horace W. Philbrook, plaintiff in error, *v.* Wm. J. Newman et al. In error to the circuit court of the United States for the northern district of California. Dismissed with costs, pursuant to the tenth rule.

Nos. 72, 73, 74 and 75. The Steamship Styria, etc., petitioner, *v.* James L. Morgan and others. Argument commenced by Mr. J. Parker Kirlin for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 25, will be as follows: Nos. 72 (and 73, 74 and 75), 351, 365, 76, 77, 78, 79, 80 (and 81), 82 (and 20) and 83.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 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.

Albert W. May of Chicago, Ill., James Gore King Lee of New York City, Robert M. Proudfit of Friend, Nebr., Hunter H. Moss, jr., of Parkersburg, W. Va., and William N. Miller of Parkersburg, W. Va., were admitted to practice.

No. 1. Charles U. Cotting et al., appellants, *v.* A. A. Godard, as attorney-general of the State of Kansas, et al. Appeal from the circuit court of the United States for the district of Kansas. Decree reversed, costs to be paid by the Kansas City Stock Yards Company, and cause remanded with directions to enter a decree in favor of the plaintiffs and against the Kansas City Stock Yards Company and its officers in accordance with the prayer of the bills, and also a decree dismissing the suit as to the attorney-general of Kansas, without prejudice to any further suit or action. Opinion by Mr. Justice Brewer. Specially concurring: Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, Mr. Justice White and Mr. Justice McKenna.

The Chief Justice announced that the court would take a recess from Wednesday until Monday next.

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

No. 94. The Huguley Manufacturing Company et al., appellants, *v.* The Galeton Cotton Mills et al. Motion to dismiss postponed to the hearing of the cause on its merits. Motion for writ of certiorari to bring up additional record granted without prejudice, a certified copy of record sought to be supplied to be filed as a return to the writ.

No. 344. Harriet M. Zane, petitioner, *v.* The County of Hamilton, State of Illinois. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit granted.

No. 446. William J. F. Dwyer, petitioner, *v.* Lewis Nixon. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 448. William Stuber, petitioner, *v.* The Louisville and Nashville Railroad Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 450. American Ordnance Company, petitioner, *v.* The Driggs-Seabury Gun and Ammunition Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 465. Eustace R. Tracy, executrix, etc., et al., petitioners, *v.* Mary S. Eggleston et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 463. Samuel Bell, petitioner, *v.* The Commonwealth Title Insurance and Trust Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Solicitor-General Richards for the petitioner, and by Mr. John G. Johnson for the respondent.

No. 317. Frederick Rodgers, appellant, *v.* The United States. Motion to advance submitted by Mr. James H. Hayden for the appellant.

No. 464. Walter Scott, petitioner, *v.* The Goss Printing Press Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. B. F. Lee and Mr. W. H. H. Lee for the petitioner, and by Mr. L. L. Bond, Mr. M. B. Phillip and Mr. C. E. Pickard for the respondent, with leave to counsel for petitioner to file reply brief within one week.

No. 437. George Bissert, appellant, *v.* James J. Hagan, warden, etc., et al. Motions to dismiss or affirm submitted by Mr. Fritz von Briesen in behalf of Mr. Charles E. Le Barbier in support of motions, and by Mr. Roger M. Sherman in opposition thereto.

No. 471. The Empire Transportation Company, petitioner, *v.* W. H. Parsons et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. George H. Emerson in behalf of Mr. Henry Galbraith Ward for the petitioner, and by Mr. Wilson R. Gay for the respondents.

No. 472. Central Stock and Grain Exchange of Chicago, petitioner, *v.* Emma Bendinger. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. William M. Springer and Mr. Jacob J. Kern for the petitioner, and by Mr. Rufus S. Simmons for the respondent.

No. 19. John Schrimpscher et al., plaintiffs in error, *v.* John S. Stockton et al. Leave granted to file additional brief for plaintiffs in error within five days, on motion of Mr. William M. Springer for the plaintiffs in error.

No. 264. Henry C. Brown, devisee, etc., et al., appellants, *v.* The City of Denver et al. Motions to dismiss or affirm submitted by Mr. H. M. Orahood in support of motions, and by Mr. James H. Brown in opposition thereto.

Nos. 72, 73, 74 and 75. The Steamship Styria, petitioner, *v.* James L. Morgan and others. Argument continued by Mr. J. Parker Kirlin for the petitioner, by Mr. C. C. Burlingham for the respondent in No. 72, by Mr. Latham G. Reed for the respondent in No. 73, by Mr. E. B. Hill for the respondent in No. 74, and concluded by Mr. J. Parker Kirlin for the petitioner, and submitted by Mr. M. H. Regenburger for the respondent in No. 75.

No. 351. Alexander E. Orr et al., as executors, etc., et al., plaintiffs in error, *v.* Theodore P. Gilman, comptroller, et al. Argument commenced by Mr. Horace E. Deming for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 26, will be as follows: Nos. 351, 365, 76, 77, 78, 79, 80 (and 81), 82 (and 20), 83 and 16.

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 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.

George Richards of New York City and Thomas B. Felder, jr., of Atlanta, Ga., were admitted to practice.

No. 221. S. D. Hatfield et al., appellants, *v.* Henry C. King. One week additional time allowed in which to file answer to motion for rule, etc., on motion of Mr. Maynard F. Stiles for the appellee, and two days allowed to Mr. Holmes Conrad to file reply to answer when filed.

No. 1, Original. The State of New Jersey, complainant, *v.* The State of Delaware. Leave granted to file replication herein, on motion of Mr. Thomas H. Clark in behalf of counsel.

No. 475. Gerhard Terlinden, appellant, *v.* John C. Ames, United States marshal, etc. Motion to advance submitted by Mr. Thomas H. Clark for the appellee. Motion as to custody of appellant pending the appeal submitted by Mr. Albert W. May for the appellant.

No. 351. Alexander E. Orr et al., as executors, etc., et al., plaintiffs in error, *v.* Theodore P. Gilman, comptroller, et al. Argument continued by Mr. Horace E. Deming for the plaintiffs in error, by Mr. Jabish Holmes, jr., for the defendants in error, and concluded by Mr. Horace E. Deming for the plaintiffs in error.

No. 365. Benjamin D. Greene et al., appellants, *v.* William Henkel, United States marshal, etc. Argument commenced by Mr. David B. Hill for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 27, will be as follows: Nos. 365, 76, 77, 78, 79, 80 (and 81), 82 (and 20), 83, 16 and 84.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 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 Blenman of Tucson, Ariz., was admitted to practice.

No. 365. Benjamin D. Greene et al., appellants, *v.* Wm. Henkel, United States marshal, etc. Argument continued by Mr. David B. Hill for the appellants, by Mr. Marion Erwin and Mr. Solicitor-General Richards for the appellee, and concluded by Mr. David B. Hill for the appellants.

No. 76. The Central Ohio Railroad Company (as reorganized) et al., plaintiffs in error, *v.* Daniel J. Mahoney. Submitted by Mr. J. H. Collins and Mr. Hugh L. Bond, jr., for the plaintiffs in error, and by Mr. Thomas Ewing Steele for the defendant in error.

No. 77. The Texas and Pacific Railway Company, plaintiff in error, *v.* Emil Reiss et al. Argument commenced by Mr. Rush Taggart for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 2, will be as follows: Nos. 77, 78, 251, 417, 79, 80 (and 81), 82 (and 20), 83, 16 and 84.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 2, 1901.

Présent: 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.

Albert L. Lawrence of Cleveland, Ohio, Quincy A. Myers of Logansport, Ind., Orlan Clyde Cullen of St. Paul, Minn., and Charles S. Wilson of Washington, D. C., were admitted to practice.

No. 158. Fourteen Diamond Rings, Emil J. Pepke, claimant, plaintiff in error, *v.* The United States. In error to the district court of the United States for the northern district of Illinois. Judgment reversed, and cause remanded with directions to quash the information. Opinion by Mr. Chief Justice Fuller. Concurring opinion by Mr. Justice Brown. Dissenting: Mr. Justice Gray, Mr. Justice White, Mr. Justice Shiras and Mr. Justice McKenna.

No. 207. 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 affirmed. Opinion by Mr. Justice Brown. Concurring opinion by Mr. Justice White. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Harlan, Mr. Justice Brewer and Mr. Justice Peckham.

No. 67. E. T. Wilson, receiver, etc., plaintiff in error, *v.* The Merchants' Loan and Trust Company. In error to the United States circuit court of appeals for the seventh circuit. Judgment affirmed with costs, and cause remanded to the district court of the United States for the northern district of Illinois. Opinion by Mr. Justice Peckham.

No. 62. S. A. & S. C. Haseltine, plaintiffs in error, *v.* The Central National Bank of Springfield, Mo. In error to the supreme court of the State of Missouri. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 63. S. A. & S. C. Haseltine et al., plaintiffs in error, *v.* The Central National Bank of Springfield, Mo. In error to the supreme court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 378. Luigi Storti, appellant, *v.* The Commonwealth of Massachusetts et al. Appeal from the circuit court of the United States for

the district of Massachusetts. Order affirmed with costs, and mandate ordered issued at once. Opinion by Mr. Justice Brewer.

No. 65. H. L. Pinney et al., plaintiffs in error, *v.* R. T. Nelson. In error to the superior court of Los Angeles County, State of California. Judgment affirmed with costs and interest. Opinion by Mr. Justice Brewer.

No. 42. The State of Arkansas, appellant, *v.* The Kansas and Texas Coal Company et al. Appeal from the circuit court of the United States for the western district of Arkansas. Decree reversed, costs in this court and in the circuit court to be paid by the appellees and defendants, and cause remanded with a direction to remand the cause to the State court. Opinion by Mr. Chief Justice Fuller.

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

No. 316. The Connecticut Mutual Life Insurance Company, petitioner, *v.* Sallie E. Hillmon. The motion that one of the printed copies of the record in this cause from the circuit court of the United States for the district of Kansas, as printed under the supervision and direction of the clerk of the United States circuit court of appeals, and presented on the application for certiorari, together with the transcript now on file of the proceedings had in the circuit court of appeals, may be taken and stand as a return to the writ of certiorari issued herein, is granted without prejudice. (Toledo, etc., Railroad Company *v.* Continental Trust Company, 176 U. S., 219.)

No. 264. Henry C. Brown, devisee, etc., et al., appellants, *v.* The City of Denver et al. Motion to affirm and dismiss is postponed to the hearing of the cause on its merits.

No. 317. Frederick Rodgers, appellant, *v.* The United States. Motion to advance granted, and cause assigned for argument Monday, February 24 next, after the case already set down for that day.

No. 463. Samuel Bell, petitioner, *v.* The Commonwealth Title Insurance and Trust Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 471. The Empire Transportation Company, petitioner, *v.* W. H. Parsons et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 472. Central Stock and Grain Exchange of Chicago, petitioner, *v.* Emma Bendinger. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 475. Gerhard Terlinden, appellant, *v.* John C. Ames, United States marshal. Motion to advance granted, and cause assigned for argument on Monday, January 6 next.

No. 437. George Bissert, appellant, *v.* James J. Hagan, warden, etc., et al. Appeal from the circuit court of the United States for the southern district of New York. Final order affirmed with costs, on the authority of *Storti v. Commonwealth of Massachusetts*, just decided; *Brown v. New Jersey*, 175 U. S., 172; *Markuson v. Boucher*, 175 U. S., 184, and cases cited.

The Chief Justice also announced that the court would take a recess from Monday, December 9, to Monday, January 6 next.

No. 481. The Metropolitan Trust Company of the City of New York et al., petitioners, *v.* The Mercantile Trust Company of the City of New York, trustee. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Thomas H. Clark in behalf of Mr. John G. Johnson for the petitioners, and by Mr. Laurence Maxwell, jr., Mr. Paul D. Cravath and Mr. R. R. Rogers for the respondent.

No. 479. The Lakeland Transportation Company, etc., et al., petitioners, *v.* Peter P. Miller et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Frank S. Masten, Mr. Harvey D. Goulder and Mr. S. H. Holding for the petitioners, and by Mr. F. H. Canfield for the respondents.

No. 478. Fok Young Yo, appellant, *v.* The United States; and

No. 482. Lee Gun Yung, appellant, *v.* The United States. Motion to advance submitted by Mr. Maxwell Evarts for the appellants.

No. 166. J. G. Sisler et al., plaintiffs in error, *v.* Slingluff, Johns & Co.; and

No. 167. P. S. Newmyer, assignee, etc., plaintiff in error, *v.* Slingluff, Johns & Co. In error to the supreme court of the State of Pennsylvania. Dismissed with costs, on the authority of counsel for the plaintiffs in error.

No. 236. Stephen Otis et al., plaintiffs in error, *v.* E. A. Parker. Motions to dismiss or affirm submitted by Mr. John H. Miller in support of motions, and by Mr. Edmund Tauszky in opposition thereto.

No. 77. The Texas and Pacific Railway Company, plaintiff in error, *v.* Emil Reiss et al. Argument continued by Mr. Rush Taggart for the plaintiff in error, by Mr. George Richards for the defendants in error, and by Mr. Arthur H. Masten for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 3, will be as follows: Nos. 77, 78, 251, 417, 79, 80 (and 81), 82 (and 20), 83, 16 and 84.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 3, 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.

C. D. Hill of Atlanta, Ga., and John Emery Ricketts of Chicago, Ill., were admitted to practice.

No. 77. The Texas and Pacific Railway Company, plaintiff in error, *v.* Emil Reiss et al. Argument concluded by Mr. Arthur H. Masten for the plaintiff in error.

No. 78. The Texas and Pacific Railway Company, plaintiff in error, *v.* John R. Callender et al. Argued by Mr. Arthur H. Masten for the plaintiff in error, and by Mr. Treadwell Cleveland for the defendants in error.

No. 417. Isadore Minder, plaintiff in error, *v.* The State of Georgia. Argued by Mr. John R. Cooper for the plaintiff in error, and by Mr. J. M. Terrell for the defendant in error.

No. 251. I. Stanton Carter (on behalf of Oberlin M. Carter), appellant, *v.* Robert W. McClaughry, warden, etc. Argument commenced by Mr. Frank P. Blair for the appellant, and continued by Mr. J. W. Clous for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 4, will be as follows: Nos. 251, 79, 80 (and 81), 82 (and 20), 83, 16, 84, 85, 86 and 87.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 4, 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.

Lloyd W. Robbins of San Francisco, Cal., Chas. M. Stedman of Greensboro, N. C., Justin D. Bowersock of Kansas City, Mo., and L. E. Utley of Minneapolis, Minn., were admitted to practice.

No. 392. The Vicksburg Water Works Company, appellant, *v.* The Mayor and Aldermen of the City of Vicksburg. On motion of Mr. Thomas H. Clark in behalf of counsel for the appellees, submitted by Mr. James A. Carr for the appellant, and by Mr. L. W. Magruder for the appellees.

No. 287. Ferdinand Eidman, United States collector, etc., plaintiff in error, *v.* Miguel R. Martinez, etc.; and

No. 295. Frank R. Moore, United States collector, etc., plaintiff in error, *v.* Max Ruckgaber, sr., etc. Leave granted to file a reply brief herein within ten days, on motion of Mr. Solicitor-General Richards for the plaintiffs in error.

No. 87. Benjamin R. Wheeler, appellant, *v.* Benjamin Githens et al. Appeal from the supreme court of the District of Columbia. Dismissed with costs, pursuant to the tenth rule.

No. 251. I. Stanton Carter (on behalf of Oberlin M. Carter), appellant, *v.* Robert W. McClaughry, warden, etc. Argument continued by Mr. J. W. Clous and Mr. Solicitor-General Richards for the appellee, and concluded by Mr. H. G. Stone for the appellant.

No. 79. Peter Ambrosini, plaintiff in error, *v.* The United States. Argued by Mr. Assistant Attorney-General Beck for the defendant in error, and submitted by Mr. T. A. Moran and Mr. Levy Mayer for the plaintiff in error.

Nos. 80 and 81. The Midway Company, plaintiff in error, *v.* Frank W. Eaton et al. Argument commenced by Mr. Walter Ayers for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 5, will be as follows: Nos. 80 (and 81), 82 (and 20), 83, 16, 84, 85, 86, 88, 89 and 90.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 5, 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.

George Henderson of Philadelphia, Pa., W. H. Stilwell of Phoenix, Ariz., and Fred Harper of Lynchburg, Va., were admitted to practice.

No. 221. S. D. Hatfield et al., appellants, *v.* Henry C. King. Leave granted to Mr. Holmes Conrad to file brief on or before Saturday, and to Mr. M. F. Stiles to file reply thereto within five days thereafter.

Nos. 80 and 81. The Midway Company, plaintiff in error, *v.* Frank W. Eaton et al. Argument continued by Mr. Walter Ayers for the plaintiff in error, by Mr. Jed L. Washburn and Mr. Luther C. Harris for the defendants in error, and concluded by Mr. Walter Ayers for the plaintiff in error.

No. 82. Otto Groeck et al., appellants, *v.* The Southern Pacific Railroad Company; and

No. 20. The Southern Pacific Railroad Company, plaintiff in error, *v.* Isaac T. Bell. Argument commenced by Mr. Maxwell Evarts for the Southern Pacific Railroad Company.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 6, will be as follows: Nos. 82 (and 20), 83, 16, 84, 85, 86, 88, 89, 90 and 91.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 6, 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.

Hinton E. Spalding of Detroit, Mich., and Edward C. Lyon of Morristown, N. J., were admitted to practice.

No. 437. George Bissert, appellant, *v.* James J. Hagan, warden, etc., et al. Mandate granted, on motion of Mr. Fritz von Briesen for the appellees.

No. 82. Otto Groeck et al., appellants, *v.* The Southern Pacific Railroad Company; and

No. 20. The Southern Pacific Railroad Company, plaintiff in error, *v.* Isaac T. Bell. Argument concluded by Mr. Maxwell Evarts for the Southern Pacific Railroad Company, and submitted by Mr. Joseph H. Call for Groeck et al. and Bell.

No. 83. Edward W. Voigt, plaintiff in error, *v.* The City of Detroit et al. Argued by Mr. Hinton E. Spalding for the plaintiff in error, and by Mr. Charles D. Joslyn and Mr. Timothy E. Tarsney for the defendants in error.

No. 16. James D. Patton, trading as J. D. Patton & Co., plaintiff in error, *v.* Maggie A. Brady, executrix, etc. Argued by Mr. William L. Royall and Mr. Fred. Harper for the plaintiff in error, and by Mr. Assistant Attorney-General Beck for the defendant in error.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 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.

Stephen G. Williams of New York City, James McLachlan of Pasadena, Cal., J. F. Conroy of Los Angeles, Cal., S. S. Hudson of Vicksburg, Miss., Leslie A. Gilmore of Chicago, Ill., James Ambrose Coppinger Cotter of Indianapolis, Ind., and Frank N. Prout of Beatrice, Nebr., were admitted to practice.

No. 31. Wilson Brothers (a corporation) et al., appellants, *v.* Cassius B. Nelson. On a certificate from the United States circuit court of appeals for the seventh circuit. Second and third questions answered in the affirmative. Opinion by Mr. Justice Gray. Dissenting: Mr. Justice Shiras, Mr. Chief Justice Fuller, Mr. Justice Brewer and Mr. Justice Peckham.

The Chief Justice announced the following orders of the court:

No. 236. Stephen Otis et al., plaintiffs in error, *v.* E. A. Parker. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 464. Walter Scott, petitioner, *v.* The Goss Printing Press Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 478. Fok Young Yo, appellant, *v.* The United States; and

No. 482. Lee Gon Yung, appellant, *v.* The United States. Motion to advance granted, and cases assigned for argument on Monday, January 6 next, after the case already set down for that day.

No. 479. The Lakeland Transportation Company, etc., et al., petitioners, *v.* Peter P. Miller et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 481. The Metropolitan Trust Company of the City of New York, etc., et al., petitioners, *v.* The Mercantile Trust Company of the City of New York, trustee, et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 76. The Central Ohio Railroad Company (as reorganized) et al., plaintiffs in error, *v.* Daniel J. Mahoney. On a certificate from the United States circuit court of appeals for the sixth circuit. Question certified answered in the negative on the authority of *Gableman v. Peoria Railway Company*, 179 U. S., 335.

No. 7, Original. The State of Tennessee, complainant, *v.* The State of Virginia. Leave granted to file stipulation as to filing report of commissioners and time to file said report extended to the first day of the next term, on motion of Mr. A. J. Montague for the defendant.

No. 94. The Huguley Manufacturing Company et al., appellants, *v.* The Galeton Cotton Mills et al. Motion that copy of record as presented be taken and filed as a return to the writ of certiorari herein submitted by Mr. John C. Welles in behalf of counsel for appellants.

No. 6, Original. The State of Missouri, complainant, *v.* The State of Nebraska. Leave granted to file stipulation as to appointment of commissioners and stipulation submitted, on motion of Mr. F. N. Prout for the defendant.

No. 492. The Chattanooga National Building and Loan Association, petitioner, *v.* William H. Denson et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Thomas H. Clark in behalf of Mr. Robert Pritchard for the petitioner. Leave to counsel for respondents to file brief within two weeks, on motion of Mr. Oscar Underwood in their behalf.

No. 494. Charles Sweeney et al., petitioners, *v.* Kenneday J. Hanley. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. W. B. Heyburn for the petitioners, with leave to file briefs on or before January 3 next.

No. 363. The Chesapeake and Potomac Telephone Company, appellant, *v.* J. Forrest Manning & Co. Motion to advance submitted by Mr. A. A. Birney and Mr. J. J. Hemphill for the appellees in support of motion, and by Mr. A. S. Worthington for the appellant in opposition thereto.

No. 491. The City of New York et al., petitioners, *v.* Samuel Pine et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. George L. Sterling for the petitioners, and by Mr. Stephen G. Williams and Mr. Charles C. Marshall for the respondents.

No. 470. Edward J. Hingston et al., petitioners, *v.* The Steam Vessel Vulcan. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Frank S. Bright in behalf of Mr. George Clinton for the petitioners.

No. 430. The Frazier Borate Mining Company, plaintiff in error, *v.* Charles E. Calm. Advanced as under the thirty-second rule, on motion of Mr. James McLachlan in behalf of counsel for the defendant in error.

No. 392. The Vicksburg Water Works Company, appellant, *v.* The Mayor and Aldermen of the City of Vicksburg. Leave granted to file reply brief herein, on motion of Mr. S. S. Hudson for the appellant.

Adjourned until Monday, January 6, 1902, at 12 o'clock.

The day call for Monday, January 6, will be as follows: Nos. 475, 478 (and 482), 84, 85, 86, 88, 89, 90, 91 and 92.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 6, 1902.

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.

L. P. Waldo Marvin of Hartford, Conn., William Vocke of Chicago, Ill., Edward H. Deavitt of Montpelier, Vt., Charles R. Hickox of New York City, Henry Bonawitz of New York City, A. C. Umbreit of Milwaukee, Wis., William La Fayette McDonald of Dallas, Tex., R. C. Langan of Clinton, Iowa, Cyrus C. Wells of Washington, D. C., and Henry N. Paul, jr., of Philadelphia, Pa., were admitted to practice.

No. 37. The McKinley Creek Mining Company et al., appellants, *v.* The Alaska United Mining Company et al. Appeal from the district court of the United States for the district of Alaska. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 58. The Chicago, Rock Island and Pacific Railway Company, plaintiff in error, *v.* Bertha Zerneck, administratrix, etc. In error to the supreme court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 57. The Chicago, Rock Island and Pacific Railway Company, plaintiff in error, *v.* Webster Eaton, administrator, etc. In error to the supreme court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 61. United States Repair and Guaranty Company, petitioner, *v.* Assyrian Asphalt 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 northern district of Illinois. Opinion by Mr. Justice McKenna.

No. 226. Pablo Maise et al., appellants, *v.* Binger Hermann, Commissioner, etc., et al. Appeal from the court of appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 365. Benjamin D. Greene et al., appellants, *v.* Wm. Henkel, United States marshal, etc. Appeal from the circuit court of the United States for the southern district of New York. Order affirmed with costs. Opinion by Mr. Justice Peckham.

No. 33. The National Foundry and Pipe Works (Limited), plaintiff in error, *v.* Oconto City Water Supply Company. In error to the supreme court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 45. The Capital City Dairy Company, plaintiff in error, *v.* The State of Ohio ex rel. Attorney-General. In error to the supreme court of the State of Ohio. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 15. Lizzie Stearns Bleecker et al., petitioners, *v.* The Steamship Kensington, etc. On writ of certiorari to the United States circuit court of appeals for the second circuit. Decree reversed with costs, and cause remanded to the district court of the United States for the southern district of New York, with directions to ascertain the actual damage sustained by the libellants, and to enter a decree in their favor for the amount of such damages, with interest and costs. Opinion by Mr. Justice White.

No. 7. The Louisville and Nashville Railroad 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 Shiras.

No. 351. Alexander E. Orr et al., as executors, etc., et al., plaintiffs in error, *v.* Theodore P. Gilman, comptroller, et al. In error to the surrogate's court of New York County, N. Y. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. Mr. Justice Harlan concurs in the result.

No. 60. The Northern Assurance Company of London, England, petitioner, *v.* Grand View Building Association. On writ of certiorari to the United States circuit court of appeals for the eighth circuit. Judgments of United States circuit court of appeals and of the circuit court of the United States for the district of Milwaukee reversed with costs, and cause remanded to the said circuit court with directions to proceed in conformity with the opinion of this court. Opinion by Mr. Justice Shiras. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Harlan and Mr. Justice Peckham.

No. 100. Edward P. Gallup, executor, etc., plaintiff in error, *v.* William H. Schmidt, treasurer, etc. In error to the circuit court of Marion County, Ind. Judgment affirmed with costs and interest. Opinion by Mr. Justice Shiras.

No. 303. William R. Tucker, vice-consul, etc., petitioner, *v.* The United States ex rel. Leo Alexandroff. On writ of certiorari to the United States circuit court of appeals for the third circuit. Judgments of the United States circuit court of appeals and of the district court of the United States for the eastern district of Pennsylvania reversed with costs, and cause remanded to said district court for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Gray, Mr. Chief Justice Fuller, Mr. Justice Harlan and Mr. Justice White.

No. 19. John Schrimpscher et al., plaintiffs in error, *v.* John S. Stockton et al. In error to the supreme court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice White and Mr. Justice McKenna.

No. 18. The Southern Pacific Railroad Company et al., appellants, *v.* The United States; and

No. 24. The United States, appellant, *v.* The Southern Pacific Railroad Company et al. Appeals from the United States circuit court of appeals for the ninth circuit. Decree reversed, and cause remanded with directions to enter a decree in conformity with the opinion of this court. Opinion by Mr. Justice Brewer.

No. 181. The United States Trust Company of New York et al., appellants, *v.* The Territory of New Mexico; and

No. 182. The Territory of New Mexico, appellant, *v.* The United States Trust Company of New York et al. Appeals from the supreme court of the Territory of New Mexico. Decree affirmed, each party to pay the costs on its appeal to this court. Opinion by Mr. Justice Brewer.

No. 183. The Florida Central and Peninsular Railroad Company, plaintiffs in error, *v.* Alonzo C. Croom, comptroller, etc., et al. In error to the supreme court of the State of Florida. Judgment affirmed with costs. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice Brown.

No. 9, Original. Ex parte: In the matter of The Wilders Steamship Company, petitioner. Petition for a writ of mandamus dismissed, and rule discharged. Opinion by Mr. Justice Gray.

No. 48. The Guarantee Company of North America, petitioner, *v.* The Mechanics Savings Bank and Trust Company for the use of J. J. Pryor, assignee. On writ of certiorari to the United States circuit court of appeals for the sixth circuit. Decrees of the United States circuit court of appeals and circuit court of the United States for the middle district of Tennessee reversed with costs, and cause remanded to said circuit court for further proceedings consistent with the opinion of this court. Opinion by Mr. Chief Justice Fuller.

No. 141. Charles C. McChord et al., appellants, *v.* The Louisville and Nashville Railroad Company;

No. 142. Charles C. McChord et al., appellants, *v.* The Louisville, Henderson and St. Louis Railway Company;

No. 143. Charles C. McChord et al., appellants, *v.* The Chesapeake and Ohio Railway Company;

No. 144. Charles C. McChord et al., appellants, *v.* The Southern Railway Company in Kentucky; and

No. 145. Charles C. McChord et al., appellants, *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company. Appeals from the circuit court of the United States for the district of Kentucky. Decrees reversed with costs, and causes remanded with directions to sustain the demurrers and dismiss the bills. Opinion by Mr. Chief Justice Fuller.

No. 251. I. Stanton Carter (on behalf of Oberlin M. Carter), appellant, *v.* Robert W. McClaughry, warden, etc. Appeal from the circuit court of the United States for the district of Kansas. Order affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 417. Isadore Minder, plaintiff in error, *v.* The State of Georgia. In error to the superior court of Bibb County, State of Georgia. Judgment affirmed. Opinion by Mr. Chief Justice Fuller.

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

No. 64. The United States, petitioner, *v.* The American Steamship Laurada, etc. On writ of certiorari to the United States circuit court of appeals for the third circuit. Decree affirmed by a divided court, and cause remanded to the district court of the United States for the district of Delaware.

No. 94. The Huguley Manufacturing Company et al., appellants, *v.* The Galeton Cotton Mills et al. Motion that the copy of record as presented be taken and filed as a return to the writ of certiorari herein granted without prejudice.

No. 363. The Chesapeake and Potomac Telephone Company, appellant, *v.* J. Forrest Manning & Co. Motion to advance granted, and cause assigned for argument on Monday, March 3 next.

No. 470. Edward J. Hingston et al., petitioners, *v.* The Steam Vessel Vulcan, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 491. The City of New York et al., petitioners, *v.* Samuel Pine et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 492. The Chattanooga National Building and Loan Association, petitioner, *v.* William H. Denson et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit granted.

No. 500. The *Ætna Insurance Company of Hartford, Conn.*, petitioner, *v. Daniel Langan*. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Henry E. Davis for the petitioner, and by Mr. R. C. Langan for the respondent.

No. 499. George J. Baer, petitioner, *v. Wm. R. Kerr et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Thomas H. Clark in behalf of Mr. H. Bisbee and Mr. H. C. McDougal for the petitioner, and by Mr. R. H. Liggett for the respondent.

No. 235. Mariano F. Sena, appellant, *v. The United States*. Motion for leave to take additional testimony herein submitted by Mr. Neill B. Field in behalf of counsel for appellant.

No. 347. Alphonse Emsheimer, appellant, *v. The City of New Orleans*. Motion to advance submitted by Mr. H. M. Jordan in behalf of counsel for the appellant.

No. 460. The S. S. White Dental Manufacturing Company, petitioner, *v. The Delaware Insurance Company, etc.* Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Henry N. Paul, jr., Mr. R. C. Dale and Mr. Joseph C. Fraley for the petitioner, and by Mr. John G. Johnson for the respondent.

No. 133. The Scottish Union and National Insurance Company, etc., plaintiff in error, *v. John Herriott, etc.*; and

No. 13. The Manchester Fire Assurance Company, etc., et al., appellants, *v. John Herriott, treasurer, etc., et al.* Continued per stipulation, on motion of Mr. M. D. O'Connell in behalf of counsel.

No. 485. James Tarrance et al., plaintiffs in error, *v. The State of Florida*. Motion to advance submitted by Mr. Edward C. Goodwin in behalf of counsel for the plaintiffs in error.

No. 56. The Board of County Commissioners of the County of Lake, Colorado, petitioner, *v. James R. Sutliff*. On writ of certiorari to the United States circuit court of appeals for the eighth circuit. Dismissed with costs, per stipulation of counsel.

No. 93. The Texas and Pacific Railway Company, plaintiff in error, *v. J. H. Welder and wife*. In error to the United States circuit court of appeals for the fifth circuit. Dismissed with costs, on the authority of counsel for the plaintiff in error.

No. 112. Harry H. Dudley, plaintiff in error, *v. The Board of County Commissioners of the County of Lake*. In error to the circuit court of the United States for the district of Colorado. Dismissed, costs to be paid by defendant in error, per stipulation of counsel.

No. 406. The Board of County Commissioners of the County of Lake, petitioner, *v.* The Keene Five Cent Savings Bank. On petition for writ of certiorari to the United States circuit court of appeals for the eighth circuit. Dismissed, per stipulation of counsel.

No. 438. Charles W. Morse, plaintiff in error, *v.* John C. Davies, attorney-general of New York. In error to the court of appeals of the State of New York. Dismissed with costs, on motion of counsel for plaintiff in error.

Nos. 213 and 214. The Montana Mining Company (Limited), plaintiff in error, *v.* The St. Louis Mining and Milling Company of Montana. Motions to dismiss or affirm submitted by Mr. Edwin W. Toole, Mr. Thomas C. Bach, Mr. Arthur Brown and Mr. H. P. Henderson in support of motions, and by Mr. W. E. Cullen, Mr. E. C. Day, Mr. Charles J. Hughes, jr., Mr. A. B. Browne and Mr. Alex. Britton in opposition thereto.

No. 475. Gerhard Terlinden, appellant, *v.* Jno. C. Ames, United States marshal. Argument commenced by Mr. Albert W. May for the appellant, and continued by Mr. William Vocke for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 7, will be as follows: Nos. 475, 478 (and 482), 84, 85, 86, 88, 89, 90, 91 and 92.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 7, 1902.

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.

George P. Wilson of Minneapolis, Minn., and Frederic E. Mygatt of New York City were admitted to practice.

No. —, Original. The State of Minnesota, complainant, *v.* The Northern Securities Company. Motion for leave to file bill of complaint submitted by Mr. W. B. Douglas for the complainant.

No. 475. Gerhard Terlinden, appellant, *v.* John C. Ames, United States marshal. Argument continued by Mr. William Vocke for the appellee, and concluded by Mr. A. C. Umbreit for the appellant.

No. 478. Fok Young Yo, appellant, *v.* The United States; and

No. 482. Lee Gon Yung, appellant, *v.* The United States. Argued by Mr. Maxwell Evarts for the appellants, and by Mr. Assistant Attorney-General Hoyt for the appellee.

No. 84. Clarence E. Collius, plaintiff in error, *v.* The State of New Hampshire. Argument commenced by Mr. William D. Guthrie for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 8, will be as follows: Nos. 84, 85, 86, 88, 89, 90, 91, 92, 94 and 95.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 8, 1902.

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.

Peter Henry Kaiser of Cleveland, Ohio, Lynas D. Barnard of Renville, Minn., and George Frank Brown of Titusville, Pa., were admitted to practice.

No. 132. The Texas and Pacific Railway Company, plaintiff in error, *v.* The State of Louisiana *ex rel.* The Cumberland Telephone and Telegraph Company. In error to the supreme court of the State of Louisiana. Dismissed with costs, on motion of Mr. Rush Taggart for the plaintiff in error.

No. 84. Clarence E. Collins, plaintiff in error, *v.* The State of New Hampshire. Argument concluded by Mr. William D. Guthrie for the plaintiff in error, and submitted on printed argument by Mr. Edwin G. Eastman for the defendant in error.

No. 86. Louis Auguste Marande et al., plaintiffs in error, *v.* The Texas and Pacific Railway Company. Argument commenced by Mr. Treadwell Cleveland for the plaintiffs in error, and continued by Mr. Rush Taggart for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 9, will be as follows: Nos. 86, 85, 88, 89, 90, 91, 92, 94, 95 and 96.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 9, 1902.

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.

Edgar Cayples of Honolulu, Hawaii, and Ernest W. Roberts of Chelsea, Mass., were admitted to practice.

No. 164. Daniel H. Talbot, plaintiff in error, *v.* The First National Bank of Sioux City, Iowa. Passed, to be heard immediately preceding No. 190, on motion of Mr. J. K. Redington for the plaintiff in error.

No. 86. Louis Auguste Marande et al., plaintiffs in error, *v.* The Texas and Pacific Railway Company. Argument continued by Mr. Rush Taggart for the defendant in error, and concluded by Mr. Treadwell Cleveland for the plaintiffs in error.

No. 85. Tomas C. Gutierrez et al., appellants, *v.* The Albuquerque Land and Irrigation Company. Argued by Mr. Neill B. Field for the appellants, and by Mr. W. B. Childers for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 10, will be as follows: Nos. 88, 89, 90, 91, 92, 94, 95, 96, 97 and 98.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 10, 1902.

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. 97. Robert Perrin, appellant, *v.* The United States. Passed, to be restored to the call subject to the provisions of section 9, rule 26, on motion of Mr. John T. Morgan for the appellant.

No. 88. The Cleveland Trust Company, plaintiff in error, *v.* M. A. Lander, treasurer, etc. Argued by Mr. James R. Garfield for the plaintiff in error, and by Mr. P. H. Kaiser for the defendant in error.

No. 89. The United States, appellant, *v.* The St. Louis and Mississippi Valley Transportation Company. Argument commenced by Mr. George H. Gorman for the appellant, and continued by Mr. James H. Hayden for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 13, will be as follows: Nos. 89, 90, 91, 92, 94, 95, 96, 98, 99 and 101.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 13, 1902.

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.

George A. Davis of Honolulu, Hawaii, William E. Savage of Los Angeles, Cal., Robert Ramsey of Cincinnati, Ohio, Murray Briggs of Charleston, W. Va., George W. McClintic of Charleston, W. Va., Winfield Liggett of Harrisonburg, Va., Charles H. Bartelt of Sioux Falls, S. Dak., Fred. G. Caldren of Washington, D. C., Eldridge C. Farnsworth of Visalia, Cal., Charles T. Cates, jr., of Knoxville, Tenn., and G. H. R. Plumb of Washington, D. C., were admitted to practice

No. 80. The Midway Company, plaintiff in error, *v.* Frank W. Eaton et al. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 81. The Midway Company (substituted for the Germania Iron Company), plaintiff in error, *v.* Frank W. Eaton et al. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 77. The Texas and Pacific Railway Company, plaintiff in error, *v.* Emil Reiss et al. In error to the United States circuit court of appeals for the second circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the southern district of New York. Opinion by Mr. Justice Peckham.

No. 78. The Texas and Pacific Railway Company, plaintiff in error, *v.* John R. Callender et al. In error to the United States circuit court of appeals for the second circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the southern district of New York. Opinion by Mr. Justice Peckham.

No. 49. The Sun Printing and Publishing Association, petitioner, *v.* William L. Moore. 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 district court of the United States for the southern district of New York. Opinion by Mr. Justice White.

No. 20. The Southern Pacific Railroad Company, plaintiff in error, *v.* Isaac T. Bell. In error to the supreme court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 82. Otto Groeck et al., appellants, *v.* The Southern Pacific Railroad Company. 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 southern district of California reversed with costs, and cause remanded to said circuit court with directions to dismiss the bill. Opinion by Mr. Justice Brown.

No. 32. Charles H. Nutting, 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. Dissenting: Mr. Justice Harlan.

The Chief Justice announced the following orders of the court:

No. 6, Original. The State of Missouri, complainant, *v.* The State of Nebraska. Ordered that the consideration of the motion to appoint commissioners to take testimony herein be postponed until after the issues are settled.

Nos. 213 and 214. The Montana Mining Company (Limited), plaintiff in error, *v.* The St. Louis Mining and Milling Company of Montana. Motions to dismiss or affirm postponed to the hearing of the causes on their merits.

No. 235. Mariano F. Sena, appellant, *v.* The United States. Motion to take additional testimony denied, but a duly certified copy of the will of Simon de Leyba may be introduced in evidence on the hearing.

No. 300. Joseph H. Beals, plaintiff in error, *v.* James J. Cone et al. Motion for a supersedeas denied. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 347. Alphonse Emsheimer, appellant, *v.* The City of New Orleans. Motion to advance granted, and cause assigned for argument on Monday, March 3 next, after the cases already set down for that day.

No. 485. James Tarrence et al., plaintiffs in error, *v.* The State of Florida. Motion to advance granted, and cause assigned for argument on Monday, April 14 next, after the case already set down for that day.

No. 491. The City of New York et al., petitioners, *v.* Samuel Pine et al. Motion to advance granted, and cause assigned for argument on Monday, February 24 next, after No. 10, original.

No. 460. The S. S. White Dental Manufacturing Company, petitioner, *v.* The Delaware Insurance Company, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 494. Charles Sweeny et al., petitioners, *v.* Kennedy J. Hanley. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 499. George J. Baer, petitioner, *v.* William R. Kerr et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 500. The Aetna Insurance Company of Hartford, Conn., petitioner, *v.* Daniel Langan. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied. (Mr. Justice Gray took no part in the disposition of this application.)

No. —, Original. The State of Minnesota, complainant, *v.* The Northern Securities Company. Notice of the application for leave to file bill of complaint directed to be given and the application to be heard on Monday, January 27, instant.

No. 130. The United States, appellant, *v.* The Officers and Crew of the U. S. Steamer Mangrove. Passed, to be heard with No. 174 as one case, on motion of Mr. Solicitor-General Richards for the appellant.

No. 509. The United States, appellant, *v.* James A. Rickert, as county treasurer, etc. Motion to advance submitted by Mr. Solicitor-General Richards for the appellant.

No. 387 of October term, 1898. Samuel H. Stone, auditor, etc., et al., appellants, *v.* The Deposit Bank of Frankfort. Motion for leave to file bill of review in the circuit court of the United States for the eastern district of Kentucky submitted by Mr. Ira Julian for the appellants in support of motion, and by Mr. Frank Chinn for the appellee in opposition thereto, with leave to file affidavits and briefs within fifteen days.

No. 508. Tulare Irrigation District et al., plaintiffs in error, *v.* Alfred Shepard. Submitted pursuant to the twentieth rule by Mr. George H. Maxwell and Mr. John Garber for the plaintiffs in error, and by Mr. S. F. Leib for the defendant in error.

No. 514. The President, etc., of the Insurance Company of North America, petitioners, *v.* The Steamship Harrogate. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Lawrence Kneeland for the petitioners, and by Mr. Harrington Putnam for the respondent.

No. 515. James Considine, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Thomas F. Shay and Mr. Miller Outcalt for the petitioner, with leave to Mr. Solicitor-General Richards to file brief for respondent within fifteen days.

No. 507. The Singer Manufacturing Company, petitioner, *v.* Herman Cramer. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Charles K. Offield and Mr. M. A. Wheaton for the petitioner.

No. 268. Gertrude H. Hardin et al., plaintiffs in error, *v.* Charles B. Shedd. Submitted pursuant to the twentieth rule by Mr. Frederic D. McKenney in behalf of Mr. Thomas Dent for the plaintiffs in error, and by Mr. Harry S. Mecartney for the defendant in error, with leave to counsel for defendant in error to file brief within one week.

No. 462. Davey Pegging Machine Company, petitioner, *v.* Isaac Prouty & Co., Incorporated. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Horace A. Dodge in behalf of Mr. W. K. Richardson and Mr. Frederick P. Fish for the petitioner, and by Mr. Louis W. Southgate for the respondent. Leave granted to counsel for petitioner to file a reply brief on or before Friday next.

No. 280. John S. Swann et al., trustees, etc., plaintiffs in error, *v.* The State of West Virginia. Motion to dismiss submitted by Mr. Murray Briggs in support of motion, and by Mr. George E. Price in opposition thereto.

No. 513. The Fidelity and Deposit Company of Maryland, petitioner, *v.* The L. Bucki & Son Lumber Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Winfield Liggett and Mr. R. H. Liggett for the petitioner.

No. —. The Lakeland Transportation Company et al., petitioners, *v.* Peter P. Miller et al. Motion for leave to use the certified transcript of record on file in case No. 479 as the exhibit to the petition for a writ of certiorari on another application submitted by Mr. Frank S. Bright in behalf of counsel for the petitioners.

No. 176. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* Priscilla McIver. In error to the supreme court of the State of Georgia. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 430. The Frazier Borate Mining Company, plaintiff in error, *v.* Charles E. Calin. In error to the circuit court of the United States for the southern district of California. Dismissed with costs, per stipulation of counsel.

No. 101. James B. Swing, trustee, etc., plaintiff in error, *v.* Edgar Munson. In error to the supreme court of the State of Pennsylvania. Dismissed with costs, pursuant to the tenth rule.

No. 89. The United States, appellant, *v.* The St. Louis and Mississippi Valley Transportation Company. Argument continued by Mr. James H. Hayden for the appellee, and concluded by Mr. George H. Gorman for the appellant.

No. 90. W. C. Lykins et al., plaintiffs in error, *v.* Mrs. R. McGrath. Argued by Mr. William M. Springer for the plaintiffs in error, and submitted by Mr. W. C. Perry and Mr. D. B. Holmes for the defendant in error.

No. 92. The Missouri, Kansas and Texas Railway Company et al., plaintiffs in error, *v.* Georgia C. Elliott et al. Argued by Mr. James Hagerman for the plaintiffs in error, and submitted by Mr. William T. Hutchings and Mr. Preston C. West for the defendants in error.

No. 95. John W. McDonald, receiver, etc., appellant, *v.* David E. Thompson. Argument commenced by Mr. J. R. Webster for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 14, will be as follows: Nos. 95, 91, 94, 96, 98, 99, 102, 103, 104 and 105.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 14, 1902.

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.

Bordman Hall of Boston, Mass., was admitted to practice.

No. 95. John W. McDonald, receiver, etc., appellant, *v.* David E. Thompson. Argument continued by Mr. Halleck F. Rose for the appellee, and concluded by Mr. J. R. Webster for the appellant.

No. 91. L. S. Clark, plaintiff in error, *v.* The City of Titusville. Argued by Mr. Eugene Mackey for the plaintiff in error, and submitted by Mr. George Frank Brown for the defendant in error.

No. 96. Charles M. Busch, appellant, *v.* Joshua W. Jones et al. Argued by Mr. George J. Murray for the appellant, and by Mr. M. W. Jacobs for the appellees.

No. 98. Samuel Monroe et al., appellants, *v.* The United States. Submitted by Mr. John C. Fay for the appellants, and by Mr. Assistant Attorney-General Pradt and Mr. Franklin W. Collins for appellee.

No. 99. Jane C. Hitz, appellant, *v.* John Story Jenks et al. Argument commenced by Mr. A. S. Worthington for the appellant, and continued by Mr. Walter D. Davidge, jr., and Mr. J. J. Darlington for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 15, will be as follows: Nos. 99, 94, 102, 103, 104, 105, 107, 108, 110 and 111.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 15, 1902.

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.

Webster Street of Phoenix, Ariz., Robert G. Linn of Charleston, W. Va., and Edward A. Brannon of Weston, W. Va., were admitted to practice.

No. 479. The Lakeland Transportation Company, etc., et al., petitioners, *v.* Peter P. Miller et al. Second petition for a writ of certiorari ordered to be filed in this case.

No. 365. Benjamin D. Greene et al., appellants, *v.* William Henkel, United States marshal, etc. Mandate granted, on motion of Mr. Solicitor-General Richards for the appellee.

No. 102. The Town of Weston, appellant, *v.* James A. Tierney. Submitted by Mr. E. A. Brannon and Mr. R. G. Linn for the appellant, and by Mr. W. W. Brannon for the appellee, with leave to counsel for appellee to file additional brief within five days, and to counsel for appellant to file reply thereto.

No. 111. Charles M. McGhee et al., receivers, etc., plaintiffs in error, *v.* Sallie C. Campbell, administratrix, etc. In error to the United States circuit court of appeals for the fifth circuit. Dismissed with costs, on authority of counsel for the plaintiffs in error.

No. 107. Sarah J. McIntosh, plaintiff in error, *v.* R. L. Aubrey. Continued.

No. 99. Jane C. Hitz, appellant, *v.* John Story Jenks et al. Argument continued by Mr. J. J. Darlington for the appellees, and concluded by Mr. Wayne MacVeagh for the appellant.

No. 94. The Huguley Manufacturing Company et al., appellants, *v.* The Galeton Cotton Mills et al. Argued by Mr. John T. Morgan for the appellants, and by Mr. Louis D. Brandeis for the appellees. Leave granted to file additional brief for appellants by to-morrow.

No. 103. The First National Bank of Lake Benton, Minn., plaintiff in error, *v.* John W. Watt. Submitted by Mr. F. B. Kellogg and Mr. C. A. Severance for the plaintiff in error, and by Mr. F. L. Janes for the defendant in error.

No. 104. The Mutual Life Insurance Company of New York, petitioner, *v.* Frank E. Dingley, administrator. Argued by Mr. Frederic D. McKenney for the petitioner. No counsel appeared for respondent.

No. 119. Annie Andrews, plaintiff in error, *v.* Kate H. Andrews. Passed temporarily, on motion of Mr. Frederic D. McKenney for the defendant in error.

No. 110 (substituted for No. 105). William H. Brainard et al., appellants, *v.* Leffert L. Buck et al. Argument commenced by Mr. Leo Simmons for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 16, will be as follows: Nos. 110, 105, 108, 113, 121, 122, 123, 124, 126 and 127 (and 128).

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 16, 1902.

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 Stowell of Seneca, Kans., Percival M. Brown of Venedy, Ill., Henry E. Chase of Grand Rapids, Mich., and Thomas J. Barry of Boston, Mass., were admitted to practice.

No. 107. Sarah J. McIntosh, plaintiff in error, *v.* R. L. Aubrey. Continuance set aside and case submitted on briefs to be filed within thirty days, on motion of Mr. Edward Campbell for the plaintiff in error.

No. 110 (substituted for No. 105). William H. Brainard et al., appellants, *v.* Leffert L. Buck et al. Argument continued by Mr. Leo Simmons for the appellants, by Mr. E. V. Brookshire for the appellees, and concluded by Mr. Hugh T. Taggart for the appellants.

No. 105. T. K. Wilson, plaintiff in error, *v.* J. F. Standefer. Argued by Mr. J. W. Hill for the plaintiff in error. No counsel appeared for the defendant in error.

No. 108. Simon Rothschild et al., plaintiffs in error, *v.* Robert A. Knight, assignee, etc. Argument commenced by Mr. H. J. Jaquith for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 17, will be as follows: Nos. 108, 113, 121, 122, 123, 124, 126, 127 (and 128), 129 and 109.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 17, 1902.

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.

Owen Morris of St. Paul, Minn., Edwin A. Krauthoff of Kansas City, Mo., and George W. Wall of Chicago, Ill., were admitted to practice.

No. 512. The Territory of Hawaii, appellant, *v.* Osaki Mankichi. Advanced and assigned for argument Monday, April 14 next, after the cases already set down for that day, on motion of Mr. Assistant Attorney-General Hoyt for the appellant.

No. 108. Simon Rothschild et al., plaintiffs in error, *v.* Robert A. Knight, assignee, etc. Argument continued by Mr. H. J. Jaquith for the plaintiffs in error, by Mr. Charles M. Rice for the defendant in error, and concluded by Mr. H. J. Jaquith for the plaintiffs in error.

No. 113. The Louisville and Jeffersonville Ferry Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Argued by Mr. Alexander Pope Humphrey for the plaintiff in error, and by Mr. D. W. Sanders for the defendant in error. Leave granted counsel for defendant in error to file an additional brief in ten days, and to counsel for plaintiff in error to reply thereto.

No. 122. Clement Studebaker, plaintiff in error, *v.* John Perry, receiver, etc. Death of Clement Studebaker suggested, and appearance of Ann M. Studebaker, George M. Studebaker, Anna Studebaker, Carlisle Studebaker and Clement Studebaker, jr., executors, etc., as the plaintiffs in error herein filed and entered, on motion of Mr. Hugh C. Ward for the plaintiffs in error.

No. 122. Ann M. Studebaker et al., executors, etc., plaintiffs in error, *v.* John Perry, receiver. Argument commenced by Mr. Hugh C. Ward for the plaintiffs in error, and continued by Mr. George W. Wall and Mr. F. F. Oldham for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 20, will be as follows: Nos. 122, 121, 123, 6, 124, 126, 127 (and 128), 129 (and 109), 40 and 131.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 20, 1902.

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

Williamson S. Summers of Omaha, Nebr., Charles Quarles of Milwaukee, Wis., Winchester Kelso of Eagle Pass, Tex., and Alfred M. Jackson of Winfield, Kans., were admitted to practice.

No. 257. Arthur E. Mueller, trustee, etc., petitioner, *v.* William T. Nugent. On writ of certiorari to the United States circuit court of appeals for the sixth circuit. Decree of the United States circuit court of appeals reversed with costs, and the decree and order of the district court of the United States for the district of Kentucky affirmed, and cause remanded to the district court of the United States for the western district of Kentucky, with liberty to take such further proceedings as it may be advised. Opinion by Mr. Chief Justice Fuller.

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

No. 280. John S. Swann et al., trustees, etc., plaintiffs in error, *v.* The State of West Virginia. Motion to dismiss postponed to the hearing of the cause on its merits.

No. 509. The United States, appellant, *v.* James A. Rickert, as county treasurer, etc. Motion to advance granted, and case advanced as under the thirty-second rule, to be taken on printed briefs on or before April 14 next, or it will be heard orally on the second Monday of the next term (October 20).

No. 479. The Lakeland Transportation Company, etc., et al., petitioners, *v.* Peter P. Miller et al. Second petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 462. Davey Pegging Machine Company, petitioner, *v.* Isaac Prouty & Co., Incorporated, et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 514. The President, etc., of The Insurance Company of North America et al., petitioners, *v.* The Steamship Harrogate. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 507. The Singer Manufacturing Company, petitioner, *v.* Herman

Cramer. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit granted.

No. 513. The Fidelity and Deposit Company of Maryland, petitioner, *v. The L. Bucki & Son Lumber Company*. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit granted.

No. 92. The Missouri, Kansas and Texas Railway Company et al., plaintiffs in error, *v. Georgia C. Elliott et al.* In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs, by a divided court, and cause remanded to the United States court for the northern district of the Indian Territory.

No. 84. Clarence E. Collins, plaintiff in error, *v. The State of New Hampshire*. Restored to the docket for reargument.

No. 104. The Mutual Life Insurance Company of New York, petitioner, *v. Frank E. Dingley, administrator, etc.* On writ of certiorari to the United States circuit court of appeals for the ninth circuit. Judgment of the United States circuit court of appeals and of the circuit court of the United States for the district of Washington reversed with costs, on the authority of *Mutual Life Insurance Company v. Cohen*, 179 U. S., 262, and cause remanded to said circuit court for further proceedings in conformity to law.

No. 503. The United States, appellant, *v. Lee Yen Tai*. Motion to advance submitted by Mr. Solicitor-General Richards for the appellant.

No. 505. Asa M. Swain, petitioner, *v. Holyoke Machine Company*. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. George W. Rea in behalf of Mr. Charles F. Perkins, Mr. Causten Browne and Mr. Charles H. Drew for the petitioner, and by Mr. Elmer P. Howe for the respondent.

No. 443. A. C. Finney, as receiver, etc., et al., plaintiffs in error, *v. Mary A. Guy*. Motion for a writ of certiorari submitted by Mr. F. G. Coldren in behalf of counsel.

No. 389. Kokomo Fence Machine Company, petitioner, *v. Alva L. Kitselman et al.* Motion for supersedeas or stay order submitted by Mr. Thomas A. Banning for the petitioner in support of motion, and by Mr. R. H. Parkinson for the respondent in opposition thereto.

No. 18. The Southern Pacific Railroad Company et al., appellants, *v. The United States*; and

No. 24. The United States, appellant, *v. The Southern Pacific Railroad Company et al.* Motion to modify decree herein submitted by Mr. Joseph H. Call for the United States, with leave to counsel for the Southern Pacific Railroad Company et al. to file brief in opposition on or before Thursday next.

No. 409. Charles L. Bernard, plaintiff in error, *v.* The People of the State of Michigan. Motion to advance submitted by Mr. John L. Lott for the plaintiff in error.

No. 451. Joseph J. Martin et al., petitioners, *v.* The Steamship Southwark. 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, and by Mr. J. Rodman Paul for the respondent.

No. 151. George Schuerman et al., appellants, *v.* The Territory of Arizona. Passed, to be heard with No. 388 as one case, on motion of Mr. Alexander Britton in behalf of counsel.

No. 486. George H. Dobbs et al., plaintiffs in error, *v.* The State of Kansas. Motion to advance submitted by Mr. John Stowell for the plaintiffs in error.

No. —, Original. *Ex parte*: In the matter of James H. Cochnower, petitioner;

No. —, Original. *Ex parte*: In the matter of William B. Shafer, petitioner; and

No. —, Original. *Ex parte*: In the matter of John W. O'Brien, petitioner. Motion for leave to file petitions for writs of mandamus submitted by Mr. W. H. Van Steenbergh for the petitioners.

No. 122. Ann M. Studebaker et al., executors, etc., plaintiffs in error, *v.* John Perry, receiver, etc. Argument continued by Mr. F. F. Oldham for the defendant in error, and concluded by Mr. Hugh C. Ward for the plaintiffs in error.

No. 121. Frederick Howard et al., plaintiffs in error, *v.* The United States to the use of David D. Stewart. Argued by Mr. John C. Gage for the plaintiffs in error, and by Mr. Edwin A. Krauthoff for the defendant in error.

No. 123. John C. Goodrich et al., plaintiffs in error, *v.* The City of Detroit et al. Argued by Mr. E. F. Bacon for the plaintiffs in error, and by Mr. T. A. Tarsney for the defendants in error.

No. 124. The French-Glenn Live Stock Company, plaintiff in error, *v.* Alva Springer; and

No. 125. The French-Glenn Live Stock Company, plaintiff in error, *v.* James Colwell. Argument commenced by Mr. C. A. Keigwin for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 21, will be as follows: Nos. 124 (and 125), 6, 126, 127 (and 128), 129 (and 109), 40, 131, 134, 137 and 138.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 21, 1902.

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.

Ira Bronson of Seattle, Wash., Austin E. Griffiths of Seattle, Wash., Fred J. Allen of Sanford, Me., Thomas D. O'Brien of St. Paul, Minn., Franz C. Kuhn of Mount Clemens, Mich., Burt D. Cady of Port Huron, Mich., William G. Tracy of Syracuse, N. Y., Martin F. Dillon of Skaneateles, N. Y., George Barrow of Skaneateles, N. Y., and George P. Knowles of West Superior, Wis., were admitted to practice.

No. 351. Alexander E. Orr et al., as executors, etc., et al., plaintiffs in error, *v.* Theodore P. Gilman, comptroller, et al. Mandate granted, per stipulation, on motion of Mr. Thomas H. Clark in behalf of counsel.

No. 259. Margaret Helen Hutchinson, plaintiff in error, *v.* The City of Columbus et al. In error to the supreme court of the State of Ohio. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 138. John M. Kirkman, plaintiff in error, *v.* William Bird et al. In error to the supreme court of the State of Utah. Dismissed with costs, pursuant to the tenth rule.

No. 124. The French-Glenn Live Stock Company, plaintiff in error, *v.* Alva Springer; and

No. 125. The French-Glenn Live Stock Company, plaintiff in error, *v.* James Colwell. Argument continued by Mr. C. A. Keigwin for the plaintiff in error, by Mr. C. E. S. Wood for the defendants in error, and concluded by Mr. C. A. Keigwin for the plaintiff in error. Leave granted to counsel for defendants in error to file brief within two weeks.

No. 6. Elliott H. Phelps et al., plaintiffs in error, *v.* Robert Radford Beard, receiver, etc. Reargument 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 Wednesday, January 22, will be as follows: Nos. 6, 126, 127 (and 128), 129 (and 109), 40, 131, 134, 137, 146 and 147.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 22, 1902.

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. Tuttle of Omaha, Nebr., George B. Parkinson of Cincinnati, Ohio, Edward A. Graham of Montgomery, Ala., and John F. Fitzpatrick of St. Paul, Minn., were admitted to practice.

Order: Ordered that new bond of the marshal of this court be entered of record.

No. 153. *The Arivica Land and Cattle Company, appellant, v. The United States et al.* Assigned for argument with No. 40 as one case, on motion of Mr. W. H. Pope for the appellees.

No. 6. Elliott H. Phelps et al., plaintiffs in error, *v. Robert Radford Beard, receiver, etc.* Reargument continued by Mr. Frank H. Scott for the defendant in error, and concluded by Mr. John P. Wilson for the plaintiffs in error.

No. 126. *The Bienville Water Supply Company, appellant, v. The City of Mobile et al.* Argument commenced by Mr. Frank P. Prichard for the appellant, and continued by Mr. B. B. Boone for the appellees, and by Mr. D. P. Bestor for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 23, will be as follows: Nos. 126, 127 (and 128), 129 (and 109), 40 (and 153), 131, 134, 137, 146, 147 and 148.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 23, 1902.

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.

D. E. Simmons of Sherman, Tex., was admitted to practice.

No. 126. The Bienville Water Supply Company, appellant, *v.* The City of Mobile et al. Argument concluded by Mr. John G. Johnson for the appellant.

No. 127. The United States, appellant, *v.* Byron Barlow & Co.; and

No. 128. Byron Barlow & Co., appellants, *v.* The United States. Argued by Mr. George A. King for Byron Barlow & Co., and by Mr. George H. Gorman for The United States.

No. 131. The Minneapolis and St. Louis Railroad Company, plaintiff in error, *v.* The State of Minnesota ex rel. The Railroad and Warehouse Commission. Argument commenced by Mr. Albert E. Clarke for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 24, will be as follows: Nos. 131, 134, 137, 146, 147, 148, 149, 150, 159 (and 160) and 162 (and 163).

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 24, 1902.

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.

J. B. Wickliffe of Wickliffe, Ky., A. V. Long of Starke, Fla., Chauncey C. McCarthy of Grand Rapids, Minn., W. C. Van Fleet of San Francisco, Cal., Charles S. Johnson of Nome, Alaska, and Stiles W. Burr of St. Paul, Minn., were admitted to practice.

No. 525. Chin Bak Kan, appellant, *v.* The United States; and

No. 526. Chin Ying, appellant, *v.* The United States. Motion to advance submitted by Mr. Assistant Attorney-General Hoyt for the appellee. Motion to vacate orders admitting appellants to bail submitted by Mr. Assistant Attorney-General Hoyt for the appellee, with leave to counsel for the appellants to file brief in opposition thereto within five days.

No. 159. The Aultman & Taylor Company, appellant, *v.* Charles Brumfield, treasurer of Richland County, Ohio; and

No. 160. George Brinkerhoff, administrator, etc., appellant, *v.* Charles Brumfield, treasurer of Richland County, Ohio. Appeals from the circuit court of the United States for the northern district of Ohio. Dismissed with costs, on authority of counsel for the appellants.

No. 162. The United States, appellant, *v.* The California and Oregon Land Company; and

No. 163. The California and Oregon Land Company, appellant, *v.* The United States. Passed, on account of sickness of counsel, to be restored to the call subject to the provisions of section 9, rule 26.

No. 131. The Minneapolis and St. Louis Railroad Company, plaintiff in error, *v.* The State of Minnesota *ex rel.* The Railroad and Warehouse Commission. Argument continued by Mr. Albert E. Clarke for the plaintiff in error, by Mr. T. D. O'Brien for the defendant in error, and concluded by Mr. Albert E. Clarke for the plaintiff in error.

No. 134. The Skaneateles Water Works Company, plaintiff in error, *v.* The Village of Skaneateles *et al.* Argument commenced by Mr. Charles A. Hawley for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 27, will be as follows: Nos. 134, 129 (and 109), 40 (and 153), 137, 146, 147, 148, 149, 150 and 165.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 27, 1902.

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.

Moritz Wittig of Milwaukee, Wis., Ira C. Young of St. Louis, Mo., Henry L. Stimson of New York City, Henry G. D. de Meli of New York City, William C. Prentiss of Washington, D. C., and Reeve Lewis of Washington, D. C., were admitted to practice.

No. 307. A. N. King et al., plaintiffs in error, *v.* The City of Portland et al. In error to the supreme court of the State of Oregon. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 10. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* T. R. Eubank, etc. In error to the circuit court of Simpson County, State of Kentucky. Judgment reversed with costs, and cause remanded for such further proceedings therein as shall not be inconsistent with the opinion of this court. Opinion by Mr. Justice Peckham. Dissenting: Mr. Justice Brewer and Mr. Justice Gray.

No. 25. The United States, appellant, *v.* The Southern Pacific Railroad Company et al. Appeal from the United States circuit court of appeals for the ninth circuit. Decree affirmed, except as to the lands standing in the name of Jackson A. Graves, and as to those lands reversed, and cause remanded to the circuit court of the United States for the southern district of California for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brewer.

No. 309. The Louisville Trust Company, trustee, etc., petitioner, *v.* Leonard Comingor. On writ of certiorari to the United States circuit court of appeals for the sixth circuit. Decree affirmed with costs, and cause remanded to the district court of the United States for the western district of Kentucky. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Harlan.

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

No. 389. Kokomo Fence Machine Company, petitioner, *v.* Alva L. Kitselman et al. Motion for stay order herein granted.

No. 409. Charles L. Bernard, plaintiff in error, *v.* The People of the State of Michigan. Motion to advance granted, and cause assigned for

argument on Monday, March 3 next, after the cases already set down for that day.

No. 443. A. C. Finney, as receiver, et al., plaintiffs in error, *v.* Mary A. Guy. Consideration of the motion for a writ of certiorari herein postponed until the record is printed.

No. 451. Joseph J. Martin et al., petitioners, *v.* The Steamship Southwark. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 486. George H. Dobbs et al., plaintiffs in error, *v.* The State of Kansas. Motion to advance granted, and cause assigned for argument on Monday, March 3 next, after the cases already set down for that day.

No. 503. The United States, appellant, *v.* Lee Yen Tai;

No. 525. Chin Bak Kan, appellant, *v.* The United States; and

No. 526. Chin Ying, appellant, *v.* The United States. Motions to advance granted, and cases assigned for argument as one case on Monday, March 3 next, after the cases already set down for that day.

No. 505. Asa M. Swain, petitioner, *v.* Holyoke Machine Company. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 515. James Considine, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. —, Original. In the matter of John H. Cochnower, petitioner;

No. —, Original. In the matter of William B. Shafer, petitioner; and

No. —, Original. In the matter of John W. O'Brien, petitioner. Motion for leave to file petitions for writs of mandamus denied.

No. 121. Frederick Howard et al., plaintiffs in error, *v.* The United States to the use of David D. Stewart. Restored to the docket, to be resubmitted to full bench on brief already on file, with leave to counsel to file additional briefs within ten days if they shall be so advised.

No. 102. The Town of Weston, appellant, *v.* James A. Tierney. Appeal from the circuit court of the United States for the district of West Virginia. Decree reversed with costs, and cause remanded to the circuit court of the United States for the northern district of West Virginia, with directions to dismiss the bill for want of jurisdiction, on the authority of *United States v. Sayward*, 160 U. S., 497; *Holt v. Indiana Manufacturing Company*, 176 U. S., 68-73.

The Chief Justice also announced that the court would take a recess from Monday, February 3, to Monday, February 24 next.

No. 467. Pierre J. Smith 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, per stipulation, on motion of Mr. Solicitor-General Richards for the defendant in error, and cause remanded for further proceedings according to law.

No. 529. Bert Ross, appellant, *v.* Martin Aguirre, warden, etc. Motion for leave to proceed in forma pauperis granted, on motion of Mr. W. C. Van Fleet for the appellant.

No. 241. Alexander M. Bogy, appellant, *v.* J. M. Daugherty et al. Motion to dismiss submitted by Mr. Edgar Smith and Mr. William M. Mellette in support of motion, and by Mr. James H. Hayden and Mr. Joseph K. McCammon in opposition thereto.

No. 181. The United States Trust Company of New York et al., appellants, *v.* The Territory of New Mexico; and

No. 182. The Territory of New Mexico, appellant, *v.* The United States Trust Company of New York et al. Mandate stayed for fifteen days from February 6 next, on motion of Mr. Alexander Britton in behalf of counsel for the Trust Company et al.

No. 364. L. A. Bigger, plaintiff in error, *v.* C. A. Ryker, county treasurer, etc. Submitted, pursuant to the twentieth rule, by Mr. George A. Vandever for the plaintiff in error, and by Mr. Thomas T. Taylor for the defendant in error.

No. 134. The Skaneateles Water Works Company, plaintiff in error, *v.* The Village of Skaneateles et al. Argument continued by Mr. Charles A. Hawley for the plaintiff in error, by Mr. M. F. Dillon for the defendants in error, and concluded by Mr. William G. Tracy for the defendants in error.

No. —, Original. The State of Minnesota, complainant, *v.* The Northern Securities Company. Motion for leave to file bill of complaint argued by Mr. W. B. Douglas and Mr. M. D. Munn for the complainant, and by Mr. William D. Guthrie and Mr. John W. Griggs for the defendant.

No. 129. Harvey L. Christie et al., appellants, *v.* The United States; and

No. 109. The United States, appellant, *v.* A. A. Green et al. Argument commenced by Mr. John W. Griggs for appellants in No. 129 and appellees in No. 109.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 28, will be as follows: Nos. 129 (and 109), 40 (and 153), 137, 146, 147, 148, 149, 150, 165 and 168.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 28, 1902.

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.

Francis W. Qua of Lowell, Mass., and E. W. Risley of Fresno, Cal., were admitted to practice.

No. 151. George Schuerman et al., appellants, *v.* The Territory of Arizona. Order assigning this case for argument with No. 388 set aside, on motion of Mr. C. F. Ainsworth for the appellee, and cause submitted by Mr. Reece M. Ling for the appellants, and by Mr. C. F. Ainsworth for the appellee.

No. 168. J. N. Elliott, constable, et al., petitioners, *v.* Murphy L. Anderson et al. On writ of certiorari to the United States circuit court of appeals for the fourth circuit. Dismissed with costs, pursuant to the tenth rule.

No. 129. Harvey L. Christie et al., appellants, *v.* The United States; and

No. 109. The United States, appellant, *v.* A. A. Green et al. Argument continued by Mr. John W. Griggs for the appellants in No. 129 and appellees in No. 109, by Mr. W. H. Pope and Mr. Matt. G. Reynolds for the United States, and concluded by Mr. Francis J. Heney for the appellants in No. 129 and appellees in No. 109.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 29, will be as follows: Nos. 40 (and 153), 137, 146, 147, 148, 149, 150, 165, 169 and 170.

SUPREME COURT OF THE UNITED STATES:

WEDNESDAY, JANUARY 29, 1902.

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.

Daniel E. Lynch of New York City was admitted to practice.

No. 129. Harvey L. Christie et al., appellants, *v.* The United States; and

No. 109. The United States, appellant, *v.* A. A. Green et al. Leave granted to counsel for claimants to file an additional brief within ten days, and to counsel for the United States to reply thereto, if they shall be so advised.

No. 40. Santiago Ainsa, administrator, etc., et al., appellants, *v.* The United States; and

No. 153. The Arivaca Land and Cattle Company, appellant, *v.* The United States et al. Argued by Mr. Francis J. Heney for the appellants, and by Mr. Matthew G. Reynolds for the appellees.

No. 137. J. C. League, plaintiff in error, *v.* The State of Texas. Argued by Mr. D. E. Simmons for the defendant in error, and submitted by Mr. F. Charles Hume for the plaintiff in error.

No. 146. American School of Magnetic Healing et al., appellants, *v.* J. M. McAnnulty. Submitted by Mr. James H. Harkless for the appellants, and by Mr. Solicitor-General Richards and Mr. Robert A. Howard for the appellee.

No. 147. George F. Emblen, appellant, *v.* The Lincoln Land Company et al. Submitted by Mr. Ed. R. Duffie for the appellant, and by Mr. J. W. Deweese for the appellees.

No. 148. The Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* John S. Elliott. Argument commenced by Mr. George P. B. Jackson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 30, will be as follows: Nos. 148, 149, 150, 165, 169, 170, 171, 172, 173 and 174 (and 130).

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 30, 1902.

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.

Joseph C. Bloch of Cleveland, Ohio, John Kolb Law of Merced, Cal., Franklin Crawford Lusk of Chico, Cal., and James T. Boyd of San Francisco, Cal., were admitted to practice.

No. 171. The Erie Railroad Company, plaintiff in error, *v.* Albert L. Purdy. Passed temporarily.

No. 173. J. K. Van Dyke, plaintiff in error, *v.* The Commonwealth of Pennsylvania by Levi Wells, dairy and food commissioner. In error to the supreme court of the State of Pennsylvania. Dismissed with costs, pursuant to the tenth rule.

No. 174. The Officers and Enlisted Men of the United States Ship New York and others, appellants, *v.* The Officers and Crew of the United States Steamer Mangrove; and

No. 130. The United States, appellant, *v.* The Officers and Crew of the United States Steamer Mangrove. Passed, to be restored to the call subject to the provisions of section 9, rule 26, on motion of Mr. Assistant Attorney-General Hoyt for the United States.

No. 148. The Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* John S. Elliott. Argument concluded by Mr. George P. B. Jackson for the plaintiff in error, and submitted by Mr. W. M. Williams for the defendant in error.

No. 149. W. T. Waggoner, plaintiff in error, *v.* J. M. Flack. Submitted by Mr. W. W. Flood for the plaintiff in error. No counsel appeared for the defendant in error.

No. 150. The United States, appellant, *v.* Charles Borchering, receiver. Argument commenced by Mr. William H. Button for the appellant, and continued by Mr. Cortlandt Parker and Mr. Frank W. Hackett for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 31, will be as follows: Nos. 150, 165, 169, 170, 172, 175, 177, 178, 179 and 180.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 31, 1902.

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.

William M. Smith of Louisville, Ky., John C. Farwell of Chicago, Ill., H. Thurston Laughbaum of Plymouth, Ohio, and Henry J. Hayns-worth of Greenville, S. C., were admitted to practice.

No. 179. The Commercial National Bank of Chicago, plaintiff in error, *v.* Consumers' Brewing Company. In error to the court of appeals of the District of Columbia. Dismissed with costs, pursuant to the tenth rule.

No. 150. The United States, appellant, *v.* Charles Borchering, receiver. Argument continued by Mr. Frank W. Hackett for the appellee, and concluded by Mr. W. H. Button for the appellant.

No. 165. The Fidelity Mutual Life Association of Philadelphia, plain-tiff in error, *v.* Jennie M. Mettler. Argued by Mr. John G. Johnson for the plaintiff in error, and by Mr. C. A. Culberson for the defendant in error.

No. 169. The United States, appellant, *v.* Jose Isabel Martinez et al. Argued by Mr. Matthew G. Reynolds for the appellant, and submitted by Mr. George Hill Howard and Mr. Henry M. Earle for the appellees.

No. 170. The United States, appellant, *v.* Margarito Baca. Argued by Mr. Matthew G. Reynolds for the appellant, and by Mr. B. S. Rodey for the appellee.

No. 172. Mary E. H. Gwin et al., appellants, *v.* The United States. Death of Mary E. H. Gwin, one of the appellants herein, suggested by Mr. James T. Boyd for the appellants.

Adjourned until Monday next at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 3, 1902.

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.

Nathan O. Murphy of Phoenix, Ariz., Charles Martindale of Indianapolis, Ind., Glenn E. Husted of Kalamazoo, Mich., William H. Barnett of Fargo, N. Dak., Thomas H. Watts of Montgomery, Ala., Patrick J. McLaughlin of St. Paul, Minn., Francis Burton Harrison of New York City and George C. Bedell of Jacksonville, Fla., were admitted to practice.

No. 95. John W. McDonald, receiver, etc., appellant, *v.* David E. Thompson. Appeal from the United States circuit court of appeals for the eighth circuit. Decree affirmed with costs, and case remanded to the circuit court of the United States for the district of Nebraska. Opinion by Mr. Justice Brown:

No. 28. The People of the State of Illinois upon the relation of George Hunt, attorney-general, appellants, *v.* The Illinois Central Railroad 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. Justice Harlan. (The Chief Justice took no part in the consideration and decision of this case.)

The Chief Justice announced the following orders of the court:

Order: The reporter having represented that, owing to the number of decisions at the present 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. 387 of October term, 1898. Samuel H. Stone, auditor, etc., et al., appellants, *v.* The Deposit Bank of Frankfort. Leave granted appellants to apply to the circuit court of the United States for the eastern district of Kentucky for leave to file such bill as counsel may be advised.

No. 241. Alexander M. Bogy, appellant, *v.* J. M. Daugherty et al. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed for the want of jurisdiction, on the authority of *Rice v. Sanger*, 144 U. S., 197; *Haseltine v. Central National Bank*, 183 U. S., 130.

No. 364. L. A. Bigger, plaintiff in error, *v.* C. A. Ryker, county treasurer of Reno County, Kans., et al. In error to the supreme court of the State of Kansas. Dismissed for the want of jurisdiction, on the authority of *Giles v. Little*, 134 U. S., 645; *Tyler v. Judges of the Court of Registration*, 179 U. S., 405.

No. 467. Pierre J. Smith et al., plaintiffs in error, *v.* George R. Bidwell. Mandate granted, on motion of Mr. Solicitor-General Richards for the defendant in error.

No. 531. The Provident Savings Assurance Society of New York, petitioner, *v.* Rebecca T. McClain. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. James M. Beck in behalf of Mr. Francis Rawle for the petitioner, and by Mr. John Hill Brinton for the respondent.

No. 498. Phineas Pam-to-pee and others, appellants, *v.* The United States. Motion to advance submitted by Mr. John B. Shipman for the appellants.

No. 536. William A. Milliken, petitioner, *v.* Martin H. Sullivan. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. W. A. Milliken, Mr. W. W. Howe and Mr. William A. Blount for the petitioner, and by Mr. Thomas H. Watts for the respondent.

No. 375. Excelsior Wooden Pipe Company, appellant, *v.* Pacific Bridge Company et al. Submitted by Mr. L. S. Bacon, Mr. N. A. Acker and Mr. W. W. Wilshire for the appellant, and by Mr. James B. Howe for the appellees.

No. 520. George H. B. Martin et al., petitioners, *v.* People's Bank of Buffalo, N. Y., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. F. H. Busbee and Mr. N. T. M. Melliss for the petitioners, and by Mr. Norris Morey and Mr. J. E. Shepard for the respondents.

No. 513. The Fidelity and Deposit Company of Maryland, petitioner, *v.* The L. Bucki & Son Lumber Company. Petition of the respondent for a cross-writ of certiorari herein submitted by Mr. George C. Bedell and Mr. H. Bisbee in support of petition, and by Mr. R. H. Liggett in opposition thereto.

No. 537. Peter P. Miller et al., petitioners, *v.* Lakeland Transportation Company, etc. Petition for a writ of certiorari to the United States

circuit court of appeals for the sixth circuit submitted by Mr. William C. Prentiss in behalf of Mr. John C. Shaw for the petitioners, and by Mr. F. H. Canfield in opposition thereto.

No. 273. The Northern Pacific Railway Company, appellant, *v.* J. A. Soderberg. Motion to dismiss submitted by Mr. J. T. Ronald in support of motion, and by Mr. C. W. Bunn and Mr. James B. Kerr in opposition thereto.

Adjourned until Monday, February 24, at 12 o'clock.

The day call for Monday, February 24, will be as follows: Nos. 10, original, 491, 317, 172, 119, 175, 177, 178, 180 and 187.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 24, 1902.

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.

Luther M. Goddard of Denver, Colo., Henry A. Dobbs of Pueblo, Colo., Wirt Minor of Portland, Oreg., Amariah F. Freeman of Manchester, Mich., Eben Richards of St. Louis, Mo., Allen F. Cooper of Uniontown, Pa., J. Q. Van Swearingen of Uniontown, Pa., Milton D. Purdy of Minneapolis, Minn., Francis E. Watrous of Wellsboro, Pa., John Q. Thompson of Pratt, Kans., George L. Rives of New York City, Benjamin F. Abbott of Atlanta, Ga., Frank Chamberlain Avery of New York City, Albert E. McCabe of Petoskey, Mich., and Edward S. Robert of St. Louis, Mo., were admitted to practice.

No. 88. The Cleveland Trust Company, plaintiff in error, *v.* M. A. Lander, treasurer, etc. In error to the supreme court of the State of Ohio. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Harlan did not hear the argument and took no part in the decision of this case.)

No. 83. Edward W. Voight, plaintiff in error, *v.* The City of Detroit et al. In error to the supreme court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Harlan did not hear the argument and took no part in the decision of this case.)

No. 127. The United States, appellant, *v.* Byron Barlow & Co.; and

No. 128. Byron Barlow & Co., appellants, *v.* The United States. Appeals from the Court of Claims. Judgment reduced to the sum of \$5,367.96, and for that amount affirmed. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Brewer and Mr. Justice Peckham. (Mr. Justice Harlan did not hear the argument and took no part in the decision of this case.)

No. 110. William H. Brainard et al., appellants, *v.* Leffert L. Buck et al. Appeal from the court of appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Peckham.

No. 225. The United States, appellant, *v.* William T. Ewing. Appeal from the Court of Claims. Judgment reversed, and cause remanded with instructions to enter a judgment in conformity with the opinion of this court. Opinion by Mr. Justice Peckham. (Mr. Justice McKenna did not sit in this case and took no part in its decision.)

No. 103. The First National Bank of Lake Benton, Minn., plaintiff in error, *v.* John W. Watt. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 86. Louis Auguste Marande et al., plaintiffs in error, *v.* The Texas and Pacific Railway Company. In error to the United States circuit court of appeals for the second circuit. Judgment of the said United States circuit court of appeals and of the circuit court of the United States for the southern district of New York reversed with costs, and cause remanded to said circuit court with directions to set aside the verdict and grant a new trial. Opinion by Mr. Justice White.

No. 89. The United States, appellant, *v.* The St. Louis and Mississippi Valley Transportation Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Shiras.

No. 122. Ann M. Studebaker et al., executors, etc., plaintiffs in error, *v.* John Perry, receiver, etc. 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.

No. —, Original. The State of Minnesota, complainant, *v.* The Northern Securities Company. Motion for leave to file bill of complaint denied. Opinion by Mr. Justice Shiras.

No. 90. W. C. Lykins et al., plaintiffs in error, *v.* Mrs. R. McGrath. In error to the circuit court of the United States for the district of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 137. J. C. League, plaintiff in error, *v.* The State of Texas. In error to the supreme court of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 221. S. D. Hatfield et al., appellants, *v.* Henry C. King. Appeal from the circuit court of the United States for the district of West Virginia. Cause remanded to the circuit court of the United States for the northern district of West Virginia with directions to set aside the decree as well as the appearance of defendants and to proceed thereafter in accordance with law, and also to make a full investigation in such manner as shall seem to it best of the various charges of misconduct presented in the motions filed in this court and to take such action thereon as justice may require. Costs in this court to be paid by

appellee. Opinion by Mr. Justice Brewer. (Mr. Justice Harlan was not present at the argument and took no part in the decision of this case.)

No. 39. Albert H. Waite, petitioner, *v.* The City of Santa Cruz. 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 northern district of California with directions to set aside its judgment and enter such judgment as may be in conformity with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 170. The United States, appellant, *v.* Margarito Baca. Appeal from the Court of Private Land Claims. Decree reversed, and cause remanded with directions to dismiss the petition for want of jurisdiction without prejudice to the right of the petitioner to assert his title in any court of competent authority. Opinion by Mr. Justice Gray. (Announced by Mr. Chief Justice Fuller.)

No. 38. Michael W. O'Brien et al., executors, etc., petitioners, *v.* John G. Wheelock et al. 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. Chief Justice Fuller. (Mr. Justice Brown did not hear the argument and took no part in the decision of this case.)

No. 94. The Huguley Manufacturing Company et al., appellants, *v.* The Galeton Cotton Mills et al. Appeal from the United States circuit court of appeals for the fifth circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. —, Original. *Ex parte*: In the matter of The Huguley Manufacturing Company et al., petitioners. Motion for leave to file petition for writs of prohibition or mandamus denied. Opinion by Mr. Chief Justice Fuller.

No. 475. Gerhard Terlinden, appellant, *v.* John C. Ames, United States marshal. Appeal from the district court of the United States for the northern district of Illinois. Order affirmed with costs. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Harlan was not present at the argument and took no part in the decision of this case.)

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

No. 146. American School of Magnetic Healing et al., appellants, *v.* J. M. McAnnulty. Restored to the docket for oral argument.

No. 149. W. T. Waggoner, plaintiff in error, *v.* J. M. Flack. Notice of the pendency of this cause directed to be given to the attorney-general of Texas, and leave is given to file briefs for defendant in error within

twenty days. Counsel for plaintiff in error is required to file printed copies of statutes referred to.

No. 21. Railroad Equipment Company, appellant, *v.* Southern Railway Company et al. Ordered that writ of certiorari issue to bring up the whole record and cause, and cause restored to the docket for reargument.

No. 443. A. C. Finney, as receiver, etc., et al., plaintiffs in error, *v.* Mary A. Guy, etc. Motion for certiorari granted without prejudice, and certified documents ordered to stand as return.

No. 498. Phineas Pam-to-pee and others, appellants, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, October 20 next.

No. 513. The Fidelity and Deposit Company of Maryland, *v.* The L. Bucki & Son Lumber Company. Cross-petition for writ of certiorari granted.

No. 520. George H. B. Martin et al., petitioners, *v.* People's Bank of Buffalo, N. Y., et al. Petition for writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 531. The Provident Savings Assurance Society of New York, petitioner, *v.* Rebecca T. McClain. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 536. Wm. A. Milliken, petitioner, *v.* Martin H. Sullivan. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 537. Peter P. Miller et al., petitioners, *v.* Lakeland Transportation Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 540. Charles Doherty, plaintiff in error, *v.* The State of Vermont. Leave to proceed in forma pauperis granted, on motion of Mr. Tracy L. Jeffords for the plaintiff in error.

No. 235. Mariano F. Sena, appellant, *v.* The United States. Continued, on motion of Mr. Matt. G. Reynolds for the appellee.

No. 555. Southern Railway Company, petitioner, *v.* Atlanta National Bank. Petition for writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Fairfax Harrison for the petitioner, and by Mr. Benjamin F. Abbott for the respondent.

No. 528. National Nickel Company, petitioner, *v.* Nevada Nickel Syndicate, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Reeve Lewis in behalf of Mr. Joseph C. Campbell for the petitioner, and by Mr. W. E. F. Deal and Mr. Edmund Tauszky for the respondent.

No. 565. George C. Tollman, appellant, *v.* Humphrey C. Hillock. Appeal from the circuit court of the United States for the southern district of Iowa. Docketed and dismissed with costs, on motion of Mr. M. D. O'Connell for the appellee.

No. 560. Herbert W. Gray, petitioner, *v.* The United States; and

No. 561. Austin P. Baldwin et al., petitioners, *v.* The United States. Petitions for writs of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. W. Wickham Smith and Mr. Frank C. Avery for the petitioners, with leave to Mr. Solicitor-General Richards to file opposition within three days.

No. 180. The Farmers' Loan and Trust Company, trustee, petitioner, *v.* The Penn Plate Glass Company et al. Passed, to be restored to the call subject to the provisions of section 9, rule 26, on motion of Mr. Frederic D. McKenney in behalf of counsel.

No. 6. Elliott H. Phelps et al., plaintiffs in error, *v.* Robert Bradford Beard, receiver, etc. In error to the United States circuit court of appeals for the seventh circuit. Dismissed, per stipulation.

No. 294. Sarah C. Henderson, plaintiff in error, *v.* Hughes County et al. In error to the supreme court of the State of South Dakota. Dismissed with costs, per stipulation.

No. 121. Frederick Howard et al., plaintiffs in error, *v.* The United States to the use of David D. Stewart. Resubmitted by Mr. S. B. Ladd and Mr. Frank Hagerman for the plaintiffs in error, and by Mr. Edwin A. Krauthoff and Mr. D. D. Stewart for the defendant in error.

No. 10, Original. The State of Kansas, complainant, *v.* The State of Colorado. On motion of Mr. Charles S. Thomas for the defendant, three hours allowed each side in the argument of this case and three counsel allowed to be heard for defendant. Argument commenced by Mr. Luther R. Goddard for the defendant in support of demurrer, and continued by Mr. Platt Rogers for the defendant in support of demurrer, and by Mr. A. A. Godard for the complainant in opposition to demurrer.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 25, will be as follows: Nos. 10, original, 491, 317, 172, 119, 175, 177, 178, 187 and 50.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, FEBRUARY 25, 1902.

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.

James C. Needham of Modesto, Cal., Frank L. Coombs of Napa, Cal., W. E. Fisse of St. Louis, Mo., and Edward P. Johnson of St. Louis, Mo., were admitted to practice.

No. 347. Alphonse Emsheimer, appellant, *v.* The City of New Orleans. Reassigned for argument on Monday, March 17 next, on motion of Mr. H. M. Jordan in behalf of counsel.

No. 189. Lee Lung, appellant, *v.* John L. Patferson, collector, etc. Passed, to be restored to the call subject to the provisions of section 9, rule 26, on motion of Mr. John H. Mitchell for the appellant.

No. 10, Original. The State of Kansas, complainant, *v.* The State of Colorado. Argument continued by Mr. A. A. Godard and Mr. E. F. Ware for the complainant in opposition to demurrer, and concluded by Mr. Charles S. Thomas for the defendant in support of demurrer. Leave granted to complainant to file an additional brief in seven days and to defendant to reply thereto.

No. 491. The City of New York et al., petitioners, *v.* Samuel Pine et al. Argument commenced by Mr. George L. Rives for the petitioners, and continued by Mr. C. C. Marshall for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 26, will be as follows: Nos. 491, 317, 172, 119, 175, 177, 178, 187, 50 and 171.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, FEBRUARY 26, 1902.

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 that the court would adjourn from to-day until Friday, in order that the members of the court may attend, as a body, the memorial services of the late President of the United States, to be held in the House of Representatives on Thursday.

No. 571. Ranney-Alton Mercantile Company et al., appellants, *v.* The Denison and Northern Railway Company. Appeal from the United States circuit court of appeals for the eighth circuit. Docketed and dismissed with costs, on motion of Mr. James H. Hayden for the appellee.

No. 491. The City of New York et al., petitioners, *v.* Samuel Pine et al. Argument continued by Mr. C. C. Marshall for the respondents, and concluded by Mr. George L. Rives for the petitioners.

No. 317. Frederick Rodgers, appellant, *v.* The United States. Argued by Mr. James H. Hayden for the appellant, and by Mr. Assistant Attorney-General Pradt for the appellee.

No. 172. Mary E. H. Gwin et al., appellants, *v.* The United States. Argument commenced by Mr. James T. Boyd for the appellants, and continued by Mr. Matthew G. Reynolds for the appellee.

Adjourned until Friday, February 28, at 12 o'clock.

The day call for Friday, February 28, will be as follows: Nos. 172, 119, 175, 177, 178, 187, 50 and 171.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, FEBRUARY 28, 1902.

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.

Frank D. Allen of Boston, Mass., Thomas A. Whelan of Baltimore, Md., Charles Haldane of New York City and Clarke E. Baldwin of Adrian, Mich., were admitted to practice.

No. 523. The United States, appellant, *v.* Joseph C. Finnell. Submitted, pursuant to the twentieth rule, on motion of Mr. Assistant Attorney-General Pradt for the appellant.

No. 242. The Northern Central Railway Company, plaintiff in error, *v.* The State of Maryland. Continued, per stipulation.

No. 172. Mary E. H. Gwin et al., appellants, *v.* The United States. Argument concluded by Mr. James T. Boyd for the appellants.

No. 119. Annie Andrews, plaintiff in error, *v.* Kate H. Andrews. Argued by Mr. Elbridge R. Anderson for the plaintiff in error, and by Mr. Frank D. Allen and Mr. Wayne MacVeagh for the defendant in error.

No. 175. Bank of Iron Gate, plaintiff in error, *v.* James D. Brady; and

No. 194. Appearance of Maggie A. Brady, as executrix of the last will and testament of James D. Brady, deceased, filed and entered, on motion of Mr. William L. Royall in behalf of counsel for defendant in error.

No. 175. Bank of Iron Gate, plaintiff in error, *v.* Maggie A. Brady, as executrix, etc. Argument commenced by Mr. William L. Royall for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 3, will be as follows: Nos. 175, 177, 178, 187, 50, 171, 255, 306, 388 and 363.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 3, 1902.

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.

A. A. Hicks of Oxford, N. C., D. L. Russell of Wilmington, N. C., John H. Casey of Boston, Mass., Frank H. Stewart of Boston, Mass., and Abner E. Hitchcock of Mitchell, S. Dak., were admitted to practice.

No. 91. L. S. Clark, plaintiff in error, *v.* The City of Titusville. In error to the supreme court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Harlan was not present at the argument and did not participate in the decision.)

No. 108. Simon Rothschild et al., plaintiffs in error, *v.* Robert A. Knight, assignee, etc. In error to the superior court of the State of Massachusetts. Judgment affirmed with costs and interest. Opinion by Mr. Justice McKenna.

No. 151. George Schuerman et al., appellants, *v.* The Territory of Arizona. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice Peckham.

No. 152. The City of Detroit et al., appellants, *v.* The Detroit Citizens' Street Railway Company. Appeal from the circuit court of the United States for the eastern district of Michigan. Decree affirmed with costs. Opinion by Mr. Justice Peckham.

No. 134. The Skaneateles Water Works Company, plaintiff in error, *v.* The Village of Skaneateles et al. In error to the supreme court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 59. A. J. Tullock, plaintiff in error, *v.* Joab Mulvane. In error to the supreme court of the State of Kansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice White. Dissenting: Mr. Justice Harlan, Mr. Chief Justice Fuller and Mr. Justice Brown.

No. 105. T. K. Wilson, plaintiff in error, *v. J. F. Standefer*. 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 Shiras.

No. 123. John C. Goodrich et al., plaintiffs in error, *v. The City of Detroit et al.* In error to the supreme court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Brown. (Mr. Justice Harlan was not present at the argument and did not participate in the decision.)

No. 169. The United States, appellant, *v. Jose Isabel Martinez et al.* Appeal from the Court of Private Land Claims. Decree reversed, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brown. (Mr. Justice Harlan and Mr. Justice Gray did not sit in this case and took no part in its decision.)

No. 239. The United States, appellant, *v. The Rio Grande Dam and Irrigation Company et al.* Appeal from the supreme court of the Territory of New Mexico. Decree reversed, and cause remanded with directions to reverse the decree of the district court and to remand the cause to that court with direction to grant leave to both sides to adduce further evidence. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice Brewer and Mr. Justice Shiras. (Mr. Justice Gray did not participate in the decision of the case. Mr. Justice McKenna did not sit in the case.)

No. 201. Alfred V. Booth, plaintiff in error, *v. The People of the State of Illinois*. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice Brewer and Mr. Justice Peckham.

The Chief Justice announced the following orders of the court :

No. 18. The Southern Pacific Railroad Company et al., appellants, *v. The United States*; and

No. 24. The United States, appellant, *v. The Southern Pacific Railroad Company et al.* Motion to modify decree denied.

No. 273. The Northern Pacific Railway Company, appellant, *v. J. A. Soderberg*. Motion to dismiss postponed to the hearing of the cause on its merits.

No. 528. National Nickel Company, petitioner, *v. Nevada Nickel Syndicate, etc.* Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 555. Southern Railway Company, petitioner, *v. Atlanta National Bank*. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 560. Herbert W. Gray, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 561. Austin P. Baldwin 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. 542. C. & A. Potts & Co., petitioners, *v.* Anderson Foundry and Machine Works. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Charles Martindale for the petitioners, and by Mr. E. E. Wood for the respondent.

No. 580. The Union Bank of Richmond, Va., petitioner, *v.* The Board of Commissioners of the Town of Oxford et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. James E. Shepherd for the petitioner, and by Mr. A. A. Hicks for the respondents.

No. 11, Original. The State of South Dakota, complainant, *v.* The State of North Carolina et al. Leave granted to file answer herein within thirty days, on motion of Mr. James E. Shepherd for the defendants.

No. 527. The Blythe Company (a corporation), petitioner, *v.* Florence Blythe Hinckley et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Thomas B. Reed, Mr. John F. Dillon and Mr. George W. Towle, jr., for the petitioner, and by Mr. Frederic D. McKenney, Mr. Wayne MacVeagh, Mr. E. S. Heller, Mr. W. H. H. Hart and Mr. Robert Y. Hayne for the respondents. Leave granted to file an additional brief for respondents within ten days, on motion of Mr. F. D. McKenney for the respondents.

No. 577. Erie Railroad Company, petitioner, *v.* James Moore. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. M. E. Olmsted and Mr. Cecil D. Hine for the petitioner, and by Mr. A. W. Jones for the respondent.

No. 84. Clarence E. Collins, plaintiff in error, *v.* The State of New Hampshire. Assigned for reargument on Monday, April 14 next, after the cases already set down for that day, on motion of Mr. J. Hubley Ashton in behalf of counsel.

No. 530. William H. Hurd, administrator, etc., petitioner, *v.* Boston and Maine Railroad Company. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Walter D. Davidge, jr., for the petitioner, and by Mr. J. S. H. Frink for the respondent.

No. 553. George H. McFadden et al., petitioners, *v.* J. E. & W. E. Henderson. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Thomas H. Clark for the petitioners, and by Mr. W. S. Reese for the respondents.

No. 422. Cordelia Botkin, plaintiff in error, *v.* The People of the State of California. In error to the superior court of the city and county of San Francisco, State of California. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 194. Bank of Iron Gate, plaintiff in error, *v.* Maggie A. Brady, executrix, etc. Advanced, to be heard with No. 175 as one case.

Nos. 175 and 194. Bank of Iron Gate, plaintiff in error, *v.* Maggie A. Brady, executrix, etc. Argument concluded by Mr. William L. Royall for the plaintiff in error, and submitted by Mr. Solicitor-General Richards for the defendant in error.

No. 177. Eastern Building and Loan Association of Syracuse, N. Y., plaintiff in error, *v.* David W. Ebaugh. Argued by Mr. William Hepburn Russell for the plaintiff in error, and by Mr. H. J. Haynsworth for the defendant in error.

No. 178. The Fidelity and Deposit Company of Maryland, petitioner, *v.* R. H. Courtney, receiver, etc. Argument commenced by Mr. Thomas A. Whelan for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 4, will be as follows: Nos. 178, 187, 50, 171, 255, 306, 388, 363, 409 and 486.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 4, 1902.

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

Charles N. Herreid of Eureka, S. Dak., Alex. C. Johnson of Watertown, S. Dak., and David Anderson of Paw Paw, Mich., were admitted to practice.

No. 178. The Fidelity and Deposit Company of Maryland, petitioner, *v.* R. H. Courtney, receiver, etc. Argument continued by Mr. Thomas A. Whelan for the petitioner, by Mr. W. M. Smith for the respondent, and concluded by Mr. Edward J. McDermott for the petitioner.

No. 187. Martha J. Sweringen, plaintiff in error, *v.* The City of St. Louis. Leave granted to three counsel for the plaintiff in error to make oral argument herein, on motion of Mr. G. A. Finkelnburg for the plaintiff in error. Argument commenced by Mr. G. A. Finkelnburg for the plaintiff in error, and continued by Mr. Edward S. Robert for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 5, will be as follows: Nos. 187, 50, 171, 255, 306, 388, 363, 409, 486 and 503 (and 525 and 526).

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 5, 1902.

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

Charles S. Hills of Seattle, Wash., was admitted to practice.

No. 187. Martha J. Sweringen, plaintiff in error, *v.* The City of St. Louis. Argument continued by Mr. Edward S. Robert for the plaintiff in error, by Mr. Charles Claffin Allen for the defendant in error, and concluded by Mr. Edward P. Johnson for the plaintiff in error.

No. 50. Hippolite Filhiol et al., plaintiffs in error, *v.* Charles E. Maurice et al. Argument commenced by Mr. William F. Vilas for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 6, will be as follows: Nos. 50, 171, 255, 306, 388, 363, 409, 486, 503 (and 525 and 526) and 162 (and 163).

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 6, 1902.

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.

Dwight Goss of Grand Rapids, Mich., was admitted to practice.

No. 50. Hippolite Filhiol et al., plaintiffs in error, *v.* Charles E. Maurice et al. Argument continued by Mr. Clifford S. Walton for the plaintiffs in error (by special leave), by Mr. Assistant Attorney-General Pradt for the defendants in error, and concluded by Mr. William F. Vilas for the plaintiffs in error.

No. 171. The Erie Railroad Company, plaintiff in error, *v.* Albert L. Purdy. Argued by Mr. Adelbert Moot for the plaintiff in error, and submitted by Mr. Clarence A. Farnum for the defendant in error.

No. 255. The City of Covington, Ky., et al., appellants, *v.* The First National Bank of Covington, Ky.; and

No. 306. The Board of Councilmen of the City of Frankfort, appellant, *v.* The State National Bank of Frankfort, Ky. Ordered to be heard together as one case, and that three counsel be heard for appellants, on motion of Mr. Ira Julian for appellant in No. 306. Argument commenced by Mr. Ira Julian for appellant in No. 306, and continued by Mr. James W. Bryan for appellee in No. 255.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 7, will be as follows: Nos. 255 (and 306), 388, 363, 409, 486, 503 (and 525 and 526), 162 (and 163), 188, 164 (and 190) and 191.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 7, 1902.

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.

Willard E. Stewart of Lincoln, Nebr., and Frederic W. Bliss of Boston, Mass., were admitted to practice.

No. 255. The City of Covington, Ky., et al., appellants, *v.* The First National Bank of Covington, Ky.; and

No. 306. The Board of Councilmen of the City of Frankfort, appellant, *v.* The State National Bank of Frankfort, Ky. Argument continued by Mr. James W. Bryan for the appellee in No. 255, by Mr. F. J. Hanlon for appellants in No. 255, by Mr. T. L. Edelen for the appellee in No. 306, and concluded by Mr. William H. Julian for the appellants.

No. 388. N. O. Murphy et al., appellants, *v.* James L. Utter et al. Argument commenced by Mr. Rochester Ford 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, March 10, will be as follows: Nos. 388, 363, 409, 486, 503 (and 525 and 526), 162 (and 163), 188, 164 (and 190), 191 and 192.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 10, 1902.

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.

Union N. Bethell of New York City, Cone Johnson of Tyler, Tex., John B. Curtin of Sonora, Cal., and P. D. Myers of Kansas City, Mo., were admitted to practice.

No. 98. Samuel Monroe et al., etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. 148. The Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* John S. Elliott. In error to the Kansas City court of appeals for the State of Missouri. Judgment reversed with costs, and cause remanded with directions for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice White.

No. 46. Thomas Connolly et al., plaintiffs in error, *v.* Union Sewer Pipe Company. In error to the circuit court of the United States for the northern district of Illinois. Judgment affirmed with costs and interest. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice McKenna. (Mr. Justice Gray took no part in the decision of this case.)

The Chief Justice announced the following orders of the court:

Nos. 113, 114, 115, 116, 117 and 118. The Louisville and Jeffersonville Ferry Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Ordered that these cases be restored to the docket for reargument before a full bench.

No. 530. William H. Hurd, administrator, etc., petitioner, *v.* Boston and Maine Railroad. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 542. C. & A. Potts & Co., petitioners, *v.* Anderson Foundry and Machine Works. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 553. George H. McFadden et al., petitioners, *v.* J. E. and W. E. Henderson. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 577. The Erie Railroad Company, petitioner, *v.* James Moore. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 580. The Union Bank of Richmond, Va., petitioner, *v.* The Board of Commissioners of the Town of Oxford et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 566. The United States, appellant, *v.* Arthur C. Barringer. Motion to advance submitted by Mr. Solicitor-General Richards for the appellant.

No. 389. Kokomo Fence Machine Company, petitioner, *v.* Alva L. Kitselman et al. Petition for a cross writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. R. H. Parkinson in support of petition, and by Mr. Ephraim Banning and Mr. Thomas A. Banning in opposition thereto.

No. 447. James L. Sharkey, plaintiff in error, *v.* The Indiana, Decatur and Western Railway Company. Advanced, to be submitted under the 32d rule, on motion of Mr. George C. Hazelton in behalf of counsel for plaintiff in error.

No. 535. The State of Missouri at the relation of The Delmar Jockey Club et al., plaintiffs in error, *v.* William Zachritz, judge, etc. Motions to dismiss or affirm submitted by Mr. D. A. De Armond in behalf of Mr. Edward C. Crow for the defendant in error.

No. 590. The New Orleans Water Works Company, plaintiff in error, *v.* The State of Louisiana et al. Motions to dismiss or affirm submitted by Mr. B. R. Forman for the defendants in error. Motion that court refuse to consider motions to dismiss or affirm herein, or to grant time to print record and file briefs in No. 591, submitted by Mr. Edgar H. Farrar for the plaintiff in error.

No. 388. N. O. Murphy et al., appellants, *v.* James L. Utter et al. Argument continued by Mr. John F. Dillon for the appellees, and concluded by Mr. John G. Carlisle for the appellants.

No. 363. The Chesapeake and Potomac Telephone Company, appellant, *v.* J. Forrest Manning & Co. Argument commenced by Mr. A. S. Worthington for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 11, will be as follows: Nos. 363, 409, 486, 503 (and 525 and 526), 162 (and 163), 188, 164 (and 190), 191, 192 and 193.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 11, 1902.

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

Henry F. Woodard of Washington, D. C., George E. Tralles of Washington, D. C., and Philip M. Ashford of Salineville, Ohio, were admitted to practice.

No. 363. The Chesapeake and Potomac Telephone Company, appellant, *v.* J. Forrest Manning & Co. Argument continued by Mr. A. S. Worthington for the appellant, by Mr. John J. Hemphill and Mr. Arthur A. Birney for the appellees, and by Mr. John W. Griggs for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 12, will be as follows: Nos. 363, 409, 486, 503 (and 525 and 526), 162 (and 163), 188, 164 (and 190), 191, 192 and 193.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 12, 1902.

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.

Max J. Kohler of New York City, T. L. Glenn of Montpelier, Idaho, and George E. Gartland of New York City were admitted to practice.

No. 363. The Chesapeake and Potomac Telephone Company, appellant, *v.* J. Forrest Manning & Co. Argument concluded by Mr. John W. Griggs for the appellant.

No. 409. Charles L. Bernard, plaintiff in error, *v.* The People of the State of Michigan. Argued by Mr. M. C. Burch and Mr. Dwight Goss for the plaintiff in error, and by Mr. David Anderson for the defendant in error.

No. 486. George H. Dobbs et al., plaintiffs in error, *v.* The State of Kansas. On motion of Mr. John Stowell and on cause shown, it is ordered that leave be granted to Mr. T. C. Turner to appear for the purpose of arguing this case on behalf of the defendant in error. Argument commenced by Mr. John Stowell for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 13, will be as follows: Nos. 486, 503 (and 525 and 526), 162 (and 163), 188, 164 (and 190), 191, 192, 193, 195 and 197.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 13, 1902.

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.

Edmond F. Noel of Lexington, Miss., and Frank H. McCulloch of Chicago, Ill., were admitted to practice.

No. 486. George H. Dobbs et al., plaintiffs in error, *v.* The State of Kansas. Argument continued by Mr. John Stowell for the plaintiffs in error, by Mr. T. C. Turner (by special leave) for the defendant in error, and concluded by Mr. John Stowell for the plaintiffs in error.

No. 503. The United States, appellant, *v.* Lee Yen Tai ;

No. 525. Chin Bak Kan, appellant, *v.* The United States; and

No. 526. Chin Ying, appellant, *v.* The United States. Argument commenced by Mr. Max J. Kohler for the appellee in No. 503 and appellants in Nos. 525 and 526, and continued by Mr. Assistant Attorney-General Hoyt for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 14, will be as follows: Nos. 503 (and 525 and 526), 162 (and 163), 188, 164, 190, 191, 192, 193, 195 and 197.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 14, 1902.

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.

Charles H. Robb of Bellows Falls, Vt., John A. Ewing of Leadville, Colo., Jefferson Myers of Salem, Oreg., and Harry C. Robertson of Portland, Oreg., were admitted to practice.

No. 191. Brainard H. Warner et al., appellants, *v.* Lily Alys Godfrey. 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. William F. Mattingly for the appellants.

No. 503. The United States, appellant, *v.* Lee Yen Tai ;

No. 525. Chin Bak Kan, appellant, *v.* The United States; and

No. 526. Chin Ying, appellant, *v.* The United States. Argument continued by Mr. Assistant Attorney-General Hoyt for the United States, and concluded by Mr. Max J. Kohler for the appellee in No. 503 and appellants in Nos. 525 and 526. Leave granted to Mr. Kohler to file an additional brief within three days.

No. 162. The United States, appellant, *v.* The California and Oregon Land Company; and

No. 163. The California and Oregon Land Company, appellant, *v.* The United States. Argument commenced by Mr. Charles W. Russell for the United States, and continued by Mr. John F. Dillon for the California and Oregon Land Company.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 17, will be as follows: Nos. 162 (and 163), 188, 164, 190, 192, 193, 195, 197, 347 and 198.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 17, 1902.

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.

William A. Megrath of New York City, N. Y., Robert Newbegin of Defiance, Ohio, Philip B. Hopkins of Muscogee, Ind. T., Charles J. Hedrick of Washington, D. C., Edwin W. Sims of Chicago, Ill., and William F. Struckmann of Chicago, Ill., were admitted to practice.

No. 96. Clarence M. Busch, appellant, *v.* Joshua W. Jones et al. Appeal from the court of appeals of the District of Columbia. Decree reversed with costs, and cause remanded with directions to reverse the decree of the supreme court of the District of Columbia and to remand the cause to that court for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 35. The United States, appellant, *v.* Juan Pedro Camou. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice Shiras.

No. 287. Ferdinand Eidman, United States collector, etc., plaintiff in error, *v.* Miguel R. Martinez, as ancillary administrator, etc. On a certificate from the United States circuit court of appeals for the second circuit. Questions certified answered in the negative. Opinion by Mr. Justice Brown. Mr. Justice White and Mr. Justice McKenna concurred in the result.

No. 295. Frank R. Moore, as United States collector, etc., plaintiff in error, *v.* Max Ruckgaber, sr., as sole executor, etc. On a certificate from the United States circuit court of appeals for the second circuit. Questions certified answered in the negative. Opinion by Mr. Justice Brown. Mr. Justice White and Mr. Justice McKenna concurred in the result.

No. 16. James D. Patton, trading as J. D. Patton & Co., plaintiff in error, *v.* Maggie A. Brady, executrix, etc. In error to the circuit court of the United States for the eastern district of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Brewer. (Mr. Justice Harlan and Mr. Justice Gray took no part in the decision of this case.)

No. 30. The Reloj Cattle Company, appellant, *v.* The United States. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Chief Justice Fuller.

No. 40. Santiago Ainsa, administrator, etc., et al., appellants, *v.* The United States. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Chief Justice Fuller.

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

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

No. 389. Kokomo Fence Machine Company, petitioner, *v.* Alva L. Kitzelman et al. Petition for a cross writ of certiorari herein granted.

No. 566. The United States, appellant, *v.* Arthur B. Barringer. Motion to advance denied without prejudice.

Nos. 590 and 591. The New Orleans Water Works Company, plaintiff in error, *v.* The State of Louisiana et al. The files in No. 591 are directed to be transferred to No. 590 and No. 591 stricken from the docket. The motions to dismiss or affirm will be taken on printed briefs on or before April 7 next.

No. 306. The Board of Councilmen of the City of Frankfort, appellant, *v.* The State National Bank at Frankfort. Appeal from the circuit court of the United States for the district of Kentucky. Decree reversed with costs, and cause remanded to the circuit court of the United States for the eastern district of Kentucky, with directions to remand to the State court, on authority of *Tennessee v. Union and Planters' Bank*, 152 U. S., 454; *Arkansas v. Kansas and Texas Coal Company*, 183 U. S., 185, and cases cited.

No. 409. Charles L. Bernard, plaintiff in error, *v.* The People of the State of Michigan. In error to the supreme court of the State of Michigan. Dismissed for want of jurisdiction, on the authority of *Railway Company v. Fitzgerald*, 160 U. S., 556; *Railroad Company v. Woodruff*, 153 U. S., 689, and cases cited.

No. 486. George H. Dobbs et al., plaintiffs in error, *v.* The State of Kansas. In error to the supreme court of the State of Kansas. Dismissed for the want of jurisdiction, on the authority of *Brown v. New Jersey*, 175 U. S., 174; *Hamblin v. Western Land Company*, 147 U. S., 531; *Railway Company v. Fitzgerald*, 160 U. S., 576.

No. 535. The State of Missouri at the relation of the Delmar Jockey Club et al., plaintiffs in error, *v.* William Zachritz, judge, etc. In error to the supreme court of the State of Missouri. Dismissed for the want of jurisdiction, on the authority of *Hamblin v. Western Land Company*, 147 U. S., 531; *Wilson v. North Carolina*, 169 U. S., 595.

No. 502. Fred Hardy, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Richards for the defendant in error.

No. 543. William H. Moses et al., administrators, etc., plaintiffs in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Richards for the defendant in error.

No. —, Original. Ex parte: In the matter of John C. Cromwell, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Reeve Lewis in behalf of Mr. Philip Mauro for the petitioner.

No. 594. John C. Cromwell, petitioner, *v.* Burton H. Gedge. Petition for a writ of certiorari to the court of appeals for the District of Columbia submitted by Mr. Reeve Lewis for Mr. Philip Mauro for the petitioner, and by Mr. George B. Parkinson for the respondent.

No. 127. The United States, appellant, *v.* Byron Barlow & Co.; and

No. 128. Byron Barlow & Co., appellants, *v.* The United States. Motion to modify decree herein submitted by Mr. George A. King in support of motion, and by Mr. Solicitor-General Richards in opposition thereto.

No. 400. Fidelity and Deposit Company of Maryland, plaintiff in error, *v.* The United States, use, etc., of the Chapin-Hall Lumber Company. In error to the United States circuit court of appeals for the second circuit. Dismissed, per stipulation.

No. 162. The United States, appellant, *v.* The California and Oregon Land Company; and

No. 163. The California and Oregon Land Company, appellant, *v.* The United States. Argument continued by Mr. A. B. Browne for the California and Oregon Land Company, and concluded by Mr. Charles W. Russell for the United States. Leave granted to counsel for the California and Oregon Land Company to file an additional brief on or before Friday next.

No. 188. William J. Turpin, appellant, *v.* J. B. Lemon et al. Argued by Mr. C. D. Merrick for the appellant, and submitted by Mr. J. G. McCluer for the appellees.

No. 164. Daniel H. Talbot, plaintiff in error, *v.* The First National Bank of Sioux City, Iowa; and

No. 190. Daniel H. Talbot, plaintiff in error, *v.* The Sioux National Bank of Sioux City, Iowa. Argument commenced by Mr. A. A. Hoehling, jr., for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 18, will be as follows: Nos. 164 (and 190), 192, 193, 195, 197, 347, 198, 199, 202 and 203.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 18, 1902.

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.

Edward P. Scott of Paris, Tex., and Isidore Rayner of Baltimore, Md., were admitted to practice.

No. 202. Mary E. Quinn, plaintiff in error, *v.* Caroline A. Ladd et al. In error to the supreme court of the State of Oregon. Dismissed with costs, pursuant to the tenth rule.

No. 164. Daniel H. Talbot, plaintiff in error, *v.* The First National Bank of Sioux City, Iowa; and

No. 190. Daniel H. Talbot, plaintiff in error, *v.* The Sioux National Bank of Sioux City, Iowa. Argument continued by Mr. A. A. Hoehling, jr., for the plaintiff in error, by Mr. Asa F. Call for the defendants in error, by Mr. F. F. Oldham for the defendant in error in No. 190, and concluded by Mr. James K. Redington for the plaintiff in error.

No. 192. Clinton E. Worden & Co., petitioners, *v.* California Fig Syrup Company. Argument commenced by Mr. John H. Miller for the petitioners, and continued by Mr. Warren Olney for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 19, will be as follows: Nos. 192, 193, 195, 197, 347, 198, 199, 203, 204 and 205.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 19, 1902.

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

Ira Jewell Williams of Philadelphia, Pa., William B. Cady of Detroit, Mich., and Edward Brady of Seattle, Wash., were admitted to practice.

No. 192. Clinton E. Worden & Co., petitioners, *v.* California Fig Syrup Company. Argument continued by Mr. Warren Olney and Mr. John G. Carlisle for the respondent, and concluded by Mr. John H. Miller for the petitioners.

No. 193. Jeannie M. Wilson, administratrix, etc., plaintiff in error, *v.* Adam Iseminger et al. Argued by Mr. George Henderson for the plaintiff in error, and by Mr. Ira Jewell Williams for the defendants in error.

No. 195. B. A. Stockard et al., plaintiffs in error, *v.* Clint Morgan et al. Submitted on brief by Mr. Robert Pritchard for the plaintiffs in error, and on the record by Mr. George W. Pickle for the defendants in error.

No. 197. The Consolidated Coal Company of St. Louis, plaintiff in error, *v.* The People of the State of Illinois. Submitted by Mr. Charles W. Thomas for the plaintiff in error, and by Mr. H. J. Hamlin for the defendants in error.

No. 347. Alphonse Emsheimer, appellant, *v.* The City of New Orleans. Argument commenced by Mr. J. D. Rouse for the appellant. Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 20, will be as follows: Nos. 347, 198, 199, 203, 204, 205, 206, 208, 209 and 211.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 20, 1902.

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.

Frank S. Black of New York City and Henry Robertson of Dell Rapids, S. Dak., were admitted to practice.

No. 211. The United States, appellant, *v.* M. R. Pendall et al. Submitted by Mr. Solicitor-General Richards, Mr. Matthew G. Reynolds and Mr. William H. Pope for the appellant, and by Mr. T. B. Catron for the appellees.

No. 347. Alphonse Emsheimer, appellant, *v.* The City of New Orleans. Argument continued by Mr. J. D. Rouse for the appellant, by Mr. Frank B. Thomas for the appellee, and concluded by Mr. J. D. Rouse for the appellant.

No. 198. John G. Jenkins et al., plaintiffs in error, *v.* Barzillai G. Neff, president, etc., et al. Argued by Mr. Seymour D. Thompson and Mr. Frank Harvey Field for the plaintiffs in error, and by Mr. James McKeen for the defendants in error.

No. 199. The Michigan Sugar Company, plaintiff in error, *v.* Roscoe D. Dix, auditor-general of the State of Michigan. Argument commenced by Mr. Thomas A. E. Weadock for the plaintiff in error, and continued by Mr. H. M. Oren and Mr. C. D. Joslyn for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 21, will be as follows: Nos. 199, 203, 204, 205, 206, 208, 209, 212, 213 (and 214) and 215.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 21, 1902.

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.

Louis Hutt of Philadelphia, Pa., and William S. Messemer of Philadelphia, Pa., were admitted to practice.

No. 39. Albert H. Waite, petitioner, *v.* The City of Santa Cruz. Mandate stayed until April 7, per stipulation of counsel, and on motion of Mr. Crammond Kennedy in behalf of counsel for respondent.

No. 212. James W. Barker, appellant, *v.* The Mutual Fire Insurance Company of the District of Columbia. Appeal from the court of appeals of the District of Columbia. Dismissed with costs, pursuant to the tenth rule.

No. 199. The Michigan Sugar Company, plaintiff in error, *v.* Roscoe D. Dix, auditor-general of the State of Michigan. Argument continued by Mr. C. D. Joslyn for the defendant in error, and concluded by Mr. Thomas A. E. Weadock for the plaintiff in error.

No. 204. The American Aristotype Company, appellant, *v.* The United States. Argued by Mr. William B. Hornblower for the appellant, and by Mr. Charles C. Binney and Mr. Assistant Attorney-General Pradt for the appellee.

Adjourned until Monday next at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 24, 1902.

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

Willet M. Spooner of Milwaukee, Wis., John H. Kemble of Brooklyn, N. Y., Henry P. Dimond of San Francisco, Cal., and Anthony Gref of New York City were admitted to practice.

No. 508. Tulare Irrigation District et al., plaintiffs in error, *v.* Alfred Shepard. In error to the circuit court of the United States for the southern district of California. Judgment affirmed with costs and interest. Opinion by Mr. Justice Peckham.

No. 172. Mary E. H. Gwin et al., appellants, *v.* The United States. Appeal from the district court of the United States for the northern district of California. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

Nos. 175 and 194. Bank of Iron Gate, plaintiff in error, *v.* Maggie A. Brady, executrix, etc. In error to the circuit court of the United States for the eastern district of Virginia. Cause remanded, with directions to set aside the judgment and enter one abating the action by reason of the death of the defendant. Opinion by Mr. Justice Brewer. (Mr. Justice Gray took no part in the decision of this case.)

No. 121. Frederick Howard et al., plaintiffs in error, *v.* The United States to the use of David D. Stewart. 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. 147. George F. Emblen, appellant, *v.* The Lincoln Land Company et al. Appeal from the United States circuit court of appeals for the eighth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the district of Nebraska. Opinion by Mr. Chief Justice Fuller.

No. 153. The Arivaca Land and Cattle Company, appellant, *v.* The United States et al. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Chief Justice Fuller.

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

No. 527. The Blythe Company, petitioner, *v.* Florence Blythe Hinckley et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 127. The United States, appellant, *v.* Byron Barlow & Co.; and

No. 128. Byron Barlow & Co., appellants, *v.* The United States. Motion to modify decree denied.

No. 363. The Chesapeake and Potomac Telephone Company, appellant, *v.* J. Forrest Manning & Co. Ordered that counsel be requested to submit briefs within ten days on the question whether the decree of the court of appeals is a final decree and appealable.

No. 502. Fred Hardy, plaintiff in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, April 28 next.

No. 543. William H. Moses et al., administrators, etc., plaintiffs in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, April 28 next, after the case already set down for that day.

No. 594. John C. Cromwell, petitioner, *v.* Burton H. Gedge. 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 John C. Cromwell, petitioner. Motion for leave to file petition for a writ of mandamus denied.

No. 204. The American Aristotype Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed on the authority of *Dunlap v. United States*, 173 U. S., 65.

No. 572. Solomon Hotema, plaintiff in error, *v.* The United States. Advanced and assigned for argument on Monday, April 28 next, after the cases already set down for that day, on motion of Mr. Solicitor-General Richards for the defendant in error.

No. 604. The United States, appellant, *v.* Alonzo J. Van Duzer. Submitted by Mr. Assistant Attorney-General Pradt for the appellant, and by Mr. Charles C. Lancaster for the appellee.

No. 583. Conrad D. Maurer, petitioner, *v.* Edward N. Dickerson et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Hector T. Fenton for the petitioner, and by Mr. Anthony Gref and Mr. Livingston Gifford for the respondents.

No. 597. The United States, appellant, *v.* William T. Sampson, rear-admiral, United States Navy. Motion to dismiss submitted by Mr.

James H. Hayden and Mr. Joseph K. McCammon for the appellee, and by Mr. Charles C. Binney for the appellant, and by Mr. George A. King and Mr. William B. King for certain interested parties. On motion of Mr. William B. King, leave granted to Mr. H. A. Herbert and Mr. Benjamin Micou to file brief herein on behalf of Admiral Dewey.

No. 601. Lone Wolf, principal chief of the Kiowas, et al., appellants, *v.* Ethan A. Hitchcock, Secretary of the Interior, et al. Motion to advance submitted by Mr. William M. Springer for the appellants.

Adjourned until Monday, April 7 next, at 12 o'clock.

The day call for Monday, April 7, will be as follows: Nos. 203, 205, 206, 208, 209, 213 (and 214), 215, 216, 217 and 218.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 7, 1902.

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

John F. Kluwin of Oshkosh, Wis., Ernest Macpherson of Louisville, Ky., Ben Goodrich of Los Angeles, Cal., Joseph Wellington Shannon of Philadelphia, Pa., Gilbert L. Miller of Canton, Ill., Michael Martin Dolphin of Kansas City, Mo., Benn M. Corwin of Grand Rapids, Mich., Elliot O. Grosvenor of Detroit, Mich., John D. Horsley of Lynchburg, Va., Chapman W. Maupin of Washington, D. C., W. B. Stratton of Olympia, Wash., and Charles H. Burke of Pierre, S. Dak., were admitted to practice.

No. 107. Sarah J. McIntosh, plaintiff in error, *v.* R. L. Aubrey. In error to the supreme court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham.

No. 177. Eastern Building and Loan Association of Syracuse, N. Y., plaintiff in error, *v.* David W. Ebaugh. In error to the supreme court of the State of South Carolina. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Gray was not present at the argument and took no part in the decision of this case.)

No. 187. Martha J. Sweringen, plaintiff in error, *v.* The City of St. Louis. In error to the supreme court of the State of Missouri. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Peckham.

No. 195. B. A. Stockard et al., plaintiffs in error, *v.* Clint Morgan et al. In error to the supreme court of the State of Tennessee. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Peckham. (Mr. Justice Gray took no part in the decision of this case.)

No. 124. The French-Glenn Live Stock Company, plaintiff in error, *v.* Alva Springer; and

No. 125. The French-Glenn Live Stock Company, plaintiff in error, *v.* James Colwell. In error to the supreme court of the State of Oregon. Judgments affirmed with costs. Opinion by Mr. Justice Shiras. (Mr. Justice Harlan took no part in the decision of these cases.)

No. 193. Jeannie M. Wilson, administratrix, etc., plaintiff in error, *v.* Adam Iseminger et al. In error to the supreme court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Shiras.

No. 392. The Vicksburg Water Works Company, appellant, *v.* The Mayor and Aldermen of the City of Vicksburg. Appeal from the circuit court of the United States for the southern district of Mississippi. Decree reversed with costs, and cause remanded to said circuit court to take proceedings therein according to law. Opinion by Mr. Justice Shiras. (Mr. Justice Gray did not sit in this case.)

No. 317. Frederick Rodgers, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brewer. (Mr. Justice Gray took no part in the decision of this case.)

No. 491. The City of New York et al., petitioners, *v.* Samuel Pine et al. On writ of certiorari to the United States circuit court of appeals for the second circuit. Decree of said United States circuit court of appeals and decree of the circuit court of the United States for the southern district of New York reversed with costs, and cause remanded to said circuit court for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Brewer. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 171. The Erie Railroad Company, plaintiff in error, *v.* Albert L. Purdy. In error to the supreme court of the State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Harlan. (Mr. Justice Gray was not present at the argument and took no part in the decision of this case.)

No. 99. Jane C. Hitz, appellant, *v.* John Story Jenks et al. Appeal from the court of appeals of the District of Columbia. Decree reversed with costs, and cause remanded with directions to reverse the decree of the supreme court of the District of Columbia and for such further orders in each court as will be in conformity with the principles of the opinion of this court. Opinion by Mr. Justice Harlan.

No. 50. Hippolite Filhiol et al., plaintiffs in error, *v.* Charles E. Maurice et al. In error to the circuit court of the United States for the eastern district of Arkansas. Judgment reversed, costs in this court to

be paid by the plaintiffs in error, and cause remanded with a direction to dismiss the complaint for want of jurisdiction, with costs. Opinion by Mr. Chief Justice Fuller.

No. 199. The Michigan Sugar Company, plaintiff in error, *v.* Roscoe D. Dix, auditor-general of the State of Michigan. In error to the supreme court of the State of Michigan. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Brown took no part in the decision of this case.)

No. 10, Original. The State of Kansas, complainant, *v.* The State of Colorado. Demurrer overruled without prejudice to any question, and leave granted defendant to answer. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Gray did not hear the argument and took no part in this decision.)

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

No. 583. Conrad D. Maurer, petitioner, *v.* Edward N. Dickerson et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 597. The United States, appellant, *v.* William T. Sampson, rear admiral, United States Navy. Motion to dismiss denied.

No. 601. Lone Wolf, principal chief of Kiowas, et al., appellants, *v.* Ethan A. Hitchcock, Secretary of the Interior, et al. Motion to advance granted, and cause assigned for argument on Monday, October 20 next, after the cases already set down for that day.

No. 35. The United States, appellant, *v.* Juan Pedro Camou. Mandate granted, on motion of Mr. Solicitor-General Richards for the appellant.

No. 97. Robert Perrin, appellant, *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. 610. R. W. McClaughry as warden, etc., appellant, *v.* Peter C. Deming. Motion to advance submitted by Mr. Solicitor-General Richards for the appellant.

No. 624. The United States, petitioner, *v.* A. Klipstein & Co. 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.

No. 447. James L. Sharkey, plaintiff in error, *v.* The Indiana, Decatur and Western Railway Company. Submitted, pursuant to the thirty-second rule, by Mr. George C. Hazelton and Mr. John H. Hazelton for the plaintiff in error, and by Mr. Rush Taggart for the defendant in error.

No. 615. G. E. Gee, plaintiff in error, *v.* H. D. Gee. Leave granted to amend writ of error herein, on motion of Mr. Thomas G. Frost for the plaintiff in error.

No. 605. The Animarium Company, petitioner, *v.* James H. Mahler et al. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Lysander Hill for the petitioner, and by Mr. Leslie A. Gilmore and Mr. Frank P. Blair for the respondents.

No. 627. Marc Hubbert, petitioner, *v.* The Campbellsville Lumber Company. Petition for writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. W. O. Harris for the petitioner, and by Mr. Ernest Macpherson for the respondent.

No. 599. The First National Bank of Denver et al., appellants, *v.* John P. Klug et al. Advanced as under the thirty-second rule, to be submitted on briefs on or before Monday, May 5 next, on motion of Mr. A. B. Browne in behalf of counsel for the appellants.

No. —, Original. *Ex parte*: In the matter of Bank of Commerce, petitioner. Motion for leave to file petition for writ of mandamus or other relief submitted by Mr. A. B. Browne in behalf of counsel for petitioner.

No. —. J. L. Howard et al., appellants, *v.* Captain J. M. Fleming, warden of State prison of North Carolina; and

No. —. J. L. Howard et al., plaintiffs in error, *v.* The State of North Carolina. Motion for leave to docket and proceed in forma pauperis in these cases submitted by Mr. Leslie A. Gilmore for Howard et al.

No. 622. Alice A. Cable, administratrix, etc., petitioner, *v.* The United States Life Insurance Company in the City of New York. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. C. W. Needham for Mr. H. H. C. Miller for petitioner, and by Mr. William G. Beale for the respondent.

No. 621. L. Bucki & Son Lumber Company, petitioner, *v.* The Atlantic Lumber Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. J. E. Padgett for Mr. H. Bisbee and Mr. George C. Bedell for the petitioner, and by Mr. R. H. Liggett for the respondent.

No. 620. Anthony L. de Gignac et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. J. R. Mann for Mr. Wm. S. Forrest for the petitioners, and by Mr. Solicitor-General Richards and Mr. S. H. Bethea for the respondent.

No. 387. Ed. H. Reid, appellant, *v.* Robert J. Jones, sheriff, etc.; and
 No. 592. Ed. H. Reid, plaintiff in error, *v.* The People of the State of
 Colorado. Motion to advance submitted by Mr. William M. Springer
 for Reid.

No. —, Original. The State of Washington, complainant, *v.* Northern
 Securities Company et al. Motion for leave to file bill of complaint sub-
 mitted by Mr. W. B. Stratton and Mr. W. B. Douglas for the complainant
 in support of motion, and by Mr. John W. Griggs, Mr. C. W. Bunn,
 Mr. George B. Young and Mr. M. D. Grover for the defendants in
 opposition thereto.

No. 209. The Capital City Light and Fuel Company, plaintiff in
 error, *v.* The City of Tallahassee. Submitted by Mr. Frederick T.
 Myers for the plaintiff in error, and by Mr. George P. Raney for the
 defendant in error.

No. 216. Mary A. Walters, administratrix, etc., plaintiff in error, *v.*
 Chicago, Burlington and Quincy Railroad Company. Submitted by Mr.
 N. C. Abbott for the plaintiff in error, and by Mr. J. W. De Weese for
 the defendant in error.

No. 203. The Hanover National Bank of New York City, plaintiff
 in error, *v.* Max Moyses. Argued by Mr. Marcellus Green for the
 plaintiff in error, and submitted by Mr. George T. White for the defendant
 in error.

No. 205. Emanuel Felsenheld, claimant, plaintiff in error, *v.* The
 United States. Argument commenced by Mr. Henry M. Russell for
 the plaintiff in error, and continued by Mr. Charles J. Faulkner and
 Mr. Assistant Attorney-General Beck for the defendant in error, and by
 Mr. John De Witt Warner for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 8, will be as follows: Nos. 205, 206,
 208, 213 (and 214), 215, 217, 218, 219, 220 and 222.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 8, 1902.

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

The Chief Justice announced the following order of the court:

No. —, Original. The State of Washington, complainant, *v.* Northern Securities Company et al. Motion for leave to file bill of complaint ordered for oral argument on Monday next.

No. 205. Emanuel Felsenheld, claimant, plaintiff in error, *v.* The United States. Argument concluded by Mr. John De Witt Warner for the plaintiff in error.

No. 206. Peter Hagan et al., petitioners, *v.* The Scottish Union and National Insurance Company. Argued by Mr. John F. Lewis for the petitioner, and by Mr. Henry R. Edmunds for the respondent.

No. 208. Frederick Williams, petitioner, *v.* George C. Gaylord et al. Argument commenced by Mr. C. Walter Artz for the petitioner, and continued by Mr. Curtis H. Lindley for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 9, will be as follows: Nos. 208, 213 (and 214), 215, 217, 218, 219, 220, 222, 223 and 224.

O

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 9, 1902.

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

Orlando H. Manning of Chicago, Ill., Murphy J. Foster of Franklin, La., and Lucius F. Robinson of Hartford, Conn., were admitted to practice.

No. 208. Frederick Williams, petitioner, *v.* George C. Gaylord et al. Argument concluded by Mr. C. Walter Artz for the petitioner.

Nos. 213 and 214. The Montana Mining Company (Limited), plaintiff in error, *v.* The St. Louis Mining and Milling Company of Montana. Argued by Mr. W. E. Cullen and Mr. Charles J. Hughes, jr., for the plaintiff in error, and by Mr. Thomas C. Bach and Mr. Arthur Brown for the defendant in error.

No. 215. E. Bement & Sons, plaintiffs in error, *v.* The National Harrow Company. Ordered that three counsel for plaintiffs in error be allowed to make oral argument herein, on motion of Mr. Clark C. Wood for the plaintiffs in error. Argument commenced by Mr. Clark C. Wood for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 10, will be as follows: Nos. 215, 217, 218, 219, 220, 222, 223, 224, 227, 228 and 229.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 10, 1902.



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

No. 246. Peter Nelson et al., plaintiffs in error, *v.* The Northern Pacific Railroad Company. Continued, per stipulation.

No. 215. E. Bement & Sons, plaintiffs in error, *v.* The National Harrow Company. Argument continued by Mr. Clark C. Wood and Mr. Edward Cahill for the plaintiffs in error, by Mr. Edwin H. Risley for the defendant in error, and concluded by Mr. Henry J. Cookinham for the plaintiffs in error.

No. 217. W. P. H. McFaddin et al., plaintiffs in error *v.* Evans-Snyder-Buel Company. Argument commenced by Mr. William T. Hutchings for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 11, will be as follows: Nos. 217, 218, 219, 220, 222, 223, 224, 227, 228 and 229.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 11, 1902.

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

W. A. Snook of Kansas City, Kans., Henry M. Goldfogle of New York City and Jacob I. Wiener of New York City were admitted to practice.

No. 217. W. P. H. McFaddin et al., plaintiffs in error, *v.* Evans-Snyder-Buel Company. Argument continued by Mr. William T. Hutchings for the plaintiffs in error, by Mr. H. M. Pollard for the defendant in error, and concluded by Mr. U. M. Rose for the defendant in error.

No. 218. The United States, plaintiff in error, *v.* The Copper Queen Consolidated Mining Company. Argument commenced by Mr. M. C. Burch for the plaintiff in error, and continued by Mr. William Herring for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 14. will be as follows: Nos. 218, 219, 220, 222, 223, 318, 485, 512, 84 and 224.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 14, 1902.

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.

Eugene Wambaugh of Cambridge, Mass., Chauncey S. Truax of New York City, Cyrus M. Van Slyck of Providence, R. I., Harry W. Van Dyke of Washington, D. C., Eugene W. Harrington of Buffalo, N. Y., Edwin G. Eastman of Exeter, N. H., and Charles W. Tillett of Charlotte, N. C., were admitted to practice.

No. 164. Daniel H. Talbot, plaintiff in error, *v.* The First National Bank of Sioux City, Iowa. In error to the supreme court of the State of Iowa. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Gray took no part in the decision of this case.)

No. 190. Daniel H. Talbot, plaintiff in error, *v.* The Sioux National Bank of Sioux City, Iowa. In error to the supreme court of the State of Iowa. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Gray took no part in the decision of this case.)

No. 150. The United States, appellant, *v.* Charles Borchering, receiver. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice White. (Mr. Justice Harlan took no part in the decision of this case.)

No. 197. The Consolidated Coal Company of St. Louis, plaintiff in error, *v.* The People of the State of Illinois. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

The Chief Justice announced the following orders of the court:

No. 387. Ed. H. Reid, appellant, *v.* Robert J. Jones, sheriff, etc.; and
 No. 592. Ed. H. Reid, plaintiff in error, *v.* The People of the State of Colorado. Motions to advance granted, and cases assigned for argument on Monday, October 20 next, after the cases already set down for that day, or they will be taken on printed briefs, to be filed on or before April 28, if counsel shall be so advised.

No. 605. The Animarium Company, petitioner, *v.* James H. Mahler et al. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 620. Anthony L. de Gignac et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 621. L. Bucki & Son Lumber Company, petitioner, *v.* The Atlantic Lumber Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 624. The United States, petitioner, *v.* A. Klipstein & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 622. Alice A. Cable, administratrix, etc., petitioner, *v.* The United States Life Insurance Company in the City of New York. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit granted.

No. 610. R. W. McClaughry, as warden, etc., appellant, *v.* Peter C. Deming. Motion to advance granted, and cause assigned for argument on Monday, April 28, after the cases already set down for that day, and the oral argument limited to one hour on each side.

No. —, Original. Ex parte: In the matter of The Bank of Commerce, petitioner. Motion for leave to file petition for a writ of mandamus or other relief denied.

No. —. J. L. Howard et al., appellants, *v.* Capt. J. M. Fleming, warden of the State prison of North Carolina; and

No. —. J. L. Howard et al., plaintiffs in error, *v.* The State of North Carolina. Motion for leave to prosecute these cases in forma pauperis denied.

No. 216. Mary A. Walters, administratrix, etc., plaintiff in error, *v.* Chicago, Burlington and Quincy Railroad Company. In error to the circuit court of the United States for the district of Nebraska. Judgment affirmed with costs, on the authority of *St. Louis and San Francisco Railway Company v. James*, 161 U. S., 545; *Louisville, etc., Railway Company v. Louisville Banking Company*, 174 U. S., 552.

No. 447. James L. Sharkey, plaintiff in error, *v.* The Indiana, Decatur and Western Railway Company. In error to the circuit court of the United States for the southern district of New York. Order affirmed with costs, on the authority of *Goldey v. Morning News*, 156 U. S., 518.

No. 211. The United States, appellant, *v.* M. R. Pendall et al. Leave granted to file additional briefs on both sides, on motion of Mr. Solicitor-General Richards for the appellant.

No. 631. The United States, petitioner, *v.* The Guggenheim Smelting Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Solicitor-General Richards and Mr. Assistant Attorney-General Hoyt for the petitioner, with leave to counsel for respondent to file brief in opposition on or before Friday next.

No. 600. Bunker Hill and Sullivan Mining and Concentrating Company, petitioner, *v.* Empire State-Idaho Mining and Developing Company; and

No. 608. Bunker Hill and Sullivan Mining and Concentrating Company, petitioner, *v.* Empire State-Idaho Mining and Developing Company et al. Petitions for writs of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Curtis H. Lindley for the petitioners, and by Mr. W. B. Heyburn for the respondents.

No. 625. Central of Georgia Railway Company et al., petitioners, *v.* Charleston and Western Carolina Railway Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Henry C. Cunningham and Mr. Alexander R. Lawton for the petitioners, and by Mr. Augustine T. Smythe for the respondents.

No. 637. Samuel P. Train et al., etc., 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 for the petitioners, with leave to Mr. Solicitor-General Richards to file brief for respondent on or before Friday next.

No. 639. J. H. Mayes, petitioner, *v.* Southern Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Charles W. Tillett for the petitioner, with leave to Mr. Charles Price to file brief for the respondent on or before Friday next.

No. 487. Thomas Swafford, plaintiff in error, *v.* W. A. Templeton et al. Motion to advance as under the thirty-second rule granted, on motion of Mr. William H. Robeson for the plaintiff in error, and cause submitted by Mr. Frederick L. Mansfield for the plaintiff in error, and by Mr. Jerome Templeton for the defendants in error.

No. 248. The United States, plaintiff in error, *v.* Arthur Lynah et al. Passed, to be heard with No. 271 as one case, and both cases continued, on motion of Mr. Robert A. Howard for the plaintiff in error.

No. 223. Lee Clark, plaintiff in error, *v.* Monroe D. Herington. Submitted by Mr. A. B. Browne in behalf of Mr. James Hagerman, Mr. T. N. Sedgwick and Mr. J. M. Bryson for the plaintiff in error, and by Mr. John H. Mahan for the defendant in error.

No. 512. The Territory of Hawaii, appellant, *v.* Osaki Mankichi. Submitted by Mr. Solicitor-General Richards for the appellant, and by Mr. George A. Davis for the appellee.

No. 218. The United States, plaintiff in error, *v.* The Copper Queen Consolidated Mining Company. Argument continued by Mr. John C. Chaney for the defendant in error, and concluded by Mr. M. C. Burch for the plaintiff in error.

No. —, Original. The State of Washington, complainant, *v.* Northern Securities Company et al. Argued by Mr. W. B. Stratton for the complainant in support of motion for leave to file bill, and by Mr. C. W. Bunn and Mr. John W. Griggs for the defendants in opposition thereto.

No. 219. The Travelers' Insurance Company, plaintiff in error, *v.* The State of Connecticut. Argument commenced by Mr. William R. Matson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 15, will be as follows: Nos. 219, 220, 222, 318, 485, 84, 224, 227, 228 and 229.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 15, 1902.

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

No. 219. The Travelers' Insurance Company, plaintiff in error, *v.* The State of Connecticut. Argument continued by Mr. Charles Phelps for the defendant in error, and concluded by Mr. Lucius F. Robinson for the plaintiff in error.

No. 220. Edward S. Richards, plaintiff in error, *v.* Michigan Central Railroad Company. Argument commenced by Mr. John C. Chaney for the plaintiff in error, and continued by Mr. George S. Payson for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 16. will be as follows: Nos. 220, 222, 318, 485, 84, 224, 227, 228, 229 and 53 (and 71, 139, 155, 156 and 157).

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 16, 1902.

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

Walter Langdon McDermott of Jersey City, N. J., Ernest A. Bigelow of New York City and Winfield K. Shiras of Pittsburg, Pa., were admitted to practice.

No. 592. Ed. H. Reid, plaintiff in error, *v.* The People of the State of Colorado. Leave granted to withdraw transcript of record for proper authentication, on motion of Mr. William M. Springer for the plaintiff in error.

No. 220. Edward S. Richards, plaintiff in error, *v.* Michigan Central Railroad Company. Argument continued by Mr. George S. Payson for the defendant in error, and concluded by Mr. John C. Chaney for the plaintiff in error.

No. 222. Lucian Woodworth et al., plaintiffs in error and appellants, *v.* The Northwestern Mutual Life Insurance Company. Argued by Mr. John N. Baldwin for the plaintiffs in error and appellants, and by Mr. Howard Kennedy, jr., for the defendant in error and appellee.

No. 318. J. Henrietta Hoffeld, executrix, etc., appellant, *v.* The United States. Argued by Mr. Robert Andrews for the appellant, and by Mr. George Hines Gorman for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 17, will be as follows: Nos. 84, 485, 224, 227, 228, 229, 53 (and 71, 139, 155, 156 and 157), 189, 230 and 231.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 17, 1902.

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

Jno. R. L. Smith of Macon, Ga., Albert W. Venino of New York City and Charles M. Fechheimer of Chickasha, Ind. T., were admitted to practice.

No. 84. Clarence E. Collins, plaintiff in error, *v.* The State of New Hampshire. Reargued by Mr. William D. Guthrie for the plaintiff in error, and by Mr. Edwin G. Eastman for the defendant in error.

No. 485. James Tarrance et al., plaintiffs in error, *v.* The State of Florida. Argued by Mr. Isaac L. Purcell for the plaintiffs in error, and by Mr. William B. Lamar for the defendant in error.

No. 224. The United States, plaintiff in error, *v.* Edward J. Freely, as executor, etc. Argument commenced by Mr. James Russell Soley for the defendant in error, continued by Mr. George Hines Gorman for the plaintiff in error, and concluded by Mr. James Russell Soley for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 18, will be as follows: Nos. 227, 228, 229, 53 (and 71, 139, 155, 156 and 157), 189, 230, 231, 232, 233 and 234.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 18, 1902.

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

Alfred S. Austrian of Chicago, Ill., Walter J. Moore of New York City and Edwin R. Leavitt of New York City were admitted to practice.

No. 578. Joseph H. Nesbitt et al., appellants, *v.* The United States and the Sioux Indians. Submitted by Mrs. Belva A. Lockwood for the appellants, with leave to counsel for appellees to file brief on or before April 24.

No. 227. Marcellus A. Lander, as treasurer, etc., appellant, *v.* The Mercantile National Bank of Cleveland, Ohio. Argued by Mr. J. M. Sheets and Mr. Smith W. Bennett for the appellant, and by Mr. W. W. Boynton for the appellee.

No. 228. Edward S. Dreyer, plaintiff in error, *v.* The People of the State of Illinois. Argued by Mr. Alfred S. Austrian for the plaintiff in error, and submitted by Mr. H. J. Hamlin and Mr. Charles S. Deneen for the defendants in error.

No. 229. The Missouri, Kansas and Texas Railway Company et al., plaintiffs in error, *v.* H. A. Truskett. Argument commenced by Mr. James Hagerman for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 21, will be as follows: Nos. 229, 53 (and 71, 139, 155, 156 and 157), 189, 230, 231, 232, 233, 234, 236 and 180.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 21, 1902.

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

John Bassel of Clarksburg, W. Va., Melville D. Post of Grafton, W. Va., Marion S. Wilson of Elko, Nev., Ira A. Place of New York City, Samuel E. Darby of Chicago, Ill., La Roy S. Gove of New York City and James Keith Symmers of New York City were admitted to practice.

No. 211. The United States, appellant, *v. M. R. Pendell et al.* Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice Peckham. (Mr. Justice Gray and Mr. Justice White took no part in the decision of this case.)

No. 503. The United States, appellant, *v. Lee Yen Tai.* On a certificate from the United States circuit court of appeals for the second circuit. Question certified answered in the negative. Opinion by Mr. Justice Harlan. (Mr. Justice Gray took no part in the decision of this case.)

No. 523. The United States, appellant, *v. Joseph C. Finnell.* Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice Brown, Mr. Justice White and Mr. Justice Peckham. (Mr. Justice Gray took no part in the decision of this case.)

No. —, Original. The State of Washington, complainant, *v. Northern Securities Company et al.* Motion for leave to file bill of complaint granted, and subpoenas ordered to issue, returnable October 13 next. Opinion by Mr. Chief Justice Fuller.

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

No. 600. Bunker Hill and Sullivan Mining and Concentrating Company, petitioner, *v. Empire State-Idaho Mining and Developing Company*; and

No. 608. Bunker Hill and Sullivan Mining and Concentrating Company, petitioner, *v. Empire State-Idaho Mining and Developing Company et al.* Petitions for writs of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 625. Central of Georgia Railway Company et al., petitioners, *v.* Charleston and Western Carolina Railway Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 637. Samuel P. Train et al., etc., 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. 639. J. H. Mayes, petitioner, *v.* Southern Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 631. The United States, petitioner, *v.* The Guggenheim Smelting Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 627. Marc Hubbert, petitioner, *v.* Campbellsville Lumber Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit granted.

No. 162. The United States, appellant, *v.* The California and Oregon Land Company; and

No. 163. The California and Oregon Land Company, appellant, *v.* The United States. Ordered for reargument before a full bench.

No. 220. Edward S. Richards, plaintiff in error, *v.* Michigan Central Railroad Company. In error to the circuit court of the United States for the northern district of Illinois. Dismissed for the want of jurisdiction, on the authority of *Colvin v. Jacksonville*, 157 U. S., 368; *Arkansas v. Schlierholz*, 179 U. S., 598; *Ansbro v. United States*, 159 U. S., 695; *Cornell v. Green*, 163 U. S., 75; *Robinson v. Caldwell*, 165 U. S., 359; and see *Richards v. Michigan Central Railroad Company*, 102 Fed. Rep., 508; *Richards v. Michigan Central Railroad Company*, 179 U. S., 686; *Richards v. Elevator Company*, 158 U. S., 299; 159 U. S., 477.

No. 645. Homer Bird, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Richards for the defendant in error.

No. 635. The Louisville and Nashville Railroad Company, petitioner, *v.* George W. Ellison. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. J. A. Moon for Mr. H. H. Ingersoll and Mr. H. W. Bruce for the petitioner.

No. 653. First National Bank of Louisville et al., petitioners, *v.* Thomas C. Hindman. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr.

Alexander P. Humphrey and Mr. John L. Dodd for the petitioners, and by Mr. Augustus E. Willson and Mr. Edward J. McDermott for the respondent.

No. 647. R. H. Sansom, administrator, etc., petitioner, *v.* Southern Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Heber J. May, Mr. Tully R. Cornick and Mr. Edward T. Sanford for the petitioner, with leave to counsel for respondent to file brief in opposition on or before Friday next.

No. 652. George F. Harding, petitioner, *v.* Cynthia C. Hart et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. A. A. Hoehling, jr., for the petitioner, and by Mr. Frederic Ullmann and Mr. D. J. Schuyler for the respondents.

No. 651. Frank W. Munn, claimant, etc., petitioner, *v.* Robert B. Baker, owner, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. James J. Macklin for the petitioner, and by Mr. Harrington Putnam, Mr. James E. Carpenter, Mr. Samuel Park and Mr. James K. Symmers for the respondent.

No. 238. The Savannah, Thunderbolt and Isle of Hope Railway of Savannah, plaintiff in error, *v.* The Mayor and Aldermen of the City of Savannah. In error to the supreme court of the State of Georgia. Dismissed with costs, on motion of Mr. George A. King for the plaintiff in error.

No. 6, Original. The State of Missouri, complainant, *v.* The State of Nebraska. Leave granted to file replication to answer and answer to cross bill, on motion of Mr. D. A. De Armond in behalf of counsel for the complainant.

No. 233. The Clarksburg Electric Company, plaintiff in error, *v.* The City of Clarksburg et al. In error to the supreme court of appeals of the State of West Virginia. Dismissed with costs, on motion of Mr. John Bassel for the plaintiff in error.

No. 617. George B. Rommel et al., appellants, *v.* The County Court of Barbour County et al. Motion to advance submitted by Mr. John Bassel in support of motion, with leave to Mr. Melville D. Post to file opposition thereto on or before Friday next.

No. 576. Aaron Hall, appellant, *v.* Addison Johnson, agent, etc. Motions to dismiss or affirm submitted by Mr. Robert C. Taylor in support of motions, and by Mr. Charles Haldane and Mr. Frank S. Black in opposition thereto.

No. 229. The Missouri, Kansas and Texas Railway Company et al., plaintiffs in error, *v.* H. A. Truskett. Argument continued by Mr. James Hagerman for the plaintiffs in error, by Mr. S. M. Porter for the defendant in error, and concluded by Mr. James Hagerman for the plaintiffs in error.

No. 230. The Southwestern Coal and Improvement Company et al., appellants, *v.* Hiram Y. McBride et al. Argued by Mr. James Hagerman for the appellants. No counsel appeared for the appellees.

No. 53. A. W. Corbus, appellant, *v.* The Alaska Treadwell Gold Mining Company;

No. 71. Charles Stewart, appellant, *v.* The Washington and Alaska Steamship Company et al.;

No. 139. The Pacific Steam Whaling Company, appellant, *v.* The United States;

No. 155. The Pacific Coast Steamship Company, appellant, *v.* The United States;

No. 156. The Pacific Coast Steamship Company, appellant, *v.* The United States; and

No. 157. The Pacific Coast Steamship Company, appellant, *v.* The United States. Ordered by the court that these cases be continued.

No. 189. Lee Lung, appellant, *v.* J. L. Patterson, collector, etc. Argued by Mr. John H. Mitchell for the appellant, and submitted by Mr. Assistant Attorney-General Hoyt for the appellee.

No. 240. The Security Trust Company, as administrator, etc., plaintiff in error, *v.* William H. Dent, as receiver, etc. Advanced to be heard with No. 232 as one case, on motion of Mr. Edmund S. Durment for the plaintiff in error.

No. 232. The Security Trust Company, as administrator, etc., petitioner, *v.* The Black River National Bank of Lowville; and

No. 240. The Security Trust Company, as administrator, etc., plaintiff in error, *v.* William H. Dent, as receiver, etc. Argument commenced by Mr. Edmund S. Durment for the Security Trust Company.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 22, will be as follows: Nos. 232 (and 240), 231, 234, 236, 180, 191, 237, 243, 245 and 247.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 22, 1902.

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.

Edward Hyman Blanc of New York City, A. W. Leonard of Pueblo, Colo., and Alfred S. Hayes of Boston, Mass., were admitted to practice.

No. 232. The Security Trust Company, as administrator, etc., petitioner, *v.* The Black River National Bank of Lowville; and

No. 240. The Security Trust Company, as administrator, etc., plaintiff in error, *v.* William H. Dent, as receiver, etc. Argument continued by Mr. Edmund S. Durment for the Security Trust Company, by Mr. Edward C. Stringer for the Black River National Bank and Dent, receiver, and concluded by Mr. Edmund S. Durment for the Security Trust Company.

No. 231. Christian Schwartz et al., petitioners, *v.* John S. Duss et al. Argument commenced by Mr. George Shiras, 3d, for the petitioners, and continued by Mr. D. T. Watson for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 23, will be as follows: Nos. 231, 234, 236, 180, 191, 237, 243, 245, 247 and 249.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 23, 1902.

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.

Charles C. Paulding of New York City was admitted to practice.

The Chief Justice announced that the call of the docket would be suspended on Friday, May 2 next; that the court would take a recess from Monday, May 5, to Monday, May 19, and from Monday, May 19, to Monday, June 2, on which day it would adjourn for the term.

No. 578. Joseph A. Nesbitt et al., appellants, *v.* The United States et al. Leave granted to Mr. W. H. Robeson to file an additional brief herein on behalf of the appellants.

No. 231. Christian Schwartz et al., petitioners, *v.* John S. Duss et al. Argument continued by Mr. D. T. Watson for the respondents, and concluded by Mr. S. Schoyer for the petitioners.

No. 234. The New York Central and Hudson River Railroad Company et al., plaintiffs in error, *v.* The City of New York. Argument commenced by Mr. Ira A. Place for the plaintiffs in error, and continued by Mr. George L. Sterling for the defendant in error, and by Mr. Thomas Emery for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 24, will be as follows: Nos. 234, 236, 180, 191, 237, 243, 245, 247, 249 and 250.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 24, 1902.

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.

H. C. Brome of Omaha, Nebr., and Frank D. Pavey of New York City were admitted to practice.

No. 234. The New York Central and Hudson River Railroad Company et al., plaintiffs in error, *v.* The City of New York. Argument concluded by Mr. Thomas Emery for the plaintiffs in error.

No. 236. Stephen Otis et al., plaintiffs in error, *v.* E. A. Parker. Argued by Mr. John G. Johnson for the plaintiffs in error, and submitted by Mr. John H. Miller for the defendant in error.

No. 180. The Farmers' Loan and Trust Company, trustee, petitioner *v.* The Penn Plate Glass Company et al. Argument commenced by Mr. Herbert B. Turner for the petitioner, and continued by Mr. Louis Marshall for the respondents, and by Mr. John G. Johnson for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 25, will be as follows: Nos. 180, 191, 237, 243, 245, 247, 249, 250, 252 and 253.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 25, 1902.

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

No. 543. William H. Moses et al., administrators, etc., plaintiffs in error, *v.* The United States. In error to the court of appeals of the District of Columbia. Dismissed, on motion of Mr. J. J. Darlington for the plaintiffs in error.

No. 180. The Farmers' Loan and Trust Company, trustee, petitioner, *v.* The Penn Plate Glass Company et al. Argument concluded by Mr. John G. Johnson for the petitioner.

No. 191. Brainard H. Warner et al., appellants, *v.* Lily Alys Godfrey. Argued by Mr. J. J. Darlington and Mr. William F. Mattingly for the appellants, and by Mr. John G. Johnson for the appellee.

No. 237. Louis Beyer, appellant, *v.* Caroline Le Fevre. Argument commenced by Mr. Henry E. Davis for the appellant, and continued by Mr. Clayton E. Emig for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 28, will be as follows: Nos. 237, 502, 572, 610, 243, 245, 247, 249, 250 and 252.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 28, 1902.

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

E. H. Crowder of Chicago, Ill., Irving P. Wanger of Norristown, Pa., and A. S. L. Shields of Philadelphia, Pa., were admitted to practice.

No. 604. The United States, appellant, *v.* Alonzo J. Van Duzee. Appeal from the Court of Claims. Judgment reversed, and cause remanded with instructions to render judgment for the United States. Opinion by Mr. Justice White.

No. 109. The United States, appellant, *v.* A. A. Green et al.; and No., 129. Harvey L. Christie et al., appellants, *v.* The United States. Appeals from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice White.

No. 255. The City of Covington, Ky., et al., appellants, *v.* The First National Bank of Covington, Ky. Appeal from the circuit court of the United States for the district of Kentucky. Dismissed for the want of jurisdiction and cause remanded to the circuit court of the United States for the eastern district of Kentucky. Opinion by Mr. Justice White.

The Chief Justice announced the following orders of the court:

No. 617. George B. Rommel et al., appellants, *v.* The County Court of Barbour County et al. Motion to advance denied.

No. 645. Homer Bird, plaintiff in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on Tuesday, October 14 next.

No. 635. The Louisville and Nashville Railroad Company, petitioner, *v.* George W. Ellison. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 647. R. H. Sansom, administrator, etc., petitioner, *v.* Southern Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 651. Frank W. Munn, claimant, petitioner, *v.* Robert B. Baker, owner, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 653. The First National Bank of Louisville et al., petitioners, *v.* Thomas C. Hindman. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 652. George F. Harding, petitioner, *v.* Cynthia C. Hart et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied. (Mr. Justice Brown took no part in the disposition of this application.)

No. 229. The Missouri, Kansas and Texas Railway Company et al., plaintiffs in error, *v.* H. A. Truskett. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs, on the opinion of the court below, *Railway Company v. Truskett*, 104 Fed. Rep., 728.

No. 512. The Territory of Hawaii, appellant, *v.* Osaki Mankichi. Restored to the docket for oral argument before a full bench.

No. 576. Aaron Hall, appellant, *v.* Addison Johnson, agent, etc. Appeal from the circuit court of the United States for the southern district of New York. Order affirmed with costs, on the authority of *Storti v. Massachusetts*, 183 U. S., 138, 141; *Brown v. New Jersey*, 175 U. S., 272; *Andrews v. Swartz*, 156 U. S., 272. See *People v. Hall*, 169 N. Y., 184. Ordered that mandate issue at once.

No. 597. The United States, appellant, *v.* William T. Sampson, Rear-Admiral, United States Navy;

No. 654. The United States, appellant, *v.* George Dewey, Admiral United States Navy;

No. 655. George Dewey, Admiral United States Navy, appellant, *v.* The Don Juan de Austria et al.; and

No. 656. Edwin F. Stovell, etc., appellant, *v.* George Dewey, Admiral United States Navy. Advanced and assigned for argument on Monday, October 20 next, after the cases already set down for that day.

No. 642. Simeon I. Grin, appellant, *v.* John H. Shine, United States marshal. Motion to advance submitted by Mr. Solicitor-General Richards for the appellee.

No. 245. Henry L. Ward, treasurer, etc., petitioner, *v.* Edward Joslin. Death of Edward Joslin suggested, and appearance of Hiram Blake and Wallace L. Mason, executors of Edward Joslin, deceased, as the parties respondents herein filed and entered, on motion of Mr. J. S. H. Frink for the respondents.

No. 314. The Northern Central Railway Company, plaintiff in error, *v.* Joshua W. Hering, comptroller, etc., et al. Motions to dismiss or affirm submitted by Mr. A. S. Worthington and Mr. Isidor Rayner in support of motions, and by Mr. Wayne MacVeagh, Mr. Frederic D. McKenney and Mr. John J. Donaldson in opposition thereto.

No. 11, Original. The State of South Dakota, complainant, *v.* The State of North Carolina. Leave granted to file replication herein, on motion of Mr. Thomas H. Clark in behalf of counsel for the complainant.

No. 649. Seymour Lumber Company et al., petitioners, *v.* Thomas J. Carling. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. John R. L. Smith for the petitioners, and by Mr. A. O. Bacon, Mr. Washington Dessau and Mr. Nathaniel E. Harris for the respondent.

No. 258. Alice R. Mosheuvel et al., plaintiffs in error, *v.* The District of Columbia. Continued, per stipulation, on motion of Mr. Frederic D. McKenney in behalf of counsel.

No. 636. The Guaranty Trust Company of New York, petitioner, *v.* Frederick Grotrian, jr., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Frederic D. McKenney and Mr. Julien T. Davies for the petitioner, and by Mr. James B. Dill and Mr. Arthur J. Baldwin for the respondents.

No. 648. The Barr Car Company, petitioner, *v.* Chicago and Northwestern Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. H. N. Low and Mr. John W. Munday for the petitioner, and by Mr. George H. Howard and Mr. George S. Payson for the respondent.

No. 657. John B. Fairgrieve et al., petitioners, *v.* The Marine Insurance Company (Limited) of London. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Frank S. Bright and Mr. Harvey D. Goulder for the petitioners.

No. 237. Louis Beyer, appellant, *v.* Caroline Le Fevre. Argument continued by Mr. Clayton E. Emig and Mr. Charles Poe for the appellee, and concluded by Mr. Franklin H. Mackey for the appellant.

No. 502. Fred Hardy, plaintiff in error, *v.* The United States. Submitted by Mr. Solicitor-General Richards for the defendant in error, with leave to counsel for the plaintiff in error to file brief within two weeks.

No. 572. Solomon Hotema, plaintiff in error, *v.* The United States. Submitted by Mr. Assistant Attorney-General Beck for the defendant in

error. Leave granted to counsel for the plaintiff in error to file brief within two weeks, on motion of Mr. Charles A. Culberson in his behalf.

No. 610. R. W. McClaughry, as warden, etc., appellant, *v.* Peter C. Deming. Argument commenced by Mr. E. H. Crowder for the appellant, and continued by Mr. James H. Hayden for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 29, will be as follows: Nos. 610, 243, 245, 247, 249, 250, 252, 253, 254 and 256 (and 270).

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 29, 1902.

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.

David W. Fairleigh of Louisville, Ky., Thornton Dixon of Dundee, Mich., and Burton L. Hart of Morenci, Mich., were admitted to practice.

No. 610. R. W. McClaughry, as warden, etc., appellant, *v.* Peter C. Deming. Argument continued by Mr. James H. Hayden for the appellee, and concluded by Mr. E. H. Crowder for the appellant.

No. 243. John E. Hanifen, etc., petitioner, *v.* Edward A. Price et al. Argued by Mr. W. P. Preble, jr., for the petitioner, and by Mr. Edmund Wetmore for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 30, will be as follows: Nos. 245, 247, 249, 250, 252, 253, 254, 256 (and 270), 260 and 261.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 30, 1902.

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.

Edward R. Coffin of Lynn, Mass., Thomas S. Allen of Lincoln, Nebr., and Hiram Blake of Keene, N. H.; were admitted to practice.

No. 6, Original. The State of Missouri, complainant, *v.* The State of Nebraska. Leave granted to file replication to answer to cross-bill, on motion of Mr. F. N. Prout for the defendant.

No. 260. The Ohio National Bank of Washington, appellant, *v.* Central Construction Company. Appeal from the court of appeals of the District of Columbia. Dismissed with costs, pursuant to the tenth rule.

No. 245. Henry L. Ward, treasurer, etc., petitioner, *v.* Hiram Blake et al., executors, etc. Argued by Mr. William Reed Bigelow for the petitioner, and by Mr. J. S. H. Erink for the respondents.

No. 247. F. S. Bowker, owner, etc., appellant, *v.* The United States. Argument commenced by Mr. G. Philip Wardner for the appellant, and continued by Mr. Assistant Attorney-General Beek for the appellee, and by Mr. Eugene P. Carver for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 1, will be as follows: Nos. 247, 249, 250, 252, 253, 254, 256 (and 270), 261, 262 and 263.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 1, 1902.

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

Frederick W. Cameron of Albany, N. Y., Charles T. Tatman of Worcester, Mass., Thomas D. Rambaut of New York City and Guston T. Fitzhugh of Memphis, Tenn., were admitted to practice.

No. 150. The United States, appellant, *v.* Charles Borchering, receiver. Mandate granted, on motion of Mr. Frank W. Hackett for the appellee.

No. 247. F. S. Bowker, owner, etc., appellant, *v.* The United States. Argument concluded by Mr. Eugene P. Carver for the appellant.

Nos. 256 and 270. The Kennedy Mining and Milling Company, plaintiff in error, *v.* The Argonaut Mining Company. Argued by Mr. John Garber for the plaintiff in error, and by Mr. Curtis H. Lindley for the defendant in error.

No. 250. The Pine River Logging and Improvement Company et al., plaintiffs in error, *v.* The United States. Argument commenced by Mr. A. S. Worthington for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 2, will be as follows: Nos. 250, 252, 253, 254, 249, 261, 262, 263, 264 and 265.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 2, 1902.

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

No. 221. S. D. Hatfield et al., appellants, *v.* Henry C. King. Motion to correct decree submitted by Mr. Holmes Conrad for the appellants.

No. 261. Thomas P. Kennard, plaintiff in error, *v.* The State of Nebraska. Leave granted to file addition to record, on motion of Mr. A. S. Tibbets for the plaintiff in error.

No. 264. Henry C. Brown, devisee, etc., et al., appellants, *v.* The City of Denver et al. Submitted by Mr. James H. Brown for the appellants, and by Mr. H. M. Orahoad for the appellees.

No. 250. The Pine River Logging and Improvement Company et al., plaintiffs in error, *v.* The United States. Argument continued by Mr. A. S. Worthington for the plaintiffs in error, by Mr. J. E. Stryker for the defendant in error, and concluded by Mr. A. S. Worthington for the plaintiffs in error.

No. 249. The United States, appellant, *v.* Austin Nicholls & Co. Submitted by Mr. Assistant Attorney-General Hoyt for the appellant. No counsel appeared for the appellees.

No. 261. Thomas P. Kennard, plaintiff in error, *v.* The State of Nebraska. Submitted by Mr. A. S. Tibbets for the plaintiff in error, and by Mr. F. N. Prout for the defendant in error. Leave granted to plaintiff in error to file additional brief within two weeks.

No. 252. J. M. Robinson & Co., plaintiff in error, *v.* J. C. Belt et al. Argued by Mr. David Goldsmith for the plaintiff in error. No counsel appeared for the defendants in error.

Adjourned until Monday next at 12 o'clock.

The day call has been suspended for the term.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 5, 1902.

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.

Leon O. Bailey of Indianapolis, Ind., Jesse W. Tull of Windsor, Ill., Robert Taylor of Kasson, Minn., Wesley A. Sperry of Owatonna, Minn., and Arthur E. Parsons of Syracuse, N. Y., were admitted to practice.

No. 590. *The New Orleans Water Works Company, plaintiff in error, v. The State of Louisiana et al.* In error to the supreme court of the State of Louisiana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Peckham.

No. 222. *Lucian Woodworth et al., plaintiffs in error and appellants, v. The Northwestern Mutual Life Insurance Company.* On a certificate from the United States circuit court of appeals for the eighth circuit. Question certified answered in the affirmative. Opinion by Mr. Justice White. (Mr. Justice Harlan and Mr. Justice Brewer took no part in the decision of this case.)

No. 375. *Excelsior Wooden Pipe Company, appellant, v. Pacific Bridge Company et al.* Appeal from the circuit court of the United States for the district of Washington. Decree reversed with costs, and cause remanded for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Brown. (Mr. Justice Gray did not sit in this case or participate in the decision.)

No. 17. *The Carnegie Steel Company (Limited), petitioner, v. The Cambria Iron Company.* On writ of certiorari to the United States circuit court of appeals for the third circuit. Decree reversed with costs, and cause remanded to the circuit court of the United States for the western district of Pennsylvania for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice White, Mr. Chief Justice Fuller, Mr. Justice Harlan and Mr. Justice Brewer.

No. 219. The Travelers' Insurance Company, plaintiff in error, *v.* The State of Connecticut. In error to the supreme court of errors of the State of Connecticut. Judgment affirmed with costs. Opinion by Mr. Justice Brewer. (Mr. Justice Harlan did not hear the argument and took no part in the decision of this case.)

No. 4, Original. The State of Minnesota, complainant, *v.* Ethan Allen Hitchcock, Secretary of the Interior, et al. Decree for defendants dismissing the bill. Opinion by Mr. Justice Brewer. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 165. The Fidelity Mutual Life Association of Philadelphia, plaintiff in error, *v.* Jennie M. Mettler. In error to the circuit court of the United States for the northern district of Texas. Judgment affirmed with costs and interest. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Harlan and Mr. Justice Brown. Mr. Justice Brewer concurred in the judgment.

No. 478. Fok Young Yo, appellant, *v.* The United States. Appeal from the district court of the United States for the northern district of California. Order affirmed. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Brewer and Mr. Justice Peckham.

No. 482. Lee Gon Yung, appellant, *v.* The United States. Appeal from the circuit court of the United States for the northern district of California. Order affirmed. 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. 636. The Guaranty Trust Company of New York, petitioner, *v.* Frederick Grotrian, jr., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 648. The Barr Car Company, petitioner, *v.* Chicago and Northwestern Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 649. Seymour Lumber Company et al., petitioners, *v.* Thomas J. Carling. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 657. John B. Fairgrieve et al., petitioners, *v.* The Marine Insurance Company (Limited) of London. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 642. Simeon I. Grin, appellant, *v.* John H. Shine, United States marshal. Motion to advance granted, and cause assigned for argument on Tuesday, October 14 next, after the case already set down for that day.

No. 6, Original. The State of Missouri, complainant, *v.* The State of Nebraska. Ordered that Mr. Alfred Hazlett and Mr. John W. Halliburton be appointed commissioners to take testimony pertinent to the issues in this case and report the same to this court in due course.

No. 236. Stephen Otis et al., plaintiffs in error, *v.* E. A. Parker. Restored to the docket for reargument before a full bench.

No. 264. Henry C. Brown, devisee, etc., et al., appellants, *v.* The City of Denver et al. Appeal from the circuit court of the United States for the district of Colorado. Decree reversed at the cost of appellants, and cause remanded with directions to dismiss the bill at complainants' costs for want of jurisdiction, on the authority of *Wheless v. St. Louis*, 180 U. S., 379.

No. 314. The Northern Central Railway Company, plaintiff in error, *v.* Joshua W. Hering, comptroller, etc., et al. In error to the court of appeals of the State of Maryland. Dismissed for the want of jurisdiction, on the authority of *New Orleans Water Works Company v. Louisiana*, just decided; *Wisconsin v. Commissioners*, and cases cited, 183 U. S., 693; *California Powder Works v. Davis*, 151 U. S., 393.

No. 211. The United States, appellant, *v.* M. R. Pendell et al. Mandate granted, on motion of Mr. Solicitor-General Richards for the appellant.

No. 109. The United States, appellant, *v.* A. A. Green et al.; and

No. 129. Harvey L. Christie et al., appellants, *v.* The United States. Mandate granted, on motion of Mr. Solicitor-General Richards for the United States.

No. 584. Mutual Reserve Fund Life Association, appellant, *v.* James S. Phelps et al. Motion to advance submitted by Mr. John Spalding Flannery in behalf of counsel for the appellant.

No. 11, Original. The State of South Dakota, complainant, *v.* The State of North Carolina et al. Motion for leave to take testimony herein submitted by Mr. Thomas H. Clark in behalf of counsel for the complainant.

No. 585. The Board of Commissioners of Stanly County et al., petitioners, *v.* W. N. Coler & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. James E. Shepherd, Mr. A. C. Avery and Mr. C. M. Busbee for the petitioners, and by Mr. Charles Price, Mr. John F. Dillon, Mr. John M. Dillon and Mr. Harry Hubbard for the respondents.

No. 665. William W. Patton, petitioner, *v.* Southern Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Theodore F. Davidson for the petitioner, and by Mr. Charles Price for the respondent.

No. 666. Robert E. Downs, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Ernest A. Bigelow for the petitioner, and by Mr. Solicitor-General Richards for the respondent.

No. 599. The First National Bank of Denver et al., appellants, *v.* John P. Klug et al. Submitted by Mr. Charles J. Greene and Mr. R. W. Breckenridge for the appellants, and by Mr. John F. Shafroth for the appellees.

No. 673. Columbian Equipment Company, petitioner, *v.* Mercantile Trust and Deposit Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Henry D. Hotchkiss for the petitioner, and by Mr. A. H. Taylor and Mr. E. P. Keech, jr., for the respondent.

No. 523. The United States, appellant, *v.* John C. Finnell. Mandate granted, on motion of Mr. Assistant Attorney-General Pradt for the appellant.

No. 669. Thomas P. Taylor, petitioner, *v.* Reddin W. Parramore. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. W. G. Henderson and Mr. J. Edgar Bull for the petitioner, and by Mr. Edwin H. Brown and Mr. James A. Hudson for the respondent.

Adjourned until Monday, May 19, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 19, 1902.

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.

James H. Moyle of Salt Lake City, Utah, Joseph G. Pratt of Honolulu, Hawaii, James A. Halloran of Norwood, Mass., James G. Blauvelt of Paterson, N. J., Gabriel J. Norden of Chicago, Ill., and Theo. F. Kluttz of Salisbury, N. C., were admitted to practice.

No. 208. Frederick Williams, petitioner, *v.* George C. Gaylord et al. On writ of certiorari to the United States circuit court of appeals for the ninth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the northern district of California. Opinion by Mr. Justice McKenna. (Mr. Justice Harlan concurred in the judgment.)

No. 578. Joseph H. Nesbitt et al., appellants, *v.* The United States et al. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. 189. Lee Lung, appellant, *v.* J. L. Patterson, collector, etc. Appeal from the district court of the United States for the district of Oregon. Order affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Brewer and Mr. Justice Peckham. (Mr. Justice Gray was not present at the argument and took no part in the decision of this case.)

No. 215. E. Bement & Sons, plaintiffs in error, *v.* The National Harrow Company. In error to the supreme court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Peckham. (Mr. Justice Harlan, Mr. Justice Gray and Mr. Justice White took no part in the decision of this case.)

No. 218. The United States, plaintiff in error, *v.* The Copper Queen Consolidated Mining Company. In error to the supreme court of the Territory of Arizona. Judgment affirmed. Opinion by Mr. Justice Peckham.

No. 610. R. W. McClaughry, as warden, etc., appellant, *v.* Peter C. Deming. Appeal from the circuit court of the United States for the district of Kansas. Order affirmed with costs. Opinion by Mr. Justice Peckham. Dissenting: Mr. Chief Justice Fuller and Mr. Justice McKenna. (Mr. Justice Gray and Mr. Justice Brewer took no part in the decision of this case.)

No. 230. The Southwestern Coal and Improvement Company et al., appellants, *v.* Hiram Y. McBride et al. Appeal from the United States circuit court of appeals for the eighth circuit. Decree affirmed with costs, and cause remanded to the United States court for the central district of the Indian Territory. Opinion by Mr. Justice White.

No. 487. Thomas Swafford, plaintiff in error, *v.* W. A. Templeton et al. In error to the circuit court of the United States for the eastern district of Tennessee. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice White.

No. 217. W. P. H. McFaddin et al., plaintiffs in error, *v.* Evans-Snider-Buel Company et al. 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 for the northern district of the Indian Territory. Opinion by Mr. Justice Shiras. (Mr. Justice Gray and Mr. Justice White took no part in the decision of this case.)

No. 72. The Steamship Styria, etc., petitioner, *v.* James L. Morgan et al.;

No. 73. The Steamship Styria, etc., petitioner, *v.* Schuyler L. Parsons;

No. 74. The Steamship Styria, etc., petitioner, *v.* Alfred S. Malcolmson; and

No. 75. The Steamship Styria, etc., petitioner, *v.* John Munroe et al. On writs and cross-writs of certiorari to the United States circuit court of appeals for the second circuit. Decrees of district court of the United States for the southern district of New York and of said United States circuit court of appeals, sustaining libels of respective libelants, reversed. Decrees of United States circuit court of appeals reversing decrees of district court dismissing respective cross-libels affirmed, and cases remanded to said district court, with directions to take further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Shiras.

No. 388. N. O. Murphy et al., appellants, *v.* James L. Utter et al. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice Brown.

No. 237. Louis Beyer, appellant, *v.* Caroline Le Fevre. Appeal from the court of appeals of the District of Columbia. Decree reversed with costs, and cause remanded with directions to reverse the decree of the

supreme court of the District of Columbia and to remand the cause to that court, with directions to set aside the decree in favor of the appellee, for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brewer. (Mr. Justice Harlan and Mr. Justice Gray took no part in the decision of this case.)

No. 205. Emanuel Felsenheld, claimant, plaintiff in error, *v.* The United States. On a certificate from the United States circuit court of appeals for the fourth circuit. First and second questions answered in the affirmative. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice Peckham. (Mr. Justice Gray and Mr. Justice White took no part in the decision of this case.)

Nos. 213 and 214. The Montana Mining Company (Limited), plaintiff in error, *v.* The St. Louis Mining and Milling Company of Montana. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Gray was not present at the argument and took no part in the decision of these cases.)

No. 245. Henry L. Ward, treasurer, etc., petitioner, *v.* Hiram Blake et al., executors, etc. 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 New Hampshire. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 247. F. S. Bowker, etc., appellant, *v.* The United States. Appeal from the district court of the United States for the district of New Jersey. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice White and Mr. Justice McKenna.

No. 347. Alphonse Emsheimer, appellant, *v.* The City of New Orleans. On a certificate from the United States circuit court of appeals for the fifth circuit. First question certified answered in the affirmative. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

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

No. 584. Mutual Reserve Fund Life Association, appellant, *v.* James S. Phelps et al. Motion to advance denied.

No. 585. The Board of Commissioners of Stanly County et al., petitioners, *v.* W. N. Coler & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit granted.

No. 665. William W. Patton, petitioner, *v.* The Southern Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 669. Thomas P. Taylor, petitioner, *v.* Reddin W. Parramore. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 673. Columbian Equipment Company, petitioner, *v.* Mercantile Trust and Deposit Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 666. Robert E. Downs, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit granted.

No. 11, Original. The State of South Dakota, complainant; *v.* The State of North Carolina. Motion for leave to take testimony granted.

No. 149. W. T. Waggoner, plaintiff in error, *v.* J. M. Flack. Restored to the call for oral argument before a full bench.

No. 13, Original. The United States, complainant, *v.* The State of Michigan. Leave granted to file bill of complaint and subpoena ordered to issue returnable October 13, on motion of Mr. Assistant Attorney-General Hoyt for the complainant.

No. 534. William L. Snyder, executor, etc., plaintiff in error, *v.* Bernard Bettmann, collector, etc. Motion to advance submitted by Mr. Assistant Attorney-General Hoyt in behalf of counsel for plaintiff in error.

No. 683. Julian Sandoval et al., appellants, *v.* The United States. Appeal from the Court of Private Land Claims. Docketed and dismissed, on motion of Mr. Assistant Attorney-General Hoyt for the appellee.

No. 597. The United States, appellant, *v.* William T. Sampson, rear-admiral, United States Navy. Suggestion of death of appellee, and motion as to new parties submitted by Mr. Assistant Attorney-General Hoyt for the appellant.

No. 650. George C. Thomas, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Assistant Attorney-General Hoyt in behalf of counsel for plaintiff in error.

No. 682. Marshall M. Miller et al., appellants, *v.* The United States. Appeal from the United States circuit court of appeals for the fifth circuit. Docketed and dismissed, on motion of Mr. Assistant Attorney-General Hoyt for the appellee.

No. 680. Marshall M. Miller 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. George Clark for the petitioners, with leave to Mr. Assistant Attorney-General Hoyt to file brief for respondent in three days.

No. 558. The Board of Commissioners of Wilkes County et al., petitioners, *v.* W. N. Coler & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. A. C. Avery for the petitioners, and by Mr. Charles Price, Mr. John F. Dillon, Mr. Harry Hubbard and Mr. John M. Dillon for the respondents.

No. 677. La Republique Francaise et al., petitioners, *v.* Saratoga Vichy Spring Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Archibald Hopkins for the petitioners, and by Mr. Edgar T. Brackett for the respondent.

No. 559. The United States, appellant, *v.* Edward A. Moseley. Motion to advance submitted by Mr. Leigh Robinson in behalf of counsel for appellee.

No. —, Original. *Ex parte*: In the matter of Charles Bennett, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. J. H. Hayden in behalf of Mr. John R. Dos Passos for the petitioner.

No. 250. The Pine River Logging and Improvement Company et al., plaintiffs in error, *v.* The United States. Death of J. S. Pillsbury, one of the plaintiffs in error herein, suggested, and appearance of Alfred F. Pillsbury, Fred B. Snyder, Edward C. Gale and Frank S. Carleton, administrators of the estate of John S. Pillsbury, deceased, as parties plaintiffs in error herein, filed and entered, on motion of Mr. Charles L. Frailey in behalf of counsel for the plaintiffs in error.

No. 679. Nicholas C. Benziger 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. 664. Edward S. Bragg, special administrator, etc., petitioner, *v.* Ella Wright. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Alexander Britton in behalf of Mr. E. S. Bragg for the petitioner, and by Mr. William Worthington for the respondent.

No. 678. St. Louis and San Francisco Railroad Company, petitioner, *v.* Warren G. Furry. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Alexander Britton in behalf of Mr. L. F. Parker for the petitioner, and by Mr. Joseph M. Hill and Mr. James Brizzalara for the respondent.

No. 590. The New Orleans Water Works Company, plaintiff in error, *v.* The State of Louisiana et al. Motion that mandate issue at once submitted by Mr. George H. Lamar in behalf of counsel for the defendants in error.

No. 440. The Indiana Manufacturing Company, appellant, *v.* Armin C. Koehne et al. Motion to advance submitted by Mr. William L. Taylor for the appellees.

No. 666. Robert E. Downs, petitioner, *v.* The United States. Motion to advance submitted by Mr. Ernest A. Bigelow for the petitioner.

No. 671. Thomas A. Edison, petitioner, *v.* American Mutoscope Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Fulton Lewis in behalf of Mr. Richard N. Dyer for the petitioner, and by Mr. Thomas B. Kerr, Mr. Parker W. Page and Mr. Drury W. Cooper for the respondent.

No. 676. Julia Adam, petitioner, *v.* The New York Life Insurance Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Charles A. Culberson for the petitioner.

No. —. A. Gallaway et al., plaintiffs in error, *v.* The State National Bank of Fort Worth, Tex., et al. Motion for leave to sue out writ of error herein without giving bond required by law submitted by Mr. A. Gallaway in propria persona.

No. 533. The National Surety Company, plaintiff in error, *v.* John McCormick. Motions to dismiss or affirm submitted by Mr. James A. Louttit in support of motions, and by Mr. John J. Burt in opposition thereto.

Adjourned until Monday, June 2, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 2, 1902.

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

W. H. Timlin of Milwaukee, Wis., Rhea P. Cary of Memphis, Tenn., Hugh Gordon Miller of Norfolk, Va., Lawson M. Harvey of Indianapolis, Ind., Edmund French of Washington, D. C., and Charles H. Merillat of Washington, D. C., were admitted to practice.

No. 227. Marcellus A. Lander, as treasurer, etc., appellant, *v.* The Mercantile National Bank of Cleveland. Appeal from the United States circuit court of appeals for the sixth circuit. Decree of said United States circuit court of appeals reversed with costs, and decree of the circuit court of the United States for the northern district of Ohio affirmed and cause remanded to said circuit court. Opinion by Mr. Justice McKenna. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 180. The Farmers' Loan and Trust Company, trustee, petitioner, *v.* The Penn Plate Glass Company et al. 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 circuit court of the United States for the western district of Pennsylvania. Opinion by Mr. Justice Peckham. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 206. Peter Hagan et al., petitioner, *v.* The Scottish Union and National Insurance Company. On writ of certiorari to the United States circuit court of appeals for the third circuit. Decree of said United States circuit court of appeals reversed with costs, and decree of the district court of the United States for the eastern district of Pennsylvania affirmed, and cause remanded to said district court. Opinion by Mr. Justice Peckham. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 209. The Capital City Light and Fuel Company, plaintiff in error, *v.* The City of Tallahassee. In error to the supreme court of the State

of Florida. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 572. Solomon Hotema, plaintiff in error, *v.* The United States. In error to the district court of the United States for the eastern district of Texas. Judgment affirmed. Opinion by Mr. Justice Peckham.

No. 4. The Compagnie Francaise de Navigation a Vapeur, plaintiff in error, *v.* The State Board of Health of Louisiana et al. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice White. Dissenting: Mr. Justice Brown and Mr. Justice Harlan.

No. 191. Brainard H. Warner et al., appellants, *v.* Lily Alys Godfrey. Appeal from the court of appeals of the District of Columbia. Decree reversed with costs, and cause remanded to said court of appeals with directions to reverse the decree of the supreme court of the District of Columbia passed on June 13, 1900, ordering a conveyance to the complainant on compliance with certain conditions, and to affirm and reinstate the decree of said court passed January 24, 1899, dismissing the bill and amended bills as against certain of the defendants. Opinion by Mr. Justice White. (Mr. Justice Harlan and Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 178. The Fidelity and Deposit Company of Maryland, petitioner, *v.* R. H. Courtney, receiver, etc. On writ of certiorari 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 western district of Kentucky. Opinion by Mr. Justice White. (Mr. Justice Gray and Mr. Justice Brewer did not hear the argument and took no part in the decision of this cause.)

No. 154. The Interstate Commerce Commission, appellant, *v.* The Chicago, Burlington and Quincy Railroad Company et al. Appeal from the United States circuit court of appeals for the seventh circuit. Decree affirmed with costs, without prejudice to the right of the Commission to hereafter proceed in accordance with the reservation expressed in the opinion of this court, and cause remanded to the circuit court of the United States for the northern district of Illinois. Opinion by Mr. Justice White. (Mr. Justice Brown took no part in the decision of this cause.)

No. 224. The United States, plaintiff in error, *v.* Edward J. Freel, as executor, etc. In error 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 eastern district of New York. Opinion by Mr. Justice Shiras. (Mr. Justice Gray took no part in the decision of this case.)

No. 261. Thomas P. Kennard, plaintiff in error, *v.* The State of Nebraska. In error to the supreme court of the State of Nebraska. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Shiras. (Mr. Justice Gray took no part in the decision of this cause.)

No. 131. The Minneapolis and St. Louis Railroad Company, plaintiff in error, *v.* The State of Minnesota *ex rel.* The Railroad and Warehouse Commission. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 234. The New York Central and Hudson River Railroad Company *et al.*, plaintiffs in error, *v.* The City of New York. In error to the supreme court of the State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 318. J. Henrietta Hoffeld, executrix, *etc.*, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 249. The United States, appellant, *v.* Austin Nicholls & Co. On a certificate from the United States circuit court of appeals for the second circuit. Question certified answered in the negative. Opinion by Mr. Justice Brown.

No. 250. The Pine River Logging and Improvement Company *et al.*, plaintiffs in error, *v.* The United States. In error to the United States circuit court of appeals for the eighth circuit. Judgment of the United States circuit court of appeals and of the circuit court of the United States for the district of Minnesota in this cause, subject to a deduction of the sum of \$356.69, affirmed and cause remanded to said circuit court. Opinion by Mr. Justice Brown.

No. 502. Fred Hardy, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Alaska. Judgment affirmed. Opinion by Mr. Justice Brewer.

No. 223. Lee Clark, plaintiff in error, *v.* Monroe D. Herington. In error to the supreme court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Brewer. (Mr. Justice Gray took no part in the decision of this case.)

No. 126. The Bienville Water Supply Company, appellant, *v.* The City of Mobile. Appeal from the circuit court of the United States for the southern district of Alabama. Decree affirmed with costs. Opinion by Mr. Justice Brewer.

No. 198. John G. Jenkins *et al.*, plaintiffs in error, *v.* Barzillai G. Neff, president, *etc.*, *et al.* In error to the supreme court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Brewer. (Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

No. 363. The Chesapeake and Potomac Telephone Company, appellant, *v.* J. Forrest Manning & Co. Appeal from the court of appeals of the District of Columbia. Decree reversed with costs, and cause remanded with directions to remand the cause to the supreme court of the District of Columbia with directions to that court to set aside its decree and inquire as to the reasonableness of the rates in the light of the construction given by this court to the statute. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice White, Mr. Justice Harlan and Mr. Justice McKenna. (Mr. Justice Gray and Mr. Justice Brown took no part in the decision of this case.)

No. 203. The Hanover National Bank of New York City, plaintiff in error, *v.* Max Moyses. In error to the circuit court of the United States for the eastern district of Tennessee. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 525. Chin Bak Kan, appellant, *v.* The United States; and

No. 526. Chin Ying, appellant, *v.* The United States. Appeals from the district court of the United States for the northern district of New York. Orders affirmed. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Brewer and Mr. Justice Peckham. (Mr. Justice Gray did not hear the argument and took no part in the decision of these cases.)

No. 599. The First National Bank of Denver et al., appellants, *v.* John P. Klug et al. Appeal from the district court of the United States for the district of Colorado. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

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

No. 221. S. D. Hatfield et al., appellants, *v.* Henry C. King. Motion to correct decree denied. Opinion by Mr. Chief Justice Fuller.

No. —. A. Gallaway et al., plaintiffs in error, *v.* The State National Bank of Fort Worth, Tex., et al. Motion for leave to sue out writ of error without giving bond required by law denied.

No. 243. John E. Hanifen, etc., petitioner, *v.* Edward A. Price et al. On writ of certiorari to the United States circuit court of appeals for the second circuit. Decree affirmed with costs by a divided court, and cause remanded to the circuit court of the United States for the southern district of New York.

No. 440. The Indiana Manufacturing Company, appellant, *v.* Armin C. Koehne et al.

No. 559. The United States, appellant, *v.* Edward A. Moseley; and

No. 666. Robert E. Downs, petitioner, *v.* The United States. Motions to advance granted, and cases assigned for argument on Monday, October 20, after the cases already set down for that day.

No. 534. William L. Snyder, executor, etc., plaintiff in error, *v.* Bernard Bettmann, collector, etc.; and

No. 650. George C. Thomas, plaintiff in error, *v.* The United States. Motions to advance denied.

No. 664. Edward S. Bragg, special administrator, etc., petitioner, *v.* Ella Wright. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 671. Thomas A. Edison, petitioner, *v.* American Mutoscope Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 676. Julia Adam, petitioner, *v.* The New York Life Insurance Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 678. St. Louis and San Francisco Railroad Company, petitioner, *v.* Warren G. Furry. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 680. Marshall M. Miller et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 677. La Republique Francaise et al., petitioners, *v.* Saratoga Vichy Spring Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 679. Nicholas C. Benziger et al., etc., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. —, Original. Ex parte: In the matter of Charles Bennett, petitioner. Motion for leave to file petition for writ of mandamus denied.

No. 597. The United States, appellant, *v.* William T. Sampson, rear-admiral, United States Navy. Motion as to new parties herein postponed to the hearing of the case on its merits.

No. 533. National Surety Company, plaintiff in error, *v.* John McCormick. In error to the supreme court of the State of California. Dismissed for the want of jurisdiction, on the authority of *Pim v. St. Louis*, 165 U. S., 273, *Duncan v. Missouri*, 152 U. S., 377, and other cases.

No. 558. The Board of Commissioners of Wilkes County et al., petitioners, *v.* W. N. Coler & Co. Petition and brief in support of same stricken from the files because of the scandalous, unwarranted, and irrelevant matter therein, but the application will retain its place on the docket and may be renewed in proper form on the coming in of the court at the next term.

No. 699. Edwin L. Vetter, plaintiff in error, *v.* The United States. In error to the district court of the United States for the western district of Pennsylvania. Docketed and dismissed, on motion of Mr. Solicitor-General Richards for the defendant in error.

No. 700. Lui Tsy Tsin, appellant, *v.* The United States. Appeal from the district court of the United States for the southern district of New York. Docketed and dismissed, on motion of Mr. Assistant Attorney-General Hoyt for the appellee.

No. 701. Ju Fook Pion, appellant, *v.* The United States;

No. 702. Wing Long and Loy Kee, appellants, *v.* The United States;

No. 703. Young Shang Lee, appellant, *v.* The United States; and

No. 704. Lee Lui Sing and Lin Nan, appellants, *v.* The United States. Appeals from the district court of the United States for the northern district of New York. Docketed and dismissed, on motion of Mr. Assistant Attorney-General Hoyt for the appellee.

No. 705. Chinn Leong Goon, appellant, *v.* The United States;

No. 706. Louis Pang Lung, appellant, *v.* The United States;

No. 707. Ling Quong, appellant, *v.* The United States;

No. 708. Ling Ming, appellant, *v.* The United States;

No. 709. Wong Soo Bow, appellant, *v.* The United States;

No. 710. Wong Fat, appellant, *v.* The United States;

No. 711. Wong Hong Yip, appellant, *v.* The United States;

No. 712. Wong Chow, appellant, *v.* The United States;

No. 713. Wong Sec Loon, appellant, *v.* The United States;

No. 714. Wong King, appellant, *v.* The United States;

No. 715. Wong Ah Sin, appellant, *v.* The United States;

No. 716. Wong Sic Chung, appellant, *v.* The United States; and

No. 717. Wong Sow Sin, appellant, *v.* The United States. Appeals from the district court of the United States for the district of Vermont. Docketed and dismissed on motion of Mr. Assistant Attorney-General Hoyt for the appellees.

No. 698. The Allegheny Oil Company et al., petitioners, *v.* Hiram A. Snyder et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. S. Schoyer, jr., for the petitioners.

No. 189. Lee Lung, appellant, *v.* J. L. Patterson, collector, etc. Motion for leave to file petition for rehearing submitted by Mr. John H. Mitchell for the appellant.

No. 388. N. O. Murphy et al., appellants, *v.* James L. Utter et al. Motion for leave to file petition for rehearing submitted by Mr. H. W. Van Dyke in behalf of counsel for the appellants.

No. 245. Henry L. Ward, petitioner, *v.* Hiram Blake et al., executors, etc. Motion for leave to file petition for rehearing submitted by Mr. A. B. Browne in behalf of counsel for petitioner.

No. 687. Henry B. F. Macfarland et al., Commissioners, etc., appellants, *v.* Jesse Brown et al.; and

No. 688. Henry B. F. Macfarland et al., Commissioners, etc., appellants, *v.* Eugene Byrnes et al. Motions to advance submitted by Mr. A. B. Duvall for the appellants.

No. 697. Sanford Jacobi, plaintiff in error, *v.* The State of Alabama. Motion to advance submitted by Mr. Thomas H. Clark in behalf of counsel for the plaintiff in error.

No. 454. The New Jersey Steel and Iron Company, plaintiff in error, *v.* Frederick Chormaun. In error to the circuit court of the United States for the southern district of New York. Dismissed per stipulation.

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.