

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 14, 1912.

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

William E. Baff of Washington, D. C., Thomas A. Witherspoon of Washington, D. C., Robert Grover Langmade of Washington, D. C., H. Fred Mercer of Pittsburgh, Pa., Harry J. Nesbit of Pittsburgh, Pa., Malcolm Donald of Boston, Mass., Clyde Alton De Witt of Manila, P. I., Bynum E. Hinton of Washington, D. C., Joseph S. Brooks of Kansas City, Mo., Morris R. Bevington of St. Louis, Mo., John M. Coleman of New York City, David Meade White of Richmond, Va., Alonzo L. Curtis of Belton, Tex., Winbourne Pearce of Temple, Tex., and William J. Lewis of Paterson, N. J., were admitted to practice.

No. 21. Samuel Loeb, plaintiff in error, *v.* The State of Georgia. On motion of Mr. Jackson H. Ralston, leave granted him to withdraw his appearance herein as counsel for the plaintiff in error.

No. 1. Morris Canal & Banking Company et al., plaintiffs in error, *v.* David Baird et al. Motion to continue submitted by Mr. William J. Lewis, in behalf of counsel.

No. 698. Martin Pederson, plaintiff in error, *v.* Delaware, Lackawanna & Western R. R. Co. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of Mr. George Bell for the plaintiff in error.

No. 799. James D. Hardin, petitioner, *v.* Union Trust Company of the City of Philadelphia et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Ernest Wilkinson in behalf of Mr. Chambers Kellar for the petitioner.

No. 759. Northern Pacific Ry. Co., appellant, *v.* King County, Wash., et al. Motion to advance submitted by Mr. Evans Browne in behalf of counsel for the appellant.

No. 610. Home Telephone & Telegraph Co., appellant, *v.* City of Los Angeles et al. Motion to advance pursuant to the thirty-second rule submitted by Mr. Evans Browne, in behalf of counsel.

No. 790. John T. Cooper, petitioner, *v.* C. M. Pratt et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Evans Browne, in behalf of Mr. R. G. Linn, Mr. Aldis B. Browne, and Mr. Alexander Britton for the petitioner.

No. 682. Edmund Burke *v.* The Southern Pacific R. R. Co. et al.; and

No. 683. J. I. Lamprecht and F. M. Aiken, Trustees, *v.* Southern Pacific R. R. Co. et al. Motion for a writ of certiorari to bring up the entire record and cause submitted by Mr. A. A. Hoehling, jr., in behalf of Mr. Maxwell Evarts for The Southern Pacific R. R. Co. et al., in support of the motion, and by Mr. Edmund Burke, *pro se*, in opposition thereto.

No. 617. The United States, upon the relation and for the use and benefit of Texas Portland Cement Co. et al., *v.* D. C. McCord et al. Motion for a writ of certiorari to bring up the entire record and cause submitted by Mr. Charles W. Starling for McCord et al.

No. 26. Northern Indiana Gas & Electric Co., appellant, *v.* The Mayor and Board of Public Works of the City of Hammond, Ind., et al. Appeal from the Circuit Court of the United States for the District of Indiana. Dismissed per stipulation, and cause remanded to the District Court of the United States for the District of Indiana.

No. 133. St. Louis & San Francisco R. R. Co., plaintiff in error, *v.* William Heyser. In error to the Supreme Court of the State of Arkansas. Dismissed with costs on motion of counsel for the plaintiff in error.

No. 183. The Atchison, Topeka & Santa Fe Ry. Co., plaintiff in error, *v.* I. A. Tack. In error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 227. North River Insurance Co., plaintiff in error, *v.* W. B. Higson. In error to the Supreme Court of the State of North Carolina. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 228. Fidelity Trust Co., appellant, *v.* Lon H. Gaskell, receiver. In error to the District Court of the United States for the Western District of Missouri. Dismissed with costs, per stipulation.

No. 233. The United States Express Company, plaintiff in error, *v.* The State of Nebraska. In error to the Supreme Court of the State of Nebraska. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 317. St. Louis & San Francisco R. R. Co., plaintiff in error, *v.* Cassie Kitchen. In error to the Supreme Court of the State of Arkansas. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 569. The Central R. R. Co. of New Jersey, plaintiff in error, *v.* Michael Colasurdo. In error to the United States Circuit Court of Appeals for the Second Circuit. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 599. Bernard Haas, by Sadie Haas, his guardian *ad litem*, et al., appellants, *v.* Greystoke Castle S. S. Co. (Ltd.), etc. Appeal from the District Court of the United States for the Northern District of California. Dismissed with costs, on motion of counsel for the appellants.

No. 712. The Great Northern Ry. Co., petitioner, *v.* Wayland Sloan et al., minors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed, on motion of counsel for the petitioner.

The Chief Justice announced to the bar that the usual visit to the President of the United States would be omitted by reason of his absence from the city, 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. 8, Original, 476, 554, 600, 480 (and 513 and 481 and 514), 16, 17, 231, 18, 282, 621 (and 622), 590, 648, 601, and 642 (and 643).



SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 15, 1912.

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

Burgess W. Marshall of Washington, D. C., A. Scott Bullitt of Louisville, Ky., Robert B. Honeyman of New York City, and Homer M. Sullivan of Broken Bow, Nebr., were admitted to practice.

Mr. Attorney General Wickersham presented Mr. William Marshall Bullitt of Kentucky as Solicitor General of the United States, and it was ordered that his commission be recorded.

No. 381. Effie Hoke et al., plaintiffs in error, *v.* The United States;

No. 588. Louis Athanasaw et al., plaintiffs in error, *v.* The United States;

No. 602. Emma Harris, etc., et al., plaintiffs in error, *v.* The United States of America; and

No. 603. Della Bennett, plaintiff in error, *v.* The United States of America. Motions to advance submitted by Mr. Solicitor General Bullitt for the United States.

No. 520. Charles R. Heike, petitioner, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Bullitt for the United States.

No. 620. The United States, plaintiff in error, *v.* Sidney W. Winslow et al. Motion to advance submitted by Mr. Solicitor General Bullitt for the United States.

No. 670. William McCoach, collector of internal revenue, petitioner, *v.* Minehill & Schuylkill Haven R. R. Co. Motion to advance submitted by Mr. Solicitor General Bullitt for the petitioner.

No. 805. The United States, petitioner, *v.* A. Gero Marshall. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Bullitt and Mr. Assistant Attorney General Harr for the petitioner, and by Mr. John M. Coleman for the respondent.

No. 682. Edmund Burke *v.* The Southern Pacific R. R. Co. et al. Motion to advance submitted by Mr. Bynum E. Hinton, in behalf of Edmund Burke.

No. 682. Edmund Burke *v.* The Southern Pacific R. R. Co. et al.; and

No. 683. J. I. Lamprecht and F. M. Aiken, trustees, *v.* Southern Pacific R. R. Co. et al. Motion for leave to file brief herein on behalf of the United States and to participate in the oral argument submitted by Mr. Solicitor General Bullitt for the United States.

No. 601. Susan J. Taylor, as adm'x, etc., plaintiff in error, *v.* Sextus E. Taylor. Passed, on account of death of counsel for the defendant in error, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Frederic D. McKenney for the plaintiff in error.

No. 808. Dunlevy & Brother Company, petitioner, *v.* Elizabeth Forrest. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Harry J. Nesbit for the petitioner.

No. 396. Kansas City, Missouri, plaintiff in error, *v.* The State of Kansas ex rel. Joseph Taggart, county attorney, et al. Motion to dismiss or affirm or to place the cause on the summary docket submitted by Mr. L. W. Keplinger for the defendants in error, in support of the motion, and by Mr. John G. Park, for the plaintiff in error, in opposition thereto.

No. 478. Tobias Miller, plaintiff in error, *v.* Secundo Guasti et al. Motion to affirm submitted by Mr. Albert M. Yuzzolino for the defendants in error, in support of the motion, and by Mr. William C. Rosenberg for the plaintiff in error, in opposition thereto.

No. 551. The Citizens National Bank of Roswell, New Mex., et al., appellants, *v.* George A. Davisson et al. Motion to affirm submitted by Mr. G. A. Richardson for the appellees, in support of the motion, and by Mr. William C. Reid for the appellants, in opposition thereto.

No. 1. Morris Canal & Banking Co. et al., plaintiffs in error, *v.* David Baird et al. Motion to continue until the next term granted. Announced by Mr. Chief Justice White.

No. 8. Original. The State of Wyoming, complainant, *v.* The State of Colorado et al. Argument of demurrer commenced by Mr. C. D. Hayt for the defendants, in support of the demurrer, continued by Mr. Benjamin Griffith for the defendants, in support of the demurrer, and by Mr. John W. Lacey for the complainant, in opposition to the demurrer, and concluded by Mr. Julius C. Gunter for the defendants, in support of the demurrer.

No. 476. William E. Breese et al. *v.* The United States. Argued by Mr. Charles A. Douglas for Breese et al., and by Mr. Assistant Attorney General Denison for the United States.

No. 554. Standard Sanitary Mfg. Co. et al., appellants, *v.* The United States of America. Three hours allowed each side in the argument of this case, on motion of Mr. Herbert Noble for the appellants. Argument commenced by Mr. Herbert Noble for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 16, will be as follows: Nos. 554, 600, 480 (and 513 and 481 and 514), 16, 17, 231, 18, 282, 621 (and 622), 590, 648, and 642 (and 643).



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 16, 1912.

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

Asa C. Gracie of Little Rock, Ark., Shelby Jeames Davidson of Lexington, Ky., and John H. Myers of Washington, D. C., were admitted to practice.

No. 500. The Northern Pacific Ry. Co. et al., appellants, *v.* The United States of America. Motion to advance submitted by Mr. Evans Browne in behalf of counsel for the appellants.

No. 554. Standard Sanitary Mfg. Co. et al., appellants, *v.* The United States of America. Argument continued by Mr. Herbert Noble for the appellants, by Mr. Robert B. Honeyman for the appellants, and by Mr. Edwin P. Grosvenor for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 17, will be as follows: Nos. 554, 600, 480 (and 513 and 481 and 514), 16, 17, 231, 18, 282, 621 (and 622), 590, 648, and 642 (and 643).

○

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 17, 1912.

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

H. Anna Quinby, of Columbus, Ohio, and Elliott R. Goldsmith, of Chicago, Ill., were admitted to practice.

No. 554. Standard Sanitary Mfg. Co. et al., appellants, *v.* The United States of America. Argument continued by Mr. Edwin P. Grosvenor for the appellee, and concluded by Mr. Herbert Noble for the appellants.

No. 600. The Interstate Commerce Commission and The United States, appellants, *v.* The Louisville & Nashville R. R. Co. Argument commenced by Mr. Assistant to the Attorney General Fowler for the United States, and continued by Mr. Helm Bruce for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 18, will be as follows: Nos. 600, 480 (and 513 and 481 and 514), 16, 17, 231, 18, 282, 621 (and 622), 590, 648, and 642 (and 643).

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 18, 1912.

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

Allan P. Matthew, of San Francisco, Cal.; Wiley F. Crist, of San Francisco, Cal.; and Emil Starek, of St. Louis, Mo., were admitted to practice.

No. 600. The Interstate Commerce Commission and The United States, appellants, *v.* The Louisville & Nashville R. R. Co. Argument continued by Mr. Helm Bruce for the appellee, and concluded by Mr. P. J. Farrell for the Interstate Commerce Commission.

Nos. 480 and 513. The United States of America et al., appellants, *v.* Atchison, Topeka & Santa Fe Ry. Co. et al.; and

Nos. 481 and 514. The United States of America et al., appellants, *v.* The Union Pacific R. R. Co. et al. Four hours allowed each side in the argument of these cases, on motion of Mr. Attorney General Wickersham for the United States. Reargument commenced by Mr. Assistant to the Attorney General Fowler for the United States, and continued by Mr. Charles Donnelly for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 21, will be as follows: Nos. 480 (and 513 and 481 and 514), 16, 17 (and 231), 18, 282, 621 (and 622), 590, 648, 642 (and 643), and 2.



SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 21, 1912.

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

John Truesdell, of Denver, Colo.; George Couper Gibbs, of Jacksonville, Fla.; and William H. Lewis, of Boston, Mass., were admitted to practice.

The Chief Justice announced the following orders of the court:

No. 381. Effie Hoke et al., plaintiffs in error, *v.* The United States;

No. 588. Louis Athanasaw et al., plaintiffs in error, *v.* The United States;

No. 602. Emma Harris, etc., et al., plaintiffs in error, *v.* The United States;

No. 603. Della Bennett, plaintiff in error, *v.* The United States;

No. 500. The Northern Pacific Railway Company et al., appellants, *v.* The United States;

No. 520. Charles R. Heike, petitioner, *v.* The United States;

No. 620. The United States, plaintiff in error, *v.* Sidney W. Winslow et al.;

No. 682. Edmund Burke *v.* The Southern Pacific R. R. Co. et al.; and

No. 698. Martin Pederson, plaintiff in error, *v.* Delaware, Lackawanna & Western R. R. Co. Motions to advance granted, and cases assigned for argument on Monday, January 6, 1913.

No. 683. J. I. Lamprecht and F. M. Aiken, trustees, *v.* Southern Pacific R. R. Co. et al. Ordered that this cause be advanced, and assigned for hearing with case No. 682 as one case.

No. 610. Home Telephone & Telegraph Co., appellant, *v.* City of Los Angeles et al. Motion to advance denied, but case will be taken on printed briefs if counsel shall be so advised.

No. 670. William McCoach, collector of internal revenue, petitioner, *v.* Minehill & Schuylkill Haven R. R. Co. Motion to advance denied.

No. 759. Northern Pacific Ry. Co., appellant, *v.* King County, Washington, et al. Motion to advance denied.

No. 682. Edmund Burke *v.* Southern Pacific R. R. Co. et al.; and
 No. 683. J. I. Lamprecht and F. M. Aiken, trustees, *v.* Same. Motion of the United States for leave to file brief herein granted, and motion for leave to participate in the oral argument denied.

No. 617. The United States, upon the relation and for the use and benefit of Texas Portland Cement Company et al., *v.* D. C. McCord et al. Motion for writ of certiorari to bring up the entire record and cause denied.

No. 682. Edmund Burke *v.* Southern Pacific R. R. Co. et al.; and
 No. 683. J. I. Lamprecht and F. M. Aiken, trustees, *v.* Same. Motion for writ of certiorari to bring up the entire record and cause denied.

No. 790. John T. Cooper, petitioner, *v.* C. M. Pratt et al., partners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 799. James D. Hardin, petitioner, *v.* The Union Trust Company of the City of Philadelphia et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 805. The United States, petitioner, *v.* A. Gero Marshall. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 808. Dunlevy & Brother Company, petitioner, *v.* Elizabeth Forrest. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 551. The Citizens National Bank of Roswell, New Mex., et al., appellants, *v.* George A. Davisson et al. Ordered that this case be placed on the summary docket.

No. 8, Original. The State of Wyoming, complainant, *v.* The State of Colorado et al. Demurrer overruled without prejudice to any question, and leave granted to answer within 90 days.

No. —, Original. Ex parte In the matter of The United States of America, petitioner. Motion for leave to file a petition for a writ of prohibition submitted by Mr. Attorney General Wickersham and Mr. Edward C. Crow for the petitioner.

No. 818. The Journal of Commerce and Commercial Bulletin, appellant, *v.* Frank H. Hitchcock, Postmaster General, etc., et al. Motion to advance submitted by Mr. Robert C. Morris for the appellant.

No. 819. Lewis Publishing Company, appellant, *v.* Edward M. Morgan, postmaster, etc. Motion to advance submitted by Mr. James M. Beck for the appellant.

No. 768. The Mahoning Valley Railway Company, petitioner, *v.* Belinda O'Hara. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George F. Arrel for the petitioner, and by Mr. Charles Koonce, jr., for the respondent.

No. 718. Mary E. Hughes, appellant, *v.* The United States;

No. 719. The United States, appellant, *v.* Mary E. Hughes; and

No. 720. Mattie W. Jackson, widow, etc., et al., appellants, *v.* The United States. Motion to advance submitted by Mr. W. H. Conaway for Hughes and Jackson et al.

No. 496. Hannah L. Andrews, executrix, etc., appellant and petitioner, *v.* Harvey K. Partridge, trustee, etc. Motion to advance to be heard after Nos. 184 and 595 submitted by Mr. Samuel H. Richards for the appellant and petitioner.

No. 716. I. D. Block, et al., petitioners, *v.* The City of Meridian. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Harry Peyton, in behalf of Mr. G. Q. Hall and Mr. Joseph Hirsh for the petitioners, and by Mr. William H. Ambrecht for the respondent.

No. 813. American Fidelity Company, petitioner, *v.* S. H. Velie, doing business as Velie Motor Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Joseph S. Brooks and Mr. Louis C. Boyle for the petitioner, and by Mr. Henry D. Ashley for the respondent.

No. 2. Colorado & Northwestern Railroad Company, plaintiff in error, *v.* The United States. Submitted by Mr. E. E. Whitted for the plaintiff in error, and by Mr. Assistant to the Attorney General Fowler and Mr. Henry E. Colton for the defendant in error.

No. 519. Jacob Glos et al., plaintiffs in error, *v.* City of Chicago, in trust for the use of the schools et al. Motion to dismiss or affirm submitted by Mr. Angus Roy Shannon and Mr. George Gillette for the defendants in error, in support of the motion, and by the plaintiffs in error *pro sese*, in opposition thereto.

No. 734. The Kansas City Southern Railway Company, plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kansas; and

No. 735. The Kansas City Terminal Railway Company, plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kansas. Motions to dismiss or affirm or transfer cases to the summary docket submitted by Mr. L. W. Keplinger for the defendant in error, in support of the motion, and by Mr. S. W. Moore, Mr. Aldis B. Browne, and Mr. S. W. Sawyer for the plaintiffs in error, in opposition thereto.

Nos. 480 and 513. The United States of America et al., appellants, *v.* Atchison, Topeka & Santa Fe Railway Company et al.; and

Nos. 481 and 514. The United States of America et al., appellants, *v.* Union Pacific Railroad Company et al. Argument continued by Mr. Charles Donnelly for the appellees, by Mr. Joseph N. Teal for the Portland Chamber of Commerce et al., by Mr. J. B. Campbell for the city of Spokane, by Mr. P. J. Farrell for the Interstate Commerce Commission, by Mr. F. W. M. Cutcheon for the appellees, and by Mr. F. C. Dillard for the appellees.

Adjourned until to-morrow at 12 o'clock.

The call for Tuesday, October 22, will be as follows: Nos. 480 (and 513 and 481 and 514), 16, 17 (and 231), 18, 282, 621 (and 622), 590, 648, 642 (and 643), and 3.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 22, 1912.

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

Leo Grandin Grossman, of Seattle, Wash., and Everett L. Millard, of Chicago, Ill., were admitted to practice.

Nos. 480 and 513. The United States of America et al., appellants, *v.* Atchison, Topeka & Santa Fe Railway Company et al.; and

Nos. 481 and 514. The United States of America et al., appellants, *v.* Union Pacific Railroad Company et al. Leave granted to Mr. Alfred P. Thom to file a brief herein in behalf of certain interested parties. Argument concluded by Mr. Attorney General Wickersham for The United States.

No. 16. The Kansas City Southern Railway Company, plaintiff in error, *v.* J. M. Carl. Argued by Mr. Samuel W. Moore for the plaintiff in error. No counsel appeared for the defendant in error.

No. 17. Chicago, Burlington & Quincy Railway Company, plaintiff in error, *v.* H. Fred Miller. Reargued by Mr. Robert B. Scott for the plaintiff in error, and by Mr. H. M. Sullivan for the defendant in error.

No. 231. Chicago, St. Paul, Minneapolis & Omaha Railway Company, petitioner, *v.* Bud R. Latta. Reargument commenced by Mr. James B. Sheehan for the petitioner, and continued by Mr. H. C. Brome for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 23, will be as follows: Nos. 231, 18, 282, 621 (and 622), 590, 648, 642 (and 643), 3, 4, and 5.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 23, 1912.

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

Robert H. Simpson, of Baltimore, Md., was admitted to practice No. 4. M. Kahn & Brother, plaintiff in error, *v.* J. F. Bledsoe, trustee, etc. Passed for one week, on motion of Mr. Joseph W. Bailey, in behalf of counsel for plaintiff in error.

No. 5. Juan M. Ceballos and John M. Fiske *v.* Anderson C. Wilson. Passed, to be restored to the call pursuant to the provisions of section 9 of rule 26, on motion of Mr. Evans Browne, in behalf of counsel.

No. 231. Chicago, St. Paul, Minneapolis & Omaha Ry. Co., petitioner, *v.* Bud R. Latta. Reargument concluded by Mr. H. C. Brome for the respondent.

No. 18. Adams Express Company, plaintiff in error, *v.* E. H. Croninger. Reargument commenced by Mr. Lawrence Maxwell for the plaintiff in error, and concluded by Mr. John Randolph Schindel for the defendant in error.

No. 282. The United States, plaintiff in error, *v.* James A. Patten et al. One hour and a half allowed each side in the argument of this case, on motion of Mr. John C. Spooner for the defendants in error. Reargument commenced by Mr. Solicitor General Bullitt for the plaintiff in error, and continued by Mr. John C. Spooner for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 24, will be as follows: Nos. 282, 621 (and 622), 590, 648, 642 (and 643), 3, 6, 7, 8, and 11.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 24, 1912.

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

Milan Day Barnes, of New York City; William S. Ball, of New York City; and George S. Schofield, of New York City, were admitted to practice.

No. 6. Antonio Joaquin Luis Sanchez de Larragoiti et al., plaintiffs in error, *v.* Salvador Castello et al. In error to the District Court of the United States for Porto Rico.

Dismissed with costs, pursuant to the nineteenth rule.

No. 282. The United States, plaintiff in error, *v.* James A. Patten et al. Argument continued by Mr. George P. Merrick for the defendants in error and concluded by Mr. Solicitor General Bullitt for the plaintiff in error.

No. 621. The United States of America, etc., appellant, *v.* Union Stock Yards & Transit Company of Chicago et al.; and

No. 622. The Chicago Junction Railway Company, appellant, *v.* The United States of America, etc. Argument commenced by Mr. Assistant Attorney General Adkins for the United States, continued by Mr. Ralph M. Shaw for The Union Stock Yards & Trust Company of Chicago et al., and concluded by Mr. William E. Lamb for the United States.

No. 590. Four hundred and forty-three cans of Frozen Egg Products, etc., appellant and plaintiff in error, *v.* The United States of America. Argument commenced by Mr. Ralph S. Rounds for the appellant and plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 25, will be as follows: Nos. 590, 648, 642 (and 643), 3, 7, 8, 11, 13, 14, and 15.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 25, 1912.

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

Francis Emmet Neagle, of New York City, was admitted to practice.

No. 590. Four hundred and forty-three cans of frozen-egg product, appellant and plaintiff in error, *v.* The United States of America. Argument continued by Mr. Ralph S. Rounds for the appellant and plaintiff in error, by Mr. Assistant Attorney General Adkins for the appellee and defendant in error, and concluded by Mr. Ralph S. Rounds for the appellant and plaintiff in error.

No. 648. The United States of America et al., appellants, *v.* Baltimore & Ohio Southwestern R. R. Co. et al. Three counsel allowed to make oral argument herein for the appellees, on motion of Mr. R. Walton Moore for the appellees. Argument commenced by Mr. Assistant Attorney General Denison for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 28, will be as follows: Nos. 648, 642 (and 643), 3, 7, 8, 11, 13, 14, 15, and 21.



SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 28, 1912.

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

Edward H. Hart, of New York City; Charles N. Kimball, of Sistersville, W. Va.; and W. C. Lambert, of Omaha, Nebr., were admitted to practice.

No. 476. William E. Breese et al. *v.* The United States. On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit. First and sixth questions certified answered in the negative. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 396. Kansas City, Missouri, plaintiff in error, *v.* The State of Kansas ex rel. Joseph Taggart, county attorney, et al. In error to the Supreme Court of the State of Kansas. Per curiam: Dismissed for the want of jurisdiction. (*American Sugar Ref. Co. v. Louisiana*, 179 U. S., 89; *Williams v. Fears*, *ib.*, 270; *Billings v. Illinois*, 188 U. S., 97, 101; *Cook v. Marshall County*, 196 U. S., 261, 273-274; *Michigan C. R. Co. v. Powers*, 201 U. S., 245, 293; *Farrell v. O'Brien*, 199 U. S., 100; *Patterson v. Colorado ex rel. Attorney General*, 205 U. S., 254; *Waters-Pierce Oil Co. v. Texas*, 212 U. S., 112, 118.)

No. 519. Jacob Glos et al., plaintiffs in error, *v.* The City of Chicago, in trust for the use of the schools, et al. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for the want of jurisdiction. (*Minnesota Iron Co. v. Kline*, 199 U. S., 593; *Howard v. Kentucky*, 200 U. S., 164, 172; *Tracy v. Ginsberg*, 205 U. S., 170, 177-178; *King v. West Virginia*, 216 U. S., 92, 101; *Farrell v. O'Brien*, 199 U. S., 89, 100; *Goodrich v. Ferris*, 214 U. S., 71, 79.)

No. 496. Hannah L. Andrews, executrix, etc., appellant and petitioner, *v.* Harvey K. Partridge, trustee. Motion to advance for argument after cases Nos. 184 and 595 granted.

No. 818. The Journal of Commerce and Commercial Bulletin, appellant, *v.* Frank H. Hitchcock, Postmaster General, etc., et al.; and

No. 819. Lewis Publishing Co., appellant, *v.* Edward M. Morgan, postmaster, etc. Motions to advance granted, and cases assigned for argument on Monday, December 2d next.

No. 718. Mary E. Hughes, appellant, *v.* The United States;

No. 719. The United States, appellant, *v.* Mary E. Hughes; and

No. 720. Mattie W. Jackson, widow, etc., et al., appellants, *v.* The United States. Motion to advance denied.

No. 10 Original. *Ex parte*: In the matter of The United States of America, petitioner. Motion for leave to file petition for a writ of prohibition granted, and rule to show cause ordered returnable on Monday, December 2d next.

No. 716. I. D. Block et al., petitioners, *v.* The City of Meridian. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 768. The Mahoning Valley Railway Co., petitioner, *v.* Belinda O'Hara. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 813. American Fidelity Co., petitioner, *v.* S. H. Velie, doing business as Velie Motor Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 734. The Kansas City Southern Ry. Co., plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kans.; and

No. 735. The Kansas City Terminal Ry. Co., plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kans. Motions to dismiss or affirm or to transfer cases to the summary docket denied.

No. 687. John McNamara, appellant, *v.* William Henkel, United States Marshal, etc., et al. Motion to advance submitted by Mr. Solicitor General Bullitt in behalf of counsel.

No. — Original. *Ex parte*: In the matter of Walter Cook, petitioner. Motion for leave to file a petition for a writ of *habeas corpus* submitted by Mr. Milton Strasburger for the petitioner.

No. 814. The Republic Rubber Company, petitioner, *v.* Morgan & Wright. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Marshall A. Christy for the petitioner and by Mr. Antonio Knauth for the respondent.

No. 832. Monongahela River Consolidated Coal & Coke Company et al., petitioners, *v.* Mrs. Bessie Schinnerrer; and

No. 833. Monongahela River Consolidated Coal & Coke Company et al., petitioners, *v.* Mrs. Emma Hurst. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frank S. Masten for the petitioners and by Mr. F. Zimmerman for the respondents.

No. 754. Old Colony Trust Company, appellant, *v.* The City of Omaha. Motion to advance to be heard with No. 162 submitted by Mr. William B. McHugh for the appellant.

No. 825. Detroit Steel Cooperage Company, petitioner, *v.* Sistersville Brewing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Charles N. Kimball and Mr. George N. Hoffheimer for the petitioner.

No. 312. The National Telephone Manufacturing Company, plaintiff in error, *v.* The American Bell Telephone Company. Motion to dismiss submitted by Mr. Charles H. Swan and Mr. Robert M. Morse for the defendant in error, in support of the motion, and by Mr. L. T. Michener and Mr. Samuel W. Emery for the plaintiff in error, in opposition thereto.

No. 425. National Surety Company, plaintiff in error, *v.* The Architectural Decorating Company. Submitted pursuant to the twentieth rule by Mr. Jed L. Washburn for the plaintiff in error and by Mr. A. L. Agatin for the defendant in error.

No. 464. Purety Extract & Tonic Company et al., plaintiffs in error, *v.* C. C. Lynch. Submitted pursuant to the 20th rule by Mr. Marcellus Green and Mr. George B. Lancaster for the plaintiffs in error, and by Mr. Edward Mayes for the defendant in error.

No. 610. Home Telephone & Telegraph Company, appellant, *v.* City of Los Angeles et al. Submitted by Mr. James A. Gibson for the appellant, and by Mr. John W. Shenk for the appellees.

No. 648. The United States of America et al., appellants, *v.* Baltimore & Ohio Southwestern Railroad Company et al. Leave granted to file brief for the appellant, The Cincinnati & Columbus Traction Company, on motion of Mr. Assistant Attorney General Denison in behalf of counsel.

Argument continued by Mr. R. Walter Moore, Mr. Edward Barton, and Mr. Theodore W. Reath for the appellees, and concluded by Mr. C. W. Needham for the appellants.

No. 642. The City and County of Denver et al., petitioners, *v.* The New York Trust Company et al.; and

No. 643. The City and County of Denver et al., petitioners, *v.* The Denver Union Water Company et al. Three counsel allowed to argue for the respondents, and one hour additional time allowed each side for argument, on motion of Mr. Henry McAllister, jr., for the respondents. Argument commenced by Mr. W. H. Bryant for the petitioners and continued by Mr. Henry McAllister, jr., for the respondents in No. 642.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 29, will be as follows: Nos. 642 (and 643), 3, 7, 8, 11, 13, 14, 15, 21, and 22.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 29, 1912.

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

Lovick P. Miles, of Memphis, Tenn.; Levi S. Chapman, of Syracuse, N. Y.; and Henri W. Shields, of Washington, D. C., were admitted to practice.

No. 835. Steamtug Transfer No. 19, her engines, etc., New York New Haven & Hartford R. R. Co., petitioner, *v.* River & Harbor Transportation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. Edward D. Robbins for the petitioner and by Mr. Charles C. Burlingham for the respondent.

No. 22. Selover, Bates & Co., plaintiff in error, *v.* Ella R. Walsh. Submitted by Mr. Arthur W. Selover for the plaintiff in error and by Mr. A. B. Choate and Mr. George W. Buffington for the defendant in error.

No. 642. The City and County of Denver et al., petitioners, *v.* The New York Trust Company et al.; and

No. 643. The City and County of Denver et al., petitioners, *v.* The Denver Union Water Company et al. Argument continued by Mr. Henry McAllister, jr., for the respondents in No. 642 and continued by Mr. Clayton C. Dorsey and Mr. Gerald Hughes for the respondents in No. 643, and concluded by Mr. Charles W. Waterman for the petitioner.

No. 3. John E. Hampton et al., as railroad commissioners of the State of Arkansas, appellants, *v.* St. Louis, Iron Mountain & Southern Railway Company. Argument commenced by Mr. Lovick P. Miles for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 30, will be as follows: Nos. 3, 7, 8, 11, 13, 14, 15, 21, 23, and 24.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 30, 1912.

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

No. 15. James P. McGovern, plaintiff in error, *v.* The City of New York. Passed, to be restored to the call under the provisions of section 9 of rule 26, on motion of Mr. E. A. Alexander for the plaintiff in error.

No. 3. John E. Hampton et al., as railroad commissioners of the State of Arkansas, appellants, *v.* The St. Louis, Iron Mountain & Southern Railway Company. Argument concluded by Mr. Lovick P. Miles for the appellee, and cause submitted by Mr. Hal L. Norwood and Mr. Maurice M. Cohn for the appellants.

No. 7. James W. Beach, appellant, *v.* The United States. Argued by Mr. James W. Beach pro se, and submitted by Mr. Assistant Attorney General Thompson for the appellee.

No. 8. Societe Anonyme des Sucreries de St. Jean, plaintiff in error, *v.* The United States. Argued by Mr. Colley W. Bell for the plaintiff in error and by Mr. Assistant Attorney General Denison for the defendant in error.

No. 11. Augusto Burnet, appellant, *v.* Josefa and Isabel Desmornes y Alvarez. Submitted by Mr. Willis Sweet for the appellant. No appearance for the appellees.

No. 13. Mgr. Jeremiah J. Harty, appellant and plaintiff in error, *v.* The Municipality of Victoria. Argued by Mr. Frederic R. Coudert for the appellant and plaintiff in error and by Mr. Felix Frankfurter for the appellee and defendant in error.

No. 21. Samuel Loeb, plaintiff in error, *v.* The State of Georgia. In error to the Court of Appeals of the State of Georgia. Dismissed with costs, pursuant to the sixteenth rule, on motion of Mr. Thomas S. Felder for the defendant in error.

No. 23. Frank H. Jones, trustee, etc., appellant, *v.* Charles Springer. Argument commenced by Mr. Elmer E. Studley for the appellant.

Adjourned until to-morrow at 12 o'clock.

The call for Thursday, October 31, will be as follows: Nos. 23, 14, 24, 25, 27, 28, 29, 30, 31 (and 32), and 4.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 31, 1912.

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

Mr. Assistant to the Attorney General Fowler addressed the court as follows:

“May it please the Honorable Court:

“I deeply regret the necessity of performing the sorrowful duty of announcing to this honorable court the death of the Hon. James Schoolcraft Sherman, Vice President of the United States.

“Through many years of active and valuable public service, Mr. Sherman had attained, independent of the office which he occupied, an enviable position in the hearts of his countrymen. Four years ago he was chosen by the people of his country to the position which he held at the time of his death.

“Out of respect deemed to be due so exalted a position in a coordinate branch of the Government, and that this honorable body may join with a bereaved Nation in expressing its sorrow at his untimely death, I move that this court do now adjourn until after the funeral.”

The Chief Justice responded:

“Mr. Attorney General:

“The court hears with sorrow the announcement which you make of the death of the Vice President, and as a token of our participation in the burden of loss which the country has suffered, and out of sympathy with his countrymen, the motion you present is granted and the court will stand adjourned until Monday next.”

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 4, will be as follows: Nos. 23, 14, 24, 25, 27, 28, 29, 30, 31 (and 32), and 4.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 4, 1912.

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

Henry H. Ficken, of Charleston, S. C.; John W. Bishop, of Nashville, Ark.; and Michael O. Rini, of New York City, were admitted to practice.

The Chief Justice announced the following orders of the court:

No. 8. *Societe Anonyme des Sucreries de St. Jean*, plaintiff in error, *v. The United States*. In error to the District Court of the United States for Porto Rico. Per curiam: Judgment affirmed. *Gonzales v. Buist* (224 U. S., 126, 130); *Humes v. United States* (170 U. S., 210, 212); *Schlemmer v. Buffalo R. R. Co.* (205 U. S., 1, 10); *Improvement Co. v. Munson* (14 Wall., 442, 448).

No. 687. *John McNamara*, appellant, *v. William Henkel*, United States marshal, etc., et al. Motion to advance granted and cause ordered placed on the summary docket.

No. 754. *Old Colony Trust Co.*, appellant, *v. The City of Omaha*. Motion to advance for hearing in connection with case No. 162 granted.

No. —, Original. Ex parte In the matter of *Walter Cook*, petitioner. Motion for leave to file petition for a writ of habeas corpus and for a rule to show cause denied.

No. 825. *Detroit Steel Cooperage Co.*, petitioner, *v. Sistersville Brewing Co. et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 814. *The Republic Rubber Co.*, petitioner, *v. Morgan & Wright*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 832. *The Monongahela River Consolidated Coal & Coke Company et al.*, petitioners, *v. Mrs. Bessie Schinnerrer*; and

No. 833. *Monongahela River Consolidated Coal & Coke Co. et al.*, petitioners, *v. Mrs. Emma Hurst*. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 835. *New York, New Haven & Hartford R. R. Co.*, Owner, etc., petitioner, *v. River & Harbor Transportation Co.* Petition for a

writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

Order: It is now here ordered by the court that the rules of practice for the courts of equity of the United States this day adopted and established by the court be, and the same are hereby, promulgated as such, to be in force on and after February 1, 1913.

The Chief Justice said:

“The court, in announcing the adoption of the new rules, expresses its appreciation of the interest in the subject manifested generally by the judges of the courts of the United States, and especially by the judges of the circuit courts of appeals, in appointing bar committees from their respective circuits to consider and make recommendations upon the subject. The result of the intelligent and careful labors of such committees embodied in the reports which they made, as well as the interest shown by the entire bar and the many individual suggestions which came to the court, greatly facilitated the performance of the duty of framing the new rules.

“The court also desires to record its appreciation of the courtesy shown by the Lord Chancellor of England in replying in writing to certain questions concerning the practical operation of the English chancery rules submitted to him by Mr. Justice Lurton while he was in England for the purpose of observing such operation.”

No. 658. Warren B. Wheeler, plaintiff in error, *v.* The United States;

No. 659. Stillman Shaw, plaintiff in error, *v.* The United States;

No. 660. Warren B. Wheeler, appellant, *v.* Guy Murchie, United States marshal, etc.; and

No. 661. Stillman Shaw, appellant, *v.* Guy Murchie, United States marshal, etc. Motion to affirm submitted by Mr. Assistant Attorney General Harr and Mr. Solicitor General Bullitt for the defendants in error and appellees in support of the motion, and by Mr. Nathan Matthews in opposition thereto.

No. 822. John L. Hart, administrator, etc., petitioner, *v.* The Northern Pacific Railway Co. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. R. Webster in behalf of Mr. Francis B. Hart for the petitioner.

No. 511. E. B. Deming et al., plaintiffs in error, *v.* Carlisle Packing Company. Motion to dismiss or affirm and for damages submitted by Mr. Evans Browne in behalf of Mr. Charles W. Dorr and Mr. A. B. Browne for the defendant in error in support of the motion, and by Mr. James A. Kerr for the plaintiffs in error in opposition thereto.

No. 242. The Michigan Central Railroad Co., plaintiff in error, *v.* Daniel B. Vreeland, administrator, etc. Motion to dismiss or affirm submitted by Mr. Joseph E. Sullivan in behalf of Mr. John B. Daish for the defendant in error in support of the motion, and by Mr. Frank E. Robson for the plaintiff in error in opposition thereto.

No. 30. William G. Hannum, appellant, *v.* The United States. Passed per stipulation, on account of sickness of counsel, to be restored to the call under the provisions of section, 9 of rule 26 on motion of Mr. Archibald King in behalf of counsel for the appellant.

No. 576. P. L. Rogers, plaintiff in error, *v.* The State of Arkansas; and

No. 577. L. P. Barnhill, plaintiff in error, *v.* The State of Arkansas. Motion to advance submitted by Mr. H. R. Gower in behalf of counsel.

No. 572. The First National Bank of Princeton, Ill., et al., appellants, *v.* Charles E. Littlefield, trustee, etc., et al. Submitted pursuant to the twentieth rule by Mr. Thorndike Saunders for the appellants and by Mr. Daniel P. Hayes for the appellees.

No. 547. The Atchison, Topeka & Santa Fe Railway Co. et al., plaintiffs in error, *v.* Valentina Chaves de Padilla. In error to the Supreme Court of the Territory of New Mexico. Dismissed with costs, per stipulation, and cause remanded to the Supreme Court of the State of New Mexico.

No. 27. The Mayor and Aldermen of the City of Vicksburg, appellant, *v.* The Vicksburg Water Works Co. Continued per stipulation.

No. 4. M. Kahn & Brother, plaintiff in error, *v.* J. F. Bledsoe, trustee, etc. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, pursuant to the sixteenth rule, on motion of Mr. Evans Browne in behalf of counsel for the defendant in error.

No. 23. Frank H. Jones, trustee, etc., appellant, *v.* Charles Springer. Argument continued by Mr. Elmer E. Studley for the appellant, by Mr. Ernest Knaebel for the appellee, and concluded by Mr. J. E. McLeish for the appellant.

No. 14. Pennsylvania Railroad Co., plaintiff in error, *v.* International Coal Mining Company. Reargument commenced by Mr. Francis I. Gowen for the plaintiff in error, continued by Mr. William A. Glasgow, jr., for the defendant in error, and concluded by Mr. Francis I. Gowen for the plaintiff in error.

No. 24. John F. Hanson, plaintiff in error, *v.* Emil Gustafson. Submitted by the parties pro sese.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 5, will be as follows: Nos. 25, 28, 29, 31 (and 32), 33, 34, 35 (and 36), 37, 38, and 39.

SUPREME COURT OF THE UNITED STATES.

Tuesday, ~~WEDNESDAY~~, NOVEMBER 5, 1912.

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

Robert L. Edminston, of Spokane, Wash., Thomas Gilmore, of New Orleans, La., Edward Nicholls Pugh, of Donaldsonville, La., and William Snowden, jr., of Baltimore, Md., were admitted to practice.

No. 35. Samuel M. Plumley, appellant, *v.* The United States; and
 No. 36. The United States, appellant, *v.* Samuel M. Plumley.
 Passed, per stipulation, on account of sickness of counsel, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Archibald King, in behalf of counsel for Plumley.

No. 34. Supreme Ruling of the Fraternal Mystic Circle, plaintiff in error, *v.* Annie Snyder. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Jesse C. Adkins, in behalf of counsel.

No. 39. Charles Maibaum, appellant, *v.* The United States. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Solicitor General Bullitt for The United States.

No. 25. The Chicago, Rock Island & Pacific Ry. Co., plaintiff in error, *v.* The Hardwick Farmers' Elevator Company. Argued by Mr. M. V. Seymour for the plaintiff in error, and by Mr. C. H. Christopherson for the defendant in error.

No. 28. Benjamin Rosenthal, plaintiff in error, *v.* The People of the State of New York. Argued by Mr. Percival D. Oviatt for the plaintiff in error, and submitted by Mr. Freeman F. Zimmerman for the defendant in error.

No. 29. Wells, Fargo & Company et al., plaintiffs in error, *v.* Neiman-Marcus Company. Argued by Mr. Charles W. Pierson for the plaintiffs in error, and submitted by Mr. Rhodes S. Baker for the defendant in error.

No. 31. Ormond G. Smith et al., as Street & Smith, appellants, *v.* Frank H. Hitchcock, Postmaster General; and

No. 32. Frank Tousey, Publisher, a corporation, appellant, *v.* Frank H. Hitchcock, Postmaster General. Argument commenced by Mr. J. J. Darlington for the appellants, and continued by Mr. Solicitor General Bullitt for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 6, will be as follows: Nos. 31 (and 32), 33, 37, 38, 40, 41, 42, 43, 44, and 45.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 6, 1912.

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

William Martin Williams, of Montgomery, Ala., was admitted to practice.

No. 43. Luciano Chavez et al., appellants, *v.* Eloisa Luna de Ber-gere et al. Passed per stipulation, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Charles F. Consaul, in behalf of counsel.

No. 31. Ormond G. Smith et al., as Street & Smith, appellants, *v.* Frank H. Hitchcock, Postmaster General; and

No. 32. Frank Tousey, publisher, a corporation, appellant, *v.* Frank H. Hitchcock, Postmaster General. Argument continued by Mr. Solicitor General Bullitt, for the appellee, and concluded by Mr. H. H. Glassie, for the appellant.

No. 33. Sarah K. McLean, widow, etc., appellant, *v.* The United States. Argued by Mr. Archibald King for the appellant, and by Mr. William W. Scott for the appellee.

No. 38. F. S. Bradley, trading as F. S. Bradley & Co., plaintiff in error, *v.* The City of Richmond. Submitted by Mr. I. Henry Harris for the plaintiff in error, and by Mr. H. R. Pollard for the defendant in error.

No. 40. Louisiana Navigation Co. (Ltd.), plaintiff in error, *v.* The Oyster Commission of Louisiana et al. Argued by Mr. Thomas Gilmore and Mr. E. N. Pugh for plaintiff in error. The court declined to hear counsel for the defendants in error.

No. 41. Brooke P. Taylor et al., appellants, *v.* Columbian Uni-versity, etc., et al. Argument commenced by Mr. Henry E. Davis for the appellants. The court declined to hear counsel for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 7, will be as follows: Nos. 37, 42, 44, 45, 46, 47, 48, 49, and 50.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 7, 1912.

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

Francis N. Whitney, of New York City; James Kelly Dixon, of Talladega, Ala.; and David F. Simpson, of Minneapolis, Minn., were admitted to practice.

No. 37. The Chicago & Erie R. R. Co., plaintiff in error, *v.* Joseph A. Ebersole. Argued by Mr. D. C. Harrington for the plaintiff in error. No appearance for the defendant in error.

No. 42. Concepcion Veve y Diaz et al., plaintiffs in error, *v.* Jose Avalo Sanchez. Argument commenced by Mr. Charles Hartzell, for the plaintiffs in error, continued by Mr. J. R. F. Savage, for the defendant in error, and concluded by Mr. Charles Hartzell, for the plaintiffs in error.

No. 44. D. G. Williams, plaintiff in error, *v.* The City of Talladega. Argument commenced by Mr. Rush Taggart, for the plaintiff in error, and continued by Mr. J. K. Dixon, for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 8, will be as follows: Nos. 44, 45, 15, 46, 47, 48, 49, 50, 51, and 52.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 8, 1912.

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

Lamar Hill, of Atlanta, Ga.; William Herbert King, of New York City; and George H. De Reef, of Washington, D. C., were admitted to practice.

No. 44. D. G. Williams, plaintiff in error, *v.* The City of Talladega. Argument continued by Mr. J. K. Dixon for the defendant in error and concluded by Mr. William M. Williams for the plaintiff in error.

No. 45. Jessie E. Thompson, appellant, *v.* Charles M. Thompson. Argument commenced by Mr. William M. Lewin for the appellant, continued by Mr. Joseph W. Cox for the appellee, and concluded by Mr. William M. Lewin for the appellant.

No. 15. James P. McGovern, plaintiff in error, *v.* The City of New York. Argued by Mr. E. A. Alexander for the plaintiff in error and submitted by Mr. Louis C. White for the defendant in error.

No. 46. Union Trust Company of St. Louis, executor, etc., plaintiff in error, *v.* Ben Westhus et al. Argument commenced by Mr. H. T. Newcomb for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 11, will be as follows: Nos. 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 11, 1912.

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

John Griffin, of Jersey City, N. J.; Frederick Tupper Saussy, of Savannah, Ga.; Albert C. Wall, of Jersey City, N. J.; Earle P. Carman, of Pittsburgh, Pa.; Joseph D. Imhoff, of Pittsburgh, Pa.; Wallace Townsend, of Little Rock, Ark.; Andrew J. Shipman, of New York City; Edmund L. Mooney, of New York City; Wm. H. Miller, of Columbus, Ohio; Robert B. Tunstall, of Norfolk, Va.; Thomas R. Woodrow, of Denver, Colo.; Herbert Fitzpatrick, of Huntington, W. Va.; and Edwin Terwilliger, jr., of Chicago, Ill., were admitted to practice.

No. 13. *Mgr. Jeremiah J. Harty*, appellant and plaintiff in error, *v. The Municipality of Victoria*. Appeal from and in error to the Supreme Court of the Philippine Islands. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 648. *The United States of America et al.*, appellants, *v. The Baltimore & Ohio S. W. R. R. Co. et al.* Appeal from the United States Commerce Court. Decree affirmed. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 24. *John F. Hanson*, plaintiff in error, *v. Emil Gustafson*. In error to the Supreme Court of the State of Kansas. Per curiam: Dismissed for the want of jurisdiction. *First National Bank v. Estherville* (215 U. S., 341, 346); *Kimball v. Kimball* (174 U. S., 158, 161-163, and cases cited).

No. 312. *The National Telephone Mfg. Co.*, plaintiff in error, *v. The American Bell Telephone Company*. In error to the Circuit Court of the United States for the District of Massachusetts. Per curiam: Dismissed for the want of jurisdiction. *Carey v. Houston & T. C. R. Co.* (150 U. S., 170, 181); *American Sugar Refining Co. v.*

United States (211 U. S., 155, 161-162, and cases cited). Cause remanded to the District Court of the United States for the District of Massachusetts.

No. 37. The Chicago & Erie R. R. Co., plaintiff in error, *v.* Joseph A. Ebersole. In error to the Supreme Court of the State of Indiana. Per curiam: Dismissed for the want of jurisdiction on the authority of *California Powder Works v. Davis* (151 U. S., 389, 393); *Missouri Pacific Ry. v. Fitzgerald* (160 U. S., 556, 576); *Chappell Chemical & Fertilizer Co. v. Sulphur Mines Co.* (172 U. S., 471).

No. 576. P. L. Rogers, plaintiff in error, *v.* The State of Arkansas; and

No. 577. L. P. Barnhill, plaintiff in error, *v.* The State of Arkansas. Motion to advance for hearing in connection with cases Nos. 127 and 128 granted.

No. 242. The Michigan Central R. R. Co., plaintiff in error, *v.* Daniel B. Vreeland, administrator, etc.;

No. 658. Warren B. Wheeler, plaintiff in error, *v.* The United States;

No. 659. Stillman Shaw, plaintiff in error, *v.* The United States;

No. 660. Warren B. Wheeler, appellant, *v.* Guy Murchie, United States marshal, etc.; and

No. 661. Stillman Shaw, appellant, *v.* Guy Murchie, United States marshal, etc. Ordered that these cases be placed on the summary docket.

No. 822. John L. Hart, administrator, etc., petitioner, *v.* The Northern Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

Order: It is ordered that the cases which have been transferred to the summary docket be assigned for hearing on Monday, December 2 next, after the cases heretofore assigned for that day.

The Chief Justice also announced that the court will take a recess from Monday, the 18th instant, to Monday, December 2 next.

No. 830. John W. Patterson, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Matthew E. O'Brien for the petitioner, and by Mr. Assistant Attorney General Harr for the respondent.

No. 812. The Post Printing & Publishing Company et al., plaintiffs in error, *v.* John F. Shafroth, as governor, etc., et al. Motion to

dismiss or affirm submitted by Mr. Watson E. Coleman, in behalf of Mr. Benjamin Griffith, Mr. Henry J. Hersey, Mr. F. A. Williams, and Mr. Horace N. Hawkins, for the defendants in error in support of the motion, and by Mr. Booth M. Malone for the plaintiffs in error in opposition thereto.

No. —. M. M. Bright, administrator of Robert Larek, deceased, *v.* The Chesapeake & Ohio Ry. Co. Petition for writ of error submitted by Mr. Herbert Fitzpatrick for the defendant.

No. 697. The United States of America, plaintiff in error, *v.* Pacific & Arctic Railway & Navigation Company et al. Motion to dismiss submitted by Mr. Harvey M. Friend, in behalf of Mr. Morven Thompson, Mr. Carroll B. Graves, Mr. Lewis P. Shackelford, Mr. W. B. Stratton, and Mr. Ira Bronson, for the defendants in error in support of the motion, and by Mr. Solicitor General Bullitt and Mr. Assistant Attorney General Adkins for the plaintiff in error in opposition thereto.

No. 47. Northern Pacific Railway Company et al., appellants, *v.* Joseph H. Boyd. Leave granted to Mr. Samuel W. Moore to file brief herein as *amicus curiae*.

No. 741. Continental & Commercial Trust & Savings Bank, appellant, *v.* Chicago Title & Trust Company, trustee, etc. Motion to affirm submitted by Mr. Edwin Terwilliger, jr., for the appellee in support of the motion, and by Mr. Horace Kent Tenney and Mr. Roger Sherman for the appellant in opposition thereto.

No. 842. John A. Johnson, appellant, *v.* Luman T. Hoy, United States marshal, etc. Motion to admit appellant to bail submitted by Mr. Benjamin C. Bachrach for the appellant in support of the motion, with leave to the Solicitor General to file a brief in opposition on or before Wednesday next.

No. 463. Peter J. O'Reilly, plaintiff in error, *v.* Dora F. Noxon, as administrator, etc. Motion to advance submitted by Mr. Henry B. O'Reilly for the plaintiff in error.

No. 473. Clara A. Wheeler et al., appellants, *v.* The City and County of Denver et al. Motion to advance under the thirty-second rule submitted by Mr. A. B. Browne in behalf of Mr. Edwin H. Park for the appellants, and by Mr. W. H. Bryant for the appellees.

No. 138. Emma R. McCabe, administratrix, etc., plaintiff in error, *v.* The Maysville & Big Sandy Railroad Company et al. Motion to dismiss submitted by Mr. E. L. Worthington for the defendants in error in support of the motion, and by Mr. Allan D. Cole for the plaintiff in error in opposition thereto.

No. 236. Eliza B. Clinger, administratrix, etc., plaintiff in error, *v.* The Chesapeake & Ohio Railway Company of Kentucky et al. Motion to dismiss submitted by Mr. E. L. Worthington for the defend-

ants in error in support of the motion, and by Mr. Allan D. Cole for the plaintiff in error in opposition thereto.

No. 638. William H. Wadkins, natural tutor, etc., plaintiff in error, *v.* Producers Oil Company et al. Motion to dismiss or affirm submitted by Mr. Amos L. Beaty for the defendants in error in support of the motion, and by Mr. W. P. Hall for the plaintiff in error in opposition thereto.

No. 125. The Minneapolis & St. Louis Railroad Company, plaintiff in error, *v.* Clarence C. Gray. In error to the Supreme Court of the State of Minnesota. Dismissed with costs on authority of counsel for the plaintiff in error.

No. 46. Union Trust Company of St. Louis, executor, etc., plaintiff in error, *v.* Ben Westhus et al. Argument continued by Mr. H. T. Newcomb for the plaintiff in error, by Mr. Assistant Attorney General Harr for the defendants in error, and concluded by Mr. H. T. Newcomb for the plaintiff in error.

No. 47. Northern Pacific Railway Company et al., appellants, *v.* Joseph H. Boyd. Three hours allowed each side for the argument of this case on motion of Mr. Charles Donnelly for the appellants. Argument commenced by Mr. Charles Donnelly for the appellants and continued by Mr. George Turner for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 12, will be as follows: Nos. 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56.

O

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 12, 1912.

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

Samuel Adams, of Chicago, Ill.; W. F. Staley, of Washington, D. C.; Fred Lees, of Washington, D. C.; and Herbert T. Park, of Minneapolis, Minn., were admitted to practice.

No. 47. Northern Pacific Railway Company et al., appellants, *v.* Joseph H. Boyd. Argument continued by Mr. George Turner and Mr. R. L. Edmiston for the appellee, and concluded by Mr. Francis Lynde Stetson for the appellants.

No. 48. J. E. Eubank, plaintiff in error, *v.* The City of Richmond. Argument commenced by Mr. S. S. P. Patteson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 13, will be as follows: Nos. 48, 49, 50, 51, 52, 53, 54, 55, 56, and 57.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 13, 1912.

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

Sophie B. Kent, of Washington, D. C.; Laura B. Cooper, of Washington, D. C.; Charles W. Moores, of Indianapolis, Ind.; Alfred Roy Hulbert, of Chicago, Ill.; Francis E. Wood, of Albuquerque, N. Mex.; Harold Hirsch, of Atlanta, Ga.; and Leander G. Pope, of St. Louis, Mo., were admitted to practice.

No. 629. *W. Schneider Wholesale Wine & Liquor Co., appellant, v. August Diederich.* Motion to advance submitted by Mr. James Love Hopkins for the appellant.

No. 57. *Yazoo & Mississippi Valley R. R. Co., plaintiff in error, v. Jackson Vinegar Company.* Submitted by Mr. Edward Mayes and Mr. Charles N. Burch for the plaintiff in error, and by Mr. William H. Watkins for the defendant in error.

No. 747. *A. W. Morse, plaintiff in error, v. The Baltimore & Ohio Southwestern Railway Company.* In error to the District Court of the United States for the Northern District of Texas. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 48. *J. E. Eubank, plaintiff in error, v. The City of Richmond.* Argument continued by Mr. H. R. Pollard for the defendant in error, and concluded by Mr. S. S. P. Patteson for the plaintiff in error.

No. 49. *Toyota, plaintiff in error, v. The Territory of Hawaii.* Submitted by Mr. D. W. Burchard and Mr. A. L. C. Atkinson for the plaintiff in error, and by Mr. Charles R. Hemmingway for the defendant in error.

No. 50. *The New York Central & Hudson River Railroad Company, plaintiff in error, v. The Board of Chosen Freeholders of the County of Hudson.* Argument commenced by Mr. Albert C. Wall for the plaintiff in error, continued by Mr. E. Parmalee Prentice for the

defendant in error, and concluded by Mr. Frank Bergen for the plaintiff in error.

No. 51. Central Lumber Company, plaintiff in error, *v.* State of South Dakota. Argument commenced by Mr. David F. Simpson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 14, will be as follows: Nos. 51, 52, 53, 54, 55, 56, 58, 59, 60, and 61.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 14, 1912.

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

Thomas L. Hartigan, of Manila, P. I.; Morris Kompel, of Chicago, Ill.; Branch P. Kerfoot, of New York City; and Samuel W. Stewart, of Salt Lake City, Utah, were admitted to practice.

No. 670. William McCoach, collector of internal revenue, petitioner, *v.* Minehill & Schuylkill Haven R. R. Co. Motion to advance submitted by Mr. Solicitor General Bullitt for the petitioner.

No. 51. Central Lumber Company, plaintiff in error, *v.* State of South Dakota. Argument continued by Mr. David F. Simpson for the plaintiff in error. The court declined to hear further argument.

No. 52. The Missouri Pacific Railway Company, plaintiff in error, *v.* J. W. Tucker. Submitted by Mr. Balie P. Waggener for the plaintiff in error and by Mr. John S. Dawson for the defendant in error.

No. 53. Urzulia Zakonaite, appellant, *v.* Casper J. Wolf, jailor, etc. Argued by Mr. L. G. Pope for the appellant and by Mr. Assistant Attorney General Harr for the appellee.

No. 54. Yazoo & Mississippi Valley Railroad Company, plaintiff in error, *v.* Greenwood Grocery Company. Argument commenced by Mr. Charles N. Burch for the plaintiff in error, continued by Mr. Harry Peyton for the defendant in error, and concluded by Mr. Edward Mayes for the plaintiff in error.

No. 55. The Southwestern Brewery & Ice Company et al., plaintiffs in error, *v.* Joseph Schmidt. Argument commenced by Mr. Francis E. Wood for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 15, will be as follows: Nos. 55, 56, 58, 59, 60, 61, 62, 63, 64, and 65.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 15, 1912.

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

John R. Halsey, of New York City; and Lawson Purdy, of New York City, were admitted to practice.

No. 831. Walter B. Grant et al., appellants and plaintiffs in error, *v.* The United States. Motion to advance submitted by Mr. Assistant Attorney General Harr for the United States.

No. 63. Annie Lapina, petitioner, *v.* William Williams, commissioner of immigration. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Assistant Attorney General Harr for the respondent.

No. 780. G. L. Crenshaw, appellant, *v.* Carroll Allen, as trustee in bankruptcy of the estate of Fred Dorr, bankrupt. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed, each party paying their own costs, per stipulation.

No. 55. The Southwestern Brewery & Ice Company et al., plaintiffs in error, *v.* Joseph Schmidt. Argument concluded by Mr. Francis E. Wood for the plaintiffs in error, and cause submitted by Mr. Neill B. Field for the defendant in error.

No. 56. Frederick C. Robertson, appellant, *v.* Hugh H. Gordon et al. Argued by Mr. George H. Lamar for the appellant, and by Mr. Henry E. Davis for the appellee.

Adjourned until Monday next at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 18, 1912.

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

Cornelius W. Wickersham, of New York City; Charles T. Wortham, of Napoleonville, La.; Charles Barker Fernald, of New York City; Frank Prentiss Deering, of San Francisco, Cal.; John T. Mulligan, of Spokane, Wash.; George Amory Maddox, of Washington, D. C.; and Charles E. Breckons, of Washington, D. C., were admitted to practice.

No. 31. Ormond G. Smith et al., as Street & Smith, appellants, *v.* Frank H. Hitchcock, Postmaster General. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 32. Frank Tousey, publisher, a corporation, appellant, *v.* Frank H. Hitchcock, Postmaster General. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 554. Standard Sanitary Mfg. Co. et al., appellants, *v.* The United States of America. Appeal from the District Court of the United States for the District of Maryland. Decree affirmed. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 463. Peter J. O'Reilly, plaintiff in error, *v.* Dora F. Noxon, as administratrix, etc. Motion to advance denied.

No. 473. Clara A. Wheeler et al., appellants, *v.* The City and County of Denver et al. Motion to advance for oral argument denied, but the case will be taken on printed briefs if the parties are so advised.

No. 629. W. Schneider Wholesale Wine & Liquor Company, appellant, *v.* August Diedrich. Motion to advance for oral argument

denied, but the case will be taken on printed briefs if the parties are so advised.

No. 670. William McCoach, collector of internal revenue, petitioner, *v. Minehill & Schuylkill Haven Railroad Company*. Motion to advance granted, and cause assigned for argument on Monday, January 6th, 1913, after the cases heretofore assigned for that day.

No. 831. Walter B. Grant et al., appellants and plaintiffs in error, *v. The United States*. Motion to advance granted, and case transferred to the summary docket.

No. 638. William H. Wadkins, Natural Tutor, etc., plaintiff in error, *v. The Producers Oil Company et al.* Ordered that this case be placed on the summary docket.

No. 830. John W. Patterson, petitioner, *v. The United States*. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 138. Emma R. McCabe, administratrix of Peter McCabe, deceased, plaintiff in error, *v. The Maysville & Big Sandy Railroad Company et al.* In error to the Court of Appeals of the State of Kentucky. *Per curiam*: Dismissed for want of jurisdiction on the authority of *Chesapeake & Ohio Railway Company v. McCabe* (213 U. S., 207).

No. 741. Continental & Commercial Trust & Savings Bank, appellant, *v. Chicago Title & Trust Company, trustee, etc.* Ordered that this case be placed on the summary docket.

No. 236. Eliza B. Clinger, administratrix, etc., plaintiff in error, *v. Chesapeake & Ohio Railway Company of Kentucky et al.* In error to the Court of Appeals of the State of Kentucky. *Per curiam*: Dismissed for the want of jurisdiction on the authority of *Chesapeake & Ohio Railway Company v. McCabe* (213 U. S., 207).

No. 697. The United States of America, plaintiff in error, *v. Pacific & Arctic Railway & Navigation Company et al.* Motion to dismiss denied.

No. 812. The Post Printing & Publishing Company et al., plaintiffs in error, *v. John F. Shafroth, as governor, etc., et al.* In error to the Supreme Court of the State of Colorado. *Per curiam*: Dismissed for the want of jurisdiction on the authority of *Chappell Chemical Co. v. Sulphur Mines Co.* (172 U. S., 465, 471).

No. ——. M. M. Bright, administrator of Robert Larek, deceased, *v. The Chesapeake & Ohio Railway Company*. *Per curiam*: The writ of error applied for in this case is denied. *Wilkinson v. Nebraska ex rel. Cleveland Society for Savings* (123 U. S., 286). *In re Pennsylvania Company* (137 U. S., 451, 454).

No. 374. Chan Kam, appellant, *v.* Luther C. Steward and H. Edsell; and

No. 375. Yuk Ping, alias Lee So Mui, appellant, *v.* Luther C. Steward and H. Edsell. Motion to affirm submitted by Mr. Attorney General Wickersham, Mr. Solicitor General Bullitt, and Mr. Assistant Attorney General Harr for the appellees in support of the motion.

No. 842. John A. Johnson, appellant, *v.* Luman T. Hoy, United States marshal, etc. Motion to advance submitted by Mr. Attorney General Wickersham, in behalf of Mr. Benjamin C. Bachrach, for the appellant.

No. 723. The National Discount Company, appellant, *v.* John S. Sheppard, jr., trustee, etc., et al. Motion to advance submitted by Mr. Frederic D. McKenney in behalf of counsel for the appellees.

No. 85. Louis E. Smoot, appellant, *v.* Julia Turner Heyl et al. Motion to dismiss submitted by Mr. H. Prescott Gatley, Mr. Samuel Maddox, and Mr. Barry Mohun for the appellees in support of the motion, and by Mr. William G. Johnson for the appellant in opposition thereto.

No. 280. The Guardian Assurance Company of London (Limited), plaintiff in error, *v.* Domingo Quintana. Motion to dismiss or affirm submitted by Mr. Clement L. Bouvé and Mr. H. H. Scoville for the defendant in error in support of the motion, and by Mr. Frederic D. McKenney, Mr. John Spalding Flannery, and Mr. William Hitz for the plaintiff in error in opposition thereto.

No. 809. E. A. Blount et al., petitioners, *v.* George E. Downs et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. C. McReynolds and Mr. George C. Greer for the petitioners, and by Mr. Maxwell Evarts and Mr. H. M. Garwood for the respondents.

No. 504. Etta L. Sanford et al., appellants, *v.* Santiago Ainsa, administrator, etc. Motion to affirm submitted by Mrs. Sarah H. Sorin for the appellee in support of the motion, and by Mr. William C. Prentiss and Mr. Fred McKee for the appellants in opposition thereto.

The Chief Justice also announced the following order :

Ordered that the cases this day transferred to the summary docket be, and they are hereby, assigned for argument on Monday, January 6, 1913, after the cases heretofore assigned for that day.

Adjourned until Monday, December 2, at 12 o'clock.

The day call for Monday, December 2, will be as follows: Nos. 818, 819, 517, 609, 252, 295, 575, 541, 551, 242, and 658 (and 659, 660, and 661).



SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 2, 1912.

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

Vivian Spencer, of Tuxedo, N. Y.; Charles T. Coleman, of Little Rock, Ark.; Roy D. Keehn, of Chicago, Ill.; A. A. Lilly, of Beckley, W. Va.; Robert T. Railey, of St. Louis, Mo.; Alva B. Adams, of Pueblo, Colo.; R. L. Curtis, of Franklinville, N. Y.; Albert L. Shinn, of San Francisco, Cal.; John W. Staggers, of Washington, D. C.; Charles A. Beardsley, of Oakland, Cal.; L. M. Southworth, of Manila, P. I.; John Francis English, of San Francisco, Cal.; Henry C. Finkel, of Washington, D. C.; Alex. Simpson, jr., of Philadelphia, Pa.; D. Worth Clark, of Pocatello, Idaho; William V. Eaton, of Paducah, Ky.; Emery Davis Potter, of Toledo, Ohio; W. A. Dunn, of Roswell, N. Mex.; H. L. Gilbert, of Washington, D. C.; and Phelan Beale, of New York City, were admitted to practice.

No. 425. National Surety Company, plaintiff in error, *v.* The Architectural Decorating Company. In error to the Supreme Court of the State of Minnesota. Judgment affirmed, with costs. Opinion by Mr. Justice Pitney.

No. 7. James W. Beach, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney.

No. 28. Benjamin Rosenthal, plaintiff in error, *v.* The People of the State of New York. In error to the county court of Monroe County, State of New York. Judgment affirmed, with costs. Opinion by Mr. Justice Pitney.

No. 53. Urszulia Zakonaite, appellant, *v.* Casper J. Wolf, jailor, etc. Appeal from the District Court of the United States for the Eastern District of Missouri. Final order affirmed, with costs. Opinion by Mr. Justice Pitney.

No. 19. German Alliance Insurance Company, petitioner, *v.* The Home Water Supply Company. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment

affirmed with costs and cause remanded to the District Court of the United States for the District of South Carolina. Opinion by Mr. Justice Lamar.

No. 42. Concepcion Veve y Diaz et al., plaintiffs in error, *v.* Jose Avalo Sanchez. In error to the District Court of the United States for Porto Rico. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 57. Yazoo & Mississippi Valley Railroad Company, plaintiff in error, *v.* Jackson Vinegar Company. In error to the Circuit Court of Hines County, State of Mississippi. Judgment affirmed with costs and interest. Opinion by Mr. Justice Van Devanter.

No. 10. Buck's Stove & Range Company et al., plaintiffs in error, *v.* C. C. Vickers et al. In error to the Supreme Court of the State of Kansas. The writ of error is dismissed as to the Altman & Miller Buckeye Company, the Consolidated Steel & Wire Company, and the Galveston Rope Company, and as to the other plaintiffs in error the judgment is reversed and the case remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter. (Mr. Justice Pitney did not hear the argument or participate in the decision of this case.)

No. 464. Purity Extract & Tonic Company et al., plaintiffs in error, *v.* C. C. Lynch. In error to the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 49. Toyota, plaintiff in error, *v.* The Territory of Hawaii. In error to the Supreme Court of the Territory of Hawaii. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 478. Tobias Miller, plaintiff in error, *v.* Secundo Guasti et al. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 590. Four Hundred and Forty-three Cans of Frozen Egg Product, etc., appellant and plaintiff in error, *v.* The United States of America. Appeal from and in error to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed and cause remanded with instructions to dismiss the appeal for want of jurisdiction. Opinion by Mr. Justice Day.

No. 446. The United States of America, appellant, *v.* The Union Pacific Railroad Company et al. Appeal from the Circuit Court of the United States for the District of Utah. Decree reversed in part, and cause remanded to the District Court of the United States for the District of Utah with directions to enter a decree and for further proceedings in conformity with the opinion of this court, etc.

Opinion by Mr. Justice Day. (Mr. Justice Van Devanter took no part in the hearing or determination of this case.)

No. 11. Augusto Burnet, appellant, *v.* Josefa and Isabel Desmornes y Alvarez. Appeal from the Supreme Court of Porto Rico. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 23. Frank H. Jones, Trustee, etc., appellant, *v.* Charles Springer. Appeal from the Supreme Court of the Territory of New Mexico. Decree affirmed with costs, and cause remanded to the Supreme Court of the State of New Mexico. Opinion by Mr. Justice Holmes.

No. 51. Central Lumber Company, plaintiff in error, *v.* State of South Dakota. In error to the Supreme Court of the State of South Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 55. The Southwestern Brewery & Ice Company et al., plaintiffs in error, *v.* Joseph Schmidt. In error to the Supreme Court of the Territory of New Mexico. Judgment affirmed with costs, and cause remanded to the Supreme Court of the State of New Mexico. Opinion by Mr. Justice Holmes.

No. 22. Selover, Bates & Company, plaintiffs in error, *v.* Ella T. Walsh. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs and interest. Opinion by Mr. Justice McKenna. Dissenting: The Chief Justice and Mr. Justice Van Devanter.

No. 41. Brook P. Taylor et al., appellants, *v.* Columbian University (now known in law as George Washington University) and Johns Hopkins University. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 48. J. E. Eubank, plaintiff in error, *v.* The City of Richmond. In error to the Supreme Court of Appeals of the State of Virginia. Judgment reversed with costs, and case remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 572. The First National Bank of Princeton, Ill., appellant, *v.* Charles E. Littlefield, trustee, etc., et al. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Chief Justice White.

No. 40. Louisiana Navigation Company, Limited, plaintiff in error, *v.* Oyster Commission of Louisiana et al. In error to the Supreme Court of the State of Louisiana. Dismissed for want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 511. E. B. Deming et al., plaintiffs in error, *v.* Carlisle Packing Company. In error to the Supreme Court of the State of Washington. Dismissed with costs, and 5 per cent damages. Opinion by Mr. Chief Justice White.

No. 46. Union Trust Company of St. Louis, executor, etc., plaintiff in error, *v.* Ben Westhus et al. Consideration of the cause postponed until a complete record is furnished. Opinion by Mr. Chief Justice White.

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

No. 374. Chan Kam, appellant, *v.* Luther C. Steward and H. Edsell. Appeal from the Circuit Court of the United States for the Northern District of California. Per curiam: Judgment affirmed on the authority of *Low Wah Suey v. Backus* (225 U. S., 460) and cause remanded to the District Court of the United States for the Northern District of California.

No. 375. Yuk Ping, alias Lee So Mui, appellant, *v.* Luther C. Steward and H. Edsell. Appeal from the Circuit Court of the United States for the Northern District of California. Per curiam: Judgment affirmed on the authority of *Low Wah Suey v. Backus* (225 U. S., 460) and cause remanded to the District Court of the United States for the Northern District of California.

No. 723. The National Discount Company, appellant, *v.* John S. Sheppard, jr., trustee, etc., et al. Motion to advance denied.

No. 842. John A. Johnson, appellant, *v.* Iuman T. Hoy, U. S. marshal, etc. Motion to advance granted, and case assigned for argument on Monday, January 6, 1913, after No. 603.

No. 809. E. A. Blount et al., petitioners, *v.* George E. Downs et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 85. Lewis E. Smoot, appellant, *v.* Julia Turner Heyl et al. Motion to dismiss postponed to the hearing of the case on its merits.

No. 280. The Guardian Assurance Company of London, Limited, plaintiff in error, *v.* Domingo Quintana. Ordered to be placed on the summary docket, and assigned for argument on Monday, January 6, next, after the cases heretofore assigned for that day.

No. 5, original. The United States of America, complainant, *v.* The People of the State of New York et al. Dismissed without prejudice on motion of Mr. Solicitor General Bullitt for the complainant.

No. 691. Lester P. Bartell, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Bullitt, in behalf of counsel for the plaintiff in error.

No. 862. The United States et al., appellants, *v.* The Baltimore & Ohio Railroad Company et al. Motion to advance submitted by Mr. Solicitor General Bullitt for the appellants.

No. 793. Marius Calmels, appellant, *v.* Samuel W. Backus, commissioner of immigration, etc.;

No. 794. Victor Vinol, appellant, *v.* Samuel W. Backus, commissioner of immigration, etc.;

No. 795. Leopold Calmels, appellant, *v.* Samuel W. Backus, commissioner of immigration, etc.;

No. 796. Maria Louise Calmels, appellant, *v.* Samuel W. Backus, commissioner of immigration, etc.; and

No. 797. Valerie Calmels, appellant, *v.* Samuel W. Backus, commissioner of immigration, etc. Appeal from the District Court of the United States for the Northern District of California. Dismissed with costs, on motion of Mr. Corry M. Stadden for the appellants.

No. 646. The State of Florida, on the relation of Sydney I. Wailes, plaintiff in error, *v.* A. C. Croom, comptroller, etc. Motion to dismiss submitted from Mr. W. S. Jennings, Mr. E. J. L'Engle, and Mr. Park Trammell for the defendant in error in support of the motion.

No. 855. The Work Mining & Milling Company, petitioner, *v.* The Dr. Jack Pot Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit, submitted by Mr. Frederic D. McKenney, in behalf of Mr. Charles S. Thomas, Mr. Henry C. Hall, Mr. W. H. Bryant, and Mr. George L. Nye for the petitioner, and by Mr. William V. Hodges for the respondent.

No. 841. Dan Kovoloff, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Simon Lyon, in behalf of Mr. Benjamin C. Bachrach and Mr. John F. Geeting for the petitioner, and by Mr. Solicitor General Bullitt for the respondent.

No. 850. Farmers & Mechanics Bank of Vandalia, Ill., petitioner, *v.* Harrison W. Maines. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. L. Bouvé, in behalf of Mr. Bernard B. Selling for the petitioner, and by Mr. John C. Donnelly for the respondent.

No. 854. Lizzie M. Troxell, Adm'x, etc., plaintiff in error, *v.* The Delaware, Lackawanna & Western Railroad Company. Motion to advance submitted by Mr. George Demming for the plaintiff in error.

No. 860. Byron E. Van Auken et al., petitioners, *v.* The Monach-Younger Company; and

No. 861. Byron E. Van Auken et al., petitioners, *v.* The Monash-Younger Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. J. Nota McGill, in behalf of Mr. C. Clarence Poole for the petitioners, and by Mr. Thomas A. Banning for the respondent.

No. 59. Joseph Marrone, plaintiff in error, *v.* The Washington Jockey Club of the District of Columbia et al.;

No. 60. Anne Sweeney, plaintiff in error, *v.* William G. Erving; and

No. 79. National Safe Deposit, Savings & Trust Company of the District of Columbia, plaintiff in error, *v.* William B. Hibbs. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. A. S. Worthington for the defendants in error in Nos. 59 and 60, and for the plaintiff in error in No. 79.

No. 738. St. Louis Southwestern Railway Company of Texas, plaintiff in error, *v.* Robert Alexander. Advanced under rule 32 and submitted by Mr. Lawrence Greer and Mr. F. C. Nicodemus, jr., for the plaintiff in error, and by Mr. Phelan Beale for the defendant in error.

No. 858. Florida East Coast Railway Company, appellant, *v.* The United States et al. Motion to advance submitted by Mr. Frederick C. Bryan and Mr. Alex. St. Clair-Abrams for the appellant in support of the motion.

Motion for a supersedeas submitted by Mr. Frederick C. Bryan and Mr. Alex. St. Clair-Abrams for the appellant in support of the motion, with leave to the Solicitor General to file brief in opposition within two days.

No. 520. Charles R. Heike, petitioner, *v.* The United States. Motion to reassign submitted by Mr. James M. Beck, in behalf of Mr. John B. Stanchfield for the petitioner, in support of the motion, and by Mr. Solicitor General Bullitt for the respondent in opposition thereto.

No. 332. R. H. Downman, plaintiff in error, *v.* The State of Texas. Motion to advance submitted by Mr. J. D. Walthall for the defendant in error in support of the motion.

Nos. 409 and 410. George Harrington et al., appellants, *v.* The Atlantic & Pacific Telegraph Company et al. Motion to dismiss submitted by Mr. Rush Taggart and Mr. John F. Dillon for the appellees in support of the motion, and by Mr. Frederick J. Stone, Mr. Alton B. Parker, and Mr. William J. Wallace for the appellants in opposition thereto. Petition for a writ of certiorari in No. 409 submitted by Mr. Frederick J. Stone, Mr. Alton B. Parker, and Mr. William

J. Wallace for the appellants in support of the petition, and by Mr. Rush Taggart and Mr. John F. Dillon for the appellees in opposition thereto.

No. 760. F. B. Williams Cypress Company, Limited, plaintiff in error, *v.* State of Louisiana. Motion to dismiss submitted by Mr. Charles T. Wortham for the defendant in error in support of the motion, and by Mr. C. R. Beattie for the plaintiff in error in opposition thereto.

No. 762. Gulf, Colorado & Santa Fe Railway Company, plaintiff in error, *v.* Mary J. McGinnis, administratrix, etc. Motion to dismiss or affirm submitted by Mr. Winbourn Pearce and Mr. A. L. Curtis for the defendant in error in support of the motion, and by Mr. J. W. Terry, Mr. A. B. Browne, Mr. A. H. Culwell, and Mr. Gardiner Lathrop for the plaintiff in error in opposition thereto.

No. 295. The Singer Manufacturing Company, appellant, *v.* Wirt Adams, State revenue agent of Mississippi, et al. Passed for settlement.

No. 818. The Journal of Commerce and Commercial Bulletin, appellant, *v.* Frank H. Hitchcock, Postmaster General, etc., et al., and

No. 819. Lewis Publishing Company, appellant, *v.* Edward M. Morgan, postmaster, etc. Argument commenced by Mr. R. C. Morris for the appellant in No. 818, and continued by Mr. Solicitor General Bullitt for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 3, will be as follows: Nos. 818 (and 819), 517, 609, 252, 575, 541, 687, 551, 242, and 658 (and 659, 660, and 661).



SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 3, 1912.

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

Harry Lea Dodson, of Chicago, Ill., and Carl A. Richmond, of Chicago, Ill., were admitted to practice.

No. 818. *The Journal of Commerce and Commercial Bulletin*, appellant, *v. Frank H. Hitchcock*, Postmaster General, etc., et al.; and

No. 819. *Lewis Publishing Company*, appellant, *v. Edward M. Morgan*, postmaster, etc. Argument continued by Mr. Solicitor General Bullitt for the appellees, and concluded by Mr. James M. Beck for the appellant in No. 819.

No. 517. *Missouri, Kansas & Texas Railway Company*, plaintiff in error, *v. Mrs. Sallie C. Wulf*. Argued by Mr. Judson H. Wood for the defendant in error, and submitted by Mr. James Hagerman and Mr. Joseph M. Bryson for the plaintiff in error.

No. 609. *Seaboard Air Line Railway*, plaintiff in error, *v. P. R. Moore*. Argued by Mr. George C. Bedell for the defendant in error, and submitted by Mr. James F. Glen for the plaintiff in error.

No. 252. *El Paso & Southwestern Railroad Company*, plaintiff in error, *v. Eichel and Weikel*. Argued by Mr. A. B. Browne for the plaintiff in error, and by Mr. Philip W. Frey for the defendants in error.

No. 575. *James A. Murray*, doing business as the *Pocatello Water Company*, plaintiff in error, *v. The City of Pocatello*. Argument commenced by Mr. William V. Hodges for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 4, will be as follows: 575, 541, 551, 687, 242, 658 (and 659, 660, and 661), 58, 61, 62, and 64.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 4, 1912.

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

Thaddeus S. Clark, of Charleston, W. Va.; Frank Keiper, of Rochester, N. Y.; Charles M. Nissen, of Chicago, Ill.; Frank F. Prigg, of Hutchinson, Kans.; and Richard A. Curtiss and Robert E. McNamara, of Washington, D. C., were admitted to practice.

No. 107. Otto Monson, plaintiff in error, *v.* S. J. Simonson. Motion for an alias citation submitted by Mr. Moses E. Clapp, in behalf of Mr. M. D. Munn for the plaintiff in error.

No. 674. Mitchell Coal & Coke Company, plaintiff in error, *v.* Pennsylvania Railroad Company. Submitted pursuant to the twentieth rule, by Mr. George S. Graham for the plaintiff in error and by Mr. John G. Johnson and Mr. Francis I. Gowen for the defendant in error.

No. 575. James A. Murray, doing business as The Pocatello Water Company, plaintiff in error, *v.* The City of Pocatello. Argument continued by Mr. William V. Hodges for the plaintiff in error and concluded by Mr. D. Worth Clark for the defendant in error.

No. 541. The St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* Mrs. Cordie McWhirter, administratrix, etc. Argued by Mr. R. P. Railey for the plaintiff in error and by Mr. W. V. Eaton for the defendant in error.

No. 551. The Citizens' National Bank of Roswell, New Mexico, et al., appellants, *v.* George A. Davisson et al. Argued by Mr. William C. Reid for the appellants and by Mr. W. A. Dunn for the appellees.

No. 687. John McNamara, appellant, *v.* William Henkel, United States marshal, etc., et al. Argued by Mr. George Gordon Battle for the appellant and by Mr. Charles Fox for the appellee.

No. 242. The Michigan Central Railroad Company, plaintiff in error, *v.* Daniel B. Vreeland, administrator, etc. Argued by Mr.

Emery D. Potter for the plaintiff in error and by Mr. John B. Daish for the defendant in error.

No. 658. Warren B. Wheeler, plaintiff in error, *v.* The United States;

No. 659. Stillman Shaw, plaintiff in error, *v.* The United States;

No. 660. Warren B. Wheeler, appellant, *v.* Guy Murchie, United States marshal, etc.; and

No. 661. Stillman Shaw, appellant, *v.* Guy Murchie, United States marshal, etc. Submitted by Mr. Nathan Matthews for the plaintiffs in error and appellants and by Mr. Solicitor General Bullitt and Mr. Assistant Attorney General Harr for the defendants in error and appellees.

No. 58. The People of the State of New York ex rel. The Amoskeag Savings Bank of Manchester, New Hampshire, plaintiff in error, *v.* Lawson Purdy et al., as commissioners of taxes and assessments of the city of New York. Argument commenced by Mr. Maxwell Evarts for the plaintiff in error and continued by Mr. William Herbert King for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 5, will be as follows: Nos. 58, 61, 62, 64, 65, 66, 67, 68, 69, and 70.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 5, 1912.

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

John B. Peterson, of Crown Point, Ind.; Virgil S. Reiter, of Hammond, Ind.; W. J. Whinery, of Hammond, Ind.; F. N. Gavit, of Whiting, Ind.; Willard B. Van Horne, of Indiana Harbor, Ind.; Bradford D. L. Glazebrook, of Indiana Harbor, Ind.; William C. Meyer, of Cincinnati, Ohio; and Ulisse Marinoni, jr., of New Orleans, La., were admitted to practice.

No. 67. Joanna Little, plaintiff in error, *v.* J. J. Williams et al. Continued.

No. 70. Addison Ship-y-Tuck, plaintiff in error, *v.* The United States. Submitted by Mr. A. E. Crane and Mr. F. T. Woodburn for the plaintiff in error, and by Mr. Assistant Attorney General Harr for the defendant in error.

No. 58. The People of the State of New York *ex rel.* The Amoskeag Savings Bank of Manchester, N. H., plaintiff in error, *v.* Lawson Purdy et al., as Commissioners of Taxes and Assessments of the City of New York. Argument continued by Mr. William Herbert King and Mr. Lawson Purdy for the defendants in error, and concluded by Mr. Maxwell Evarts for the plaintiff in error.

No. 61. Wallace Wood, jr., trustee, etc., *v.* A. Wilbert's Sons Shingle & Lumber Company et al. Argued by Mr. Benjamin Rice Forman for the appellant, and by Mr. Clarence Samuel Hebert for the appellees.

No. 62. Tilley Anderson, plaintiff in error, *v.* The State of Connecticut. Submitted by Mr. Ernest L. Averill for the plaintiff in error, and by Mr. E. P. Arvine for the defendant in error, with leave to counsel for the plaintiff in error to file reply brief within five days.

No. 64. Marcelina Rosaly, widow of Rabainne, appellant, *v.* Roberto Graham y Frazer. Submitted by Mr. Jacinto Texidor for the appellant, and by Mr. Manuel Rodriguez-Serra and Mr. Charles Hartzell for the appellee.

No. 65. George W. Evans, appellant, *v.* The United States. Argued by Mr. J. H. Ralston and Mr. William E. Richardson for the appellant, and by Mr. Assistant Attorney General Thompson for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 6, will be as follows: Nos. 66, 68, 69, 71, 72, 73, 74, 75, 76, and 77.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 6, 1912.

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

Lon Bond, of Chico, Cal.; Harvey F. Smith, of Clarksburg, W. Va.; Pierre P. Garven, of Bayonne, N. J.; Walter Bachrach, of Chicago, Ill.; and John T. Little and Nathan B. Chadsey, of New York City, were admitted to practice.

No. 71. Joseph Parker Camp, appellant, *v.* Kate Willard Boyd et al. Passed, on account of sickness of counsel, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. William E. Ambrose for the appellant.

No. 74. New Louisville Jockey Club et al., plaintiffs in error, *v.* The City of Oakdale et al. Continued per stipulation.

No. 77. Patricio Ubeda, appellant, *v.* Agapito Zialcita. Submitted by Mr. A. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, and Mr. W. A. Kincaid for the appellant. No counsel appeared for the appellee.

No. 66. Ralph A. Ewing, plaintiff in error, *v.* The City of Leavenworth. Argued by Mr. Branch P. Kerfoot for the plaintiff in error. No counsel appeared for the defendant in error.

No. 68. Manley Ettor et ux., plaintiffs in error, *v.* The City of Tacoma et al.; and

No. 69. Edwin Howard et ux., plaintiffs in error, *v.* The City of Tacoma et al. Argument commenced by Mr. Stanton Warburton for the plaintiffs in error, continued by Mr. Heman H. Field for the defendants in error, and concluded by Mr. Stanton Warburton for the plaintiffs in error.

No. 72. The American Railroad Company of Porto Rico, plaintiff in error, *v.* Federico Didricksen et ux. Submitted by Mr. N. B. K. Pettingill and Mr. F. L. Cornwell for the plaintiff in error. No brief filed for defendant in error.

No. 73. Isaac A. Mansour, appellant, *v.* The United States. Argument commenced by Mr. Paul Armitage for the appellant. The court declined to hear counsel for the appellee.

No. 76. E. R. Bacon, doing business as Wabash Elevator, plaintiff in error, *v.* The People of the State of Illinois. Argued by Walter Bachrach for the plaintiff in error, and submitted by Mr. Louis J. Behan and Mr. Gustavus J. Tatge for the defendants in error.

No. 75. J. Thorburn Ross, plaintiff in error, *v.* The State of Oregon. Argued by Mr. William D. Guthrie for the plaintiff in error, and submitted by Mr. A. M. Crawford and Mr. Martin L. Pipes for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 9, will be as follows: Nos. 30, 35 (and 36), 78, 80, 81, 82, 83, 84, 85, and 86.



SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 9, 1912.

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

Patrick F. Murray, of Chicago, Ill.; Louis Pinderski, of Chicago, Ill.; Luke Lea, of Nashville, Tenn.; K. T. McConnico, of Nashville, Tenn.; Emanuel Cohen, of Minneapolis, Minn.; George W. Kretzinger, jr., of Chicago, Ill.; R. V. Bowden, of El Paso, Tex.; Harlan E. Leach, of Owatonna, Minn.; Frederick Dickinson, of Chicago, Ill.; Karl Paine, of Boise, Idaho; Joseph F. Cowern, of Memphis, Tenn.; Edward D. Pomeroy, of Chicago, Ill.; and J. Roy Dickie, of Pittsburgh, Pa., were admitted to practice.

No. 621. The United States of America, upon the application of the Attorney General at the request of the Interstate Commerce Commission, appellant, *v.* Union Stock Yard & Transit Company of Chicago et al.; and

No. 622. The Chicago Junction Railway Company, appellant, *v.* The United States of America, upon the application of the Attorney General at the request of the Interstate Commerce Commission. Appeals from the United States Commerce Court. Decree on appeal in No. 621 reversed and cause remanded for the entry of a decree in conformity with the opinion of this court, and decree on appeal in No. 622 affirmed. Opinion by Mr. Justice Day.

The Chief Justice announced the following orders of the court:

No. 760. F. B. Williams Cypress Company, Limited, plaintiff in error, *v.* The State of Louisiana. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for the want of jurisdiction on the authority of *Appleby v. Buffalo* (221 U. S., 524, 529, and cases cited).

No. 332. R. H. Downman, plaintiff in error, *v.* The State of Texas. Motion to advance denied.

No. 691. Lester P. Bartell, plaintiff in error, *v.* The United States; No. 854. Lizzie M. Troxell, administratrix, etc., plaintiff in error, *v.* The Delaware, Lackawanna & Western Railroad Company;

No. 858. Florida East Coast Railway Company, appellant, *v.* The United States et al.; and

No. 862. The United States et al., appellants, *v.* The Baltimore & Ohio Railroad Company et al. Motions to advance granted and cases assigned for argument on Monday, January 6, next, after the cases heretofore assigned for that day.

No. 762. Gulf, Colorado & Santa Fe Railway Company, plaintiff in error, *v.* Mary J. McGinnis, administratrix, etc. It is ordered that this case be placed on the summary docket and assigned for hearing on January 6, next.

No. 107. Otto Monson, plaintiff in error, *v.* S. J. Simonson. Motion for an alias citation granted.

No. 520. Charles R. Heike, petitioner, *v.* The United States. Motion to reassign denied.

No. 858. Florida East Coast Railway Company, appellant, *v.* The United States. Motion for a supersedeas denied.

No. 409. George Harrington et al., appellants, *v.* The Atlantic & Pacific Telegraph Company et al. Petition for a writ of certiorari herein denied.

No. 841. Dan Kovoloff, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 850. Farmers & Mechanics Bank of Vandalia, Ill., petitioner, *v.* Harrison W. Maines. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 855. The Work Mining & Milling Company, petitioner, *v.* The Dr. Jack Pot Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

Nos. 860 and 861. Byron E. Van Auken et al., petitioners, *v.* The Monash-Younger Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 706. The United States of America et al., appellants, *v.* The Louisville & Nashville Railroad Company. Motion to advance submitted by Mr. Solicitor General Bullitt for the appellants.

No. 856. Florence A. Harper, petitioner, *v.* Louis L. Taylor. Petition for a writ of certiorari to the United States Circuit Court of

Appeals for the Eighth Circuit submitted by Mr. A. J. Peters in behalf of Mr. James H. Vahey for the petitioner, and by Mr. Louis Miles for the respondent.

No. 810. Lutcher & Moore Lumber Company et al., petitioners, *v.* William Knight et al. Death of Henry J. Lutcher, one of the petitioners herein, suggested, and appearance of Frances A. Lutcher, widow, and Miriam M. Stark and Carrie L. Brown, children of the said Henry J. Lutcher, deceased, as parties petitioners herein, filed and entered, on motion of Mr. A. P. Pujó for the petitioners.

No. 810. Lutcher & Moore Lumber Company et al., petitioners, *v.* William H. Knight et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. P. Pujó for the petitioners.

No. 839. Charlotte Cassidy, petitioner, *v.* Silver King Coalition Mines Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. W. C. Sullivan, in behalf of Mr. John A. Shelton, for the petitioner.

No. 872. William W. Wishart, etc., petitioner, *v.* Supreme Council of the Royal Arcanum. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. J. Roy Dickie for the petitioner.

No. 769. Louisville & Nashville Railroad Company, appellant, *v.* The Western Union Telegraph Company. Motion to advance submitted by Mr. Gregory L. Smith for the appellant.

No. 473. Clara A. Wheeler et al., appellants, *v.* The City and County of Denver et al. Motion to submit under the thirty-second rule or to transfer cause to the summary docket submitted by Mr. A. B. Browne, in behalf of Mr. Edwin H. Park, for the appellants.

No. 748. The Louisville & Nashville Railroad Company, plaintiff in error, *v.* Joe Higdon, doing business under the firm name of Crescent Coal Company. Motion to dismiss or affirm submitted by Mr. James W. Clay and Mr. J. F. Clay for the defendant in error in support of the motion, and by Mr. B. D. Warfield, Mr. Malcom Yeaman, and Mr. C. H. Moorman for the plaintiff in error in opposition thereto.

No. 199. George Fred Williams, executor of the estate of Amey M. Starkweather, plaintiff in error, *v.* Joseph U. Starkweather, administrator, etc. Motion to dismiss or affirm submitted by Mr. Edward D. Bassett for the defendant in error, in support of the motion, and by Mr. James A. Halloran for the plaintiff in error, in opposition thereto.

No. 83. J. M. Hebert et al., appellants, *v.* W. J. Crawford, trustee, et al. Submitted by Mr. Frederick S. Tyler and Mr. A. D. Lipscomb, for the appellants, and by Mr. Horace Chilton for the appellees.

No. 30. William G. Hannum, appellant, *v.* The United States. Argument commenced by Mr. George A. King for the appellant, continued by Mr. Frederick de C. Faust for the appellee, and concluded by Mr. George A. King for the appellant.

No. 35. Samuel M. Plumley, appellant, *v.* The United States; and

No. 36. The United States, appellant, *v.* Samuel M. Plumley. Argument commenced by Mr. George A. King for Plumley, continued by Mr. W. W. Scott for The United States, and concluded by Mr. George A. King for Plumley.

No. 78. Henry Y. Darnell, executor, etc., plaintiff in error, *v.* The State of Indiana. Appearance of W. S. Darnell, administrator, etc., of the estate of Isaac M. Darnell, deceased, filed and entered on motion of Mr. J. F. Cowern for the plaintiff in error.

No. 78. W. S. Darnell, administrator, etc., et al., plaintiffs in error, *v.* The State of Indiana. Argument commenced by Mr. Joseph F. Cowern for the plaintiff in error, continued by Mr. Morton S. Hawkins for the defendant in error, and concluded by Mr. Joseph F. Cowern for the plaintiff in error.

No. 80. D. E. Virtue et al., plaintiffs in error, *v.* The Creamery Package Mfg. Co. et al. Argument commenced by Mr. Harlan E. Leach for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 10, will be as follows: Nos. 80, 81, 82, 84, 85, 86, 34, 87, 88, and 89.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 10, 1912.

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

Charles B. Elliott and G. T. Propper, of Minneapolis, Minn.; Iden S. Romig, of South Bend, Ind.; D. H. Linebaugh, of Atoka, Okla.; James E. McCullough, of Greenfield, Ind.; Joseph M. Hartfield, of New York City; John E. W. Wayman, of Chicago, Ill.; Etienne de Pelissier Bujac, of Carlsbad, N. Mex.; Bryan Cumming and William H. Barrett, of Augusta, Ga.; and Thomas W. Hardwick, of Saundersville, Ga., were admitted to practice.

No. 88. Gaspar Cue et al., appellants, *v.* William C. Cotton et al., executors, etc., et al. Appeal from the Circuit Court of the United States for the Western District of Texas. Dismissed with costs, pursuant to the tenth rule, and cause remanded to the District Court of the United States for the Western District of Texas.

No. 89. Lennox Land Company, plaintiff in error, *v.* City of Oakdale et al. Continued, per stipulation.

No. 80. D. E. Virtue et al., plaintiffs in error, *v.* The Creamery Package Manufacturing Company et al. Argument continued by Mr. Harlan E. Leach for the plaintiffs in error, by Mr. Emanuel Cohen and Mr. Amasa C. Paul for the defendants in error, and concluded by Mr. Harlan E. Leach for the plaintiffs in error.

No. 81. Grand Trunk Western Railway Company, plaintiff in error, *v.* The City of South Bend et al. Argument commenced by Mr. G. W. Kretzinger, jr., for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 11, will be as follows: Nos. 81, 82, 84, 85, 86, 87, 90, 91, and 92.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 11, 1912.

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

John J. Sonstebly, of Chicago, Ill.; Fred L. Mallory, of Norwich, N. Y.; and Ferris D. Templeton, of Warren, Ohio, were admitted to practice.

No. 81. Grand Trunk Western Railway Company, plaintiff in error, *v.* The City of South Bend et al. Argument continued by Mr. G. W. Kretzinger, jr., for the plaintiff in error, by Mr. Harry R. Wair for the defendants in error, and concluded by Mr. A. B. Browne for the plaintiffs in error.

No. 82. Cameron Septic Tank Company, appellant, *v.* City of Knoxville, in the county of Marion and State of Iowa. Argument commenced by Mr. Henry Love Clarke for the appellant, and continued by Mr. Wallace R. Lane for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 12, will be as follows: Nos. 82, 84, 85, 86, 87, 90, 91, 92, and 93.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 12, 1912.

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

Robin Leslie Welch, of Knoxville, Iowa; John Marshall, of Parkersburg, W. Va.; Albert W. Jefferis, of Omaha, Nebr.; and Harvey Doane Eaton, of Waterville, Me., were admitted to practice.

No. 82. Cameron Septic Tank Company, appellant, *v.* The City of Knoxville, in the county of Marion and State of Iowa. Argument continued by Mr. Wallace R. Lane for the appellee, and concluded by Mr. Henry Love Clarke for the appellant.

No. 84. Edwin M. Keatley, receiver, etc., appellant, *v.* Carrie Rebecca Furey, executrix, etc., et al. Argument commenced by Mr. F. W. Houghton for the appellant, continued by Mr. Levy Mayer for the appellees, and concluded by Mr. W. E. Chilton for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 13, will be as follows: Nos. 85, 86, 34, 87, 90, 91, 92, 93, 94 and 95.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 13, 1912.

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

Frank M. Nye, of Minneapolis, Minn.; Ralph P. Quarles, of Honolulu, Hawaii; John F. Quinn, of Eureka, Cal.; N. Thornton Hynson, of Washington, D. C.; and Winfield S. Hammond, of St. James, Minn., were admitted to practice.

No. 94. Ed Brown et al., plaintiffs in error, *v.* Frank M. Powers, judge, et al. In error to the Supreme Court of the State of Iowa. Dismissed with costs, pursuant to the tenth rule.

No. 95. Ed Brown et al., plaintiffs in error, *v.* Frank M. Powers, judge, et al. In error to the Supreme Court of the State of Iowa. Dismissed with costs, pursuant to the tenth rule.

No. 86. John E. Scott, plaintiff in error, *v.* Charles E. Lattig, etc., et al. Argument commenced by Mr. Oliver O. Haga for the plaintiff in error, continued by Mr. Carl Paine for the defendants in error, and concluded by Mr. Oliver O. Haga for the plaintiff in error.

No. 85. Lewis E. Smoot, appellant, *v.* Julia Turner Heyl et al. Argument commenced by Mr. William G. Johnson for the appellant, and continued by Mr. H. Prescott Gatley for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 16, will be as follows: Nos. 85, 34, 87, 90, 91, 92, 93, 97, 98, and 99.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 16, 1912.

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

W. S. Welch, of Bessemer, Ala.; John Horne Chiles, of Denver, Colo.; Benjamin Calmenson, of St. Paul, Minn.; Benjamin Patterson, of New York City; Thomas P. Jacobs, of New Martinsville, W. Va.; D. Tillar l'Anson, of Norfolk, Va.; Arlen G. Swiger, of Sistersville, W. Va.; J. Roger McSherry, of Chicago, Ill.; Joseph M. Nesbit, of Pittsburgh, Pa.; and Fred P. Carr, of Des Moines, Iowa, were admitted to practice.

No. 198. The United States, appellant, *v.* The Reading Company et al.;

No. 206. The Temple Iron Company, appellant, *v.* The United States; and

No. 217. The Reading Company et al., appellants, *v.* The United States. Appeals from the Circuit Court of the United States for the Eastern District of Pennsylvania. Decree modified as to the 65 per cent contracts, and the court below directed to cancel them; and as to the Temple Iron Co. the decree is in all respects affirmed and the cause remanded to the District Court of the United States for the Eastern District of Pennsylvania, to be proceeded with in accordance with the opinion of this court. Opinion by Mr. Justice Lurton. (Mr. Justice Day, Mr. Justice Hughes, and Mr. Justice Pitney took no part in the decision of this case.)

No. 56. Frederick C. Robertson, appellant, *v.* Hugh H. Gordon 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 remand the cause to that court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. (Mr. Justice Pitney was not present at the argument and took no part in the decision of this case.)

No. 575. James A. Murray, doing business as The Pocatello Water Company, plaintiff in error, *v.* The City of Pocatello. In error to the Supreme Court of the State of Idaho. Judgment affirmed, with costs. Opinion by Mr. Justice Holmes.

No. 646. The State of Florida, on the relation of Sydney I. Wailes, plaintiff in error, *v.* A. C. Croom, comptroller, etc. In error to the Supreme Court of the State of Florida. Dismissed. Opinion by Mr. Chief Justice White.

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

No. 62. Tillie Anderson, plaintiff in error, *v.* The State of Connecticut. In error to the Supreme Court of Errors of the State of Connecticut. Per curiam: Dismissed for the want of jurisdiction. *Farrell v. O'Brien* (199 U. S., 100).

No. 70. Addison Ship-y-Tuck, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the District of Kansas. Per curiam: Judgment affirmed upon the authority of *Hallowell v. The United States* (221 U. S., 317).

No. 73. Isaac A. Mansour, appellant, *v.* The United States. Appeal from the District Court of the United States for the Southern District of New York. Per curiam: Judgment affirmed.

No. 199. George Fred Williams, executor of the estate of Amey M. Starkweather, plaintiff in error, *v.* Joseph U. Starkweather, administrator, etc. In error to the Supreme Court of the State of Rhode Island. Per curiam: Dismissed for the want of jurisdiction (*Loeber v. Schroeder*, 149 U. S., 580, 585; *Miller v. Cornwell*, 168 U. S., 131; *Fayerweather v. Ritch*, 195 U. S., 299; *Farrell v. O'Brien*, 199 U. S., 100.)

No. 706. The United States of America et al., appellants, *v.* The Louisville & Nashville Railroad Company et al. Motion to advance granted and case assigned for argument on Monday, February 24 next.

No. 769. Louisville & Nashville Railroad Company, appellant, *v.* The Western Union Telegraph Company. Motion to advance denied, but the case will be taken on printed briefs if counsel shall be so advised.

No. 748. The Louisville & Nashville Railroad Company, plaintiff in error, *v.* Joe Higdon, doing business under the firm name of Crescent Coal Company. Motion to dismiss or affirm postponed to the hearing on the merits.

No. 473. Clara A. Wheeler et al., appellants, *v.* The City and County of Denver et al. Motion to place case on the summary docket granted, and case assigned for hearing on Monday, January 6 next.

No. 810. Lutchter & Moore Lumber Company et al., petitioners, *v.* William H. Knight et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 839. Charlotte Cassidy, petitioner, *v.* Silver King Coalition Mines Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 856. Florence A. Harper, petitioner, *v.* Louis L. Taylor. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 872. William W. Wishart, etc., petitioners, *v.* Supreme Council of the Royal Arcanum. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

The Chief Justice also announced that the court will take a recess from Monday, the 23d instant, to Monday, January 6 next.

No. 697. The United States of America, plaintiff in error, *v.* Pacific & Arctic Railway and Navigation Company et al. Motion to advance submitted by Mr. Solicitor General Bullitt for the plaintiff in error.

No. 10. Original. *Ex parte* in the matter of The United States, petitioner. Submitted by Mr. Solicitor General Bullitt and Mr. Edward C. Crow for the petitioner, and by Mr. Henry S. Priest for the respondent.

No. 884. Des Moines Gas Company, appellant, *v.* City of Des Moines. Application for an order to maintain the status quo, etc., pending this appeal submitted by Mr. Fred P. Carr, Mr. George H. Carr, Mr. William L. Read, and Mr. Nathaniel Guernsey for the appellant, in support of the application, and by Mr. Robert O. Brennan and Mr. H. W. Byers for the appellee, in opposition thereto.

No. 593. William S. Lovell, trustee in bankruptcy, etc., plaintiff in error, *v.* Isidore Newman & Son et al. Motion for a writ of certiorari herein submitted by Mr. H. Generes Dufour, Mr. W. A. Blount, and Mr. Walker Percy for the plaintiff in error in support of the motion, and by Mr. John W. Griffin and Mr. Everett P. Wheeler for the defendants in error in opposition thereto.

No. 594. William S. Lovell, as trustee in bankruptcy, etc., plaintiff in error, *v.* Henry Hentz & Company et al. Motion for a writ of certiorari herein submitted by Mr. H. Generes Dufour for the plaintiff in error in support of the motion, and by Mr. Phelan Beale for the defendants in error in opposition thereto.

No. 591. Clarence S. Houghton, as receiver, etc., appellant, *v.* William H. Burden. Motion to affirm or to place the cause on the summary docket submitted by Mr. John J. Crawford for the appellee in support of the motion, and by Mr. Jacob John Lazaroe for the appellant in opposition thereto.

No. 845. C. E. Mitchell, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. H. B. Moulton for the petitioner, and by Mr. Assistant Attorney General Harr for the respondent.

No. 879. John M. Conroy et al., petitioners, *v.* Penn Electric Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Paul Synnestvedt for the petitioners, and Mr. Joseph M. Nesbit and Mr. Edward Rector for the respondent.

No. 866. The Skeele Coal Company, petitioner, *v.* Gohen C. Arnold, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick S. Tyler, in behalf of Mr. Nicholas W. Hacker for the petitioner, and by Mr. C. Andrade, jr., for the respondent.

No. 874. Mrs. Bessie Schinnerer et al., petitioners, *v.* Monongahela River Consolidated Coal & Coke Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederick S. Tyler, in behalf of Mr. F. Zimmerman for the petitioners, and by Mr. Frank S. Masten for the respondents.

No. 319. Juan Pico, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Clement L. Bouvé for the plaintiff in error.

No. 299. B. Zavelo, plaintiff in error, *v.* J. S. Reeves et al.; and

No. 300. B. Zavelo, plaintiff in error, *v.* Leichtman, Goodman & Company. Motions to dismiss or affirm submitted by Mr. Samuel A. Putman for the defendants in error in support of the motions, and by Mr. Oscar R. Hundley for the plaintiff in error in opposition thereto.

No. 195. Charles T. Preston, plaintiff in error, *v.* The City of Chicago et al. Motion to dismiss or affirm submitted by Mr. John W. Beckwith and Mr. W. H. Sexton for the defendants in error in support of the motion, and by Mr. Allen B. Chilcoat and Mr. Stephen A. Day for the plaintiff in error in opposition thereto.

No. 474. The People of the State of Illinois ex rel. Charles W. Gersch, plaintiff in error, *v.* The City of Chicago et al. Motion to dismiss or affirm submitted by Mr. John W. Beckwith and Mr. W. H. Sexton for the defendants in error in support of the motion, and by

Mr. Allen B. Chilcoat and Mr. Stephen A. Day for the plaintiff in error in opposition thereto.

No. 98. John Medley, plaintiff in error, *v.* The State of West Virginia. Submitted by Mr. Joseph M. Sanders for the plaintiff in error, and by Mr. W. G. Conley for the defendant in error.

No. 99. Thomas W. McComb, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Continued per stipulation.

No. 85. Louis E. Smoot, appellant, *v.* Julia Turner Heyl et al. Argument continued by Mr. H. Prescott Gatley for the appellee, and concluded by Mr. William G. Johnson for the appellant.

No. 34. Supreme Ruling of the Fraternal Mystic Circle, plaintiff in error, *v.* Annie Snyder. Submitted by Mr. F. Zimmerman for the plaintiff in error, and by Mr. J. B. Sizer for the defendant in error.

No. 87. Norman H. Davis et al., appellants, *v.* The Las Ovas Company, Incorporated. Argument commenced by Mr. J. K. M. Norton for the appellants and continued by Mr. J. J. Darlington for the appellee, and concluded by Mr. Samuel A. Putman for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 17, will be as follows: Nos. 90, 91, 92, 93, 97, 100, 101, 102, 103, and 104.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 17, 1912.

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

C. E. Humphrey, of Akron, Ohio; Henry C. Niles, of York, Pa.; and Jonathan Taylor, of Akron, Ohio, were admitted to practice.

No. 558. George W. Bond et al., appellants, *v.* Unknown Heirs of Juan Barela, deceased, et al. Submitted pursuant to the twentieth rule by Mr. Richard H. Hanna for the appellants, and by Mr. Frank W. Clancy for the appellees.

No. 101. The Bunker Hill & Sullivan Mining & Concentrating Company, plaintiff in error, *v.* The United States. Submitted by Mr. Myron A. Folsom for the plaintiff in error, and by Mr. Assistant Attorney General Knaebel for the defendant in error.

No. 90. William J. Wood et al., appellants, *v.* Vandalia Railroad Company. Argument commenced by Mr. Charles W. Smith for the appellants, continued by Mr. John G. Williams for the appellee, and concluded by Mr. James E. McCullough for the appellants.

No. 91. Ella Anderson, administratrix, plaintiff in error, *v.* J. Paul Smith. Argued by Mr. Leonard J. Mather for the plaintiff in error, and by Mr. H. Prescott Gatley for the defendant in error.

No. 92. Severo Ochoa et al., appellants, *v.* Ana Maria Hernandez y Morales et al. Submitted by Mr. T. D. Mott, jr., for the appellants, and by Mr. Hector H. Scoville for the appellees.

No. 93. Texas & New Orleans Railroad Company et al., plaintiffs in error *v.* Sabine Tram Company. Argument commenced by Mr. Hiram Glass for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 18, will be as follows: Nos. 93, 97, 100, 102, 103, 104, 105, 106, 107, and 108.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 18, 1912.

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

George H. Selover, Esq., of Minneapolis, Minn.; John M. Olin, of Madison, Wis.; and Arthur W. Kopp, of Platteville, Wis., were admitted to practice.

No. 267. Frank F. Lamb, plaintiff in error, *v.* Samuel B. Baker. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, on motion for counsel for the plaintiff in error.

No. 106. Arizona Copper Company, Limited, appellant, *v.* William Allen Gillespie. Passed per stipulation.

No. 107. Otto Monson, plaintiff in error, *v.* S. J. Simonson. Passed.

No. 93. Texas & New Orleans Railroad Company et al., plaintiffs in error, *v.* Sabine Tram Company. Argument continued by Mr. Hiram Glass for the plaintiffs in error, by Mr. George C. Greer for the defendant in error, and concluded by Mr. H. M. Garwood for the plaintiffs in error.

No. 97. James Donnelly, plaintiff in error, *v.* The United States. Argued by Mr. John F. Quinn for the plaintiff in error, and by Mr. Assistant Attorney General Denison for the defendant in error.

No. 100. Park Rapids Lumber Company, plaintiff in error, *v.* The United States. Argued by Mr. R. J. Powell for the plaintiff in error, and by Mr. Assistant Attorney General Knaebel for the defendant in error.

No. 102. George E. Tinker, plaintiff in error, *v.* Midland Valley Mercantile Company. Continued.

No. 103. Pittsburgh Steel Company, plaintiff in error, *v.* Baltimore Equitable Society. Argument commenced by Mr. Edgar Allen Poe for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 19, will be as follows: Nos. 103, 104, 105, 108, 109, 110, 112 (and 113), 114, 115, and 116.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 19, 1912.

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

Ward H. Watson, of Indianapolis, Ind.; Hugh M. Hewson, of New York City; William E. Culkin, of Duluth, Minn.; Carl Schultz, of Los Angeles, Cal.; William B. Francis, of Martins Ferry, Ohio; F. A. Jeffers, of Woodsfield, Ohio; J. G. Devaul, of Woodsfield, Ohio; Dwight St. John Bobb, of Chicago, Ill.; and Edward H. Steams, of Chicago, Ill., were admitted to practice.

No. 446. The United States of America, appellant, *v.* The Union Pacific Railroad Company et al. Motion as to form of mandate submitted by Mr. Attorney General Wickersham for the appellant, and by Mr. John C. Spooner, Mr. John G. Milburn, Mr. Maxwell Evarts, and Mr. N. H. Loomis for the appellees.

No. 108. John E. C. Robinson et al., appellants, *v.* John E. Lundrigan. Death of John E. C. Robinson, one of the appellants herein, suggested, and the appearance of Hedwig Robinson as a party appellant in this cause in the place of John E. C. Robinson, deceased, filed and entered, on motion of Mr. C. D. O'Brien for the appellants.

No. 110. Seaboard Fire & Marine Insurance Company, plaintiff in error, *v.* Gustave Monteleone. In error to the Supreme Court of the State of Louisiana. Dismissed with costs, per stipulation.

No. 114. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Michael Kiley. In error to the Supreme Court of the State of Wisconsin. Dismissed with costs, pursuant to the tenth rule.

No. 116. The People of Porto Rico, appellant, *v.* Pierre Emanuel, Baron de Laurens d'Oiselay. Passed, on account of sickness of counsel, to be restored to the call pursuant to the provisions of section 9, rule 26.

No. 103. Pittsburgh Steel Company, plaintiff in error, *v.* Baltimore Equitable Society. Argument continued by Mr. Edgar Allen Poe for the plaintiff in error, by Mr. Wilton Snowden, jr., and Mr. Vernon Cook for the defendant in error, and concluded by Mr. Edgar Allen Poe for the plaintiff in error.

No. 104. The Marshall Dental Manufacturing Company, plaintiff in error, *v.* The State of Iowa. Argued by Mr. E. B. Evans for the plaintiff in error, and by Mr. George Cosson for the defendant in error.

No. 105. Illinois Central Railroad Company of the State of Illinois, plaintiff in error, *v.* Henderson Elevator Company. Argued by Mr. Edmund F. Trabue for the plaintiff in error, and submitted by Mr. James W. Clay and Mr. J. F. Clay for the defendant in error.

No. 108. Hedwig Robinson et al., appellants, *v.* John E. Lundrigan. Argument commenced by Mr. C. D. O'Brien for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 20, will be as follows: Nos. 108, 109, 112 (and 113), 115, 117, 119 (and 120), 121, 122, 123 (and 124), and 126.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 20, 1912.

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

Michael G. Eberlein, of Shawano, Wis.; Robert A. Rogers, of Oklahoma City, Okla.; William Otis Badger, jr., of New York City; Martin J. O'Donnell, of Kansas City, Mo.; and Edward A. Harri- man, of New Haven, Conn., were admitted to practice.

No. 537. The United States, appellant, *v.* Charles B. Mason, execu- tor, etc. Submitted, pursuant to the twentieth rule, by Mr. Assistant Attorney General Thompson and Mr. George M. Anderson for the appellant, and by Mr. Francis P. B. Sands for the appellee.

No. 117. John H. Hall, plaintiff in error, *v.* The United States. Passed for settlement.

Nos. 119 and 120. Portland Railway, Light & Power Company, plaintiff in error, *v.* The Railroad Commission of Oregon. Passed, per stipulation.

No. 108. Hedwig Robinson et al., appellants, *v.* John E. Lundrigan. Argument continued by Mr. C. D. O'Brien for the appellants, and by Mr. Luther C. Harris and William E. Culkin for the appellee, and concluded by Mr. C. D. O'Brien for the appellants.

No. 109. Jonah Kalaniana'ole, plaintiff in error, *v.* George E. Smithies, trustee, etc. Argued by Mr. R. P. Quarles for the defend- ants in error, and submitted by Mr. C. W. Ashford for the plaintiff in error.

No. 115. Mathias Schmidinger, plaintiff in error, *v.* The City of Chicago. Argued by Mr. Harry Rubens for the plaintiff in error, and submitted by Mr. Joseph F. Grossman and Mr. W. H. Sexton for the defendant in error.

No. 122. Southern Pacific Company, appellant, *v.* City of Portland. Assigned for hearing on Monday, January 6, 1913, at the head of the call, and counsel limited to three-quarters of an hour on each side, on motion of Mr. James E. Fenton for the appellant.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 23, 1912.

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

S. A. Handy, of Kansas City, Mo.; Henry E. Bodman, of Detroit, Mich.; and Paul Freeman, of Philadelphia, Pa., were admitted to practice.

No. 44. D. G. Williams, plaintiff in error, *v.* The City of Talladega. In error to the Supreme Court of the State of Alabama. Judgment reversed, with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 78. W. S. Darnell, administrator de bonis non, etc., et al., plaintiffs in error, *v.* The State of Indiana. In error to the Supreme Court of the State of Indiana. Judgment affirmed, with costs. Opinion by Mr. Justice Holmes.

No. 84. Edwin M. Keatley, receiver, etc., appellant, *v.* Carrie Rebecca Furey, executrix, etc., et al. Appeal from the Circuit Court of the United States for the Northern District of Illinois. Dismissed for the want of jurisdiction and cause remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Justice Holmes.

No. 33. Sarah K. McLean, widow of Nathaniel H. McLean, deceased, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment dismissing the petition as to forage and servants' pay reversed, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 61. Wallace Wood, jr., trustee, etc., *v.* A. Wilbert's Sons Shingle & Lumber Company and Frederick Wilbert. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree affirmed, with costs. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 319. Juan Pico, plaintiff in error, *v. The United States*. Motion to advance granted, and cause assigned for argument on Monday, February 24, 1913, after the case already assigned for that day.

No. 697. The United States of America, plaintiff in error, *v. Pacific & Arctic Railway & Navigation Company et al.* Motion to advance granted, and cause assigned for argument on Monday, February 24, 1913, after the cases already assigned for that day.

No. 299. B. Zavelo, plaintiff in error, *v. J. S. Reeves et al.* Transferred to the summary docket and assigned for argument on January 6 next.

No. 300. B. Zavelo, plaintiff in error, *v. Leichtman, Goodman & Company*. In error to the Supreme Court of the State of Alabama. Per curiam: Dismissed for the want of jurisdiction. (*Chappell Chemical & Fertilizer Co. v. Sulphur Mines Co.*, 172 U. S., 465, and cases cited.)

No. 591. Clarence S. Houghton, as receiver, etc., appellant, *v. William H. Burden*. Motion to dismiss or affirm denied, and the case transferred to the summary docket and assigned for argument on January 6 next.

No. 884. Des Moines Gas Company, appellant, *v. City of Des Moines et al.* The application to enjoin and restrain the appellees from attempting to put into effect or enforce pending this appeal the rate for gas sought to be established by the ordinance in controversy is denied.

No. 593. William S. Lovell, trustee in bankruptcy, etc., plaintiff in error, *v. Isidore Newman & Son et al.*; and

No. 594. William S. Lovell, trustee in bankruptcy, etc., plaintiff in error, *v. Henry Hentz & Company et al.* Motions for writs of certiorari denied.

No. 845. C. E. Mitchell, petitioner, *v. The United States*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 866. The Skeelee Coal Company, petitioner, *v. Gohen C. Arnold*, trustee in bankruptcy, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 874. Mrs. Bessie Schinnerrer et al., petitioners, *v. Monongahela River Consolidated Coal & Coke Company et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 879. John M. Conroy et al., petitioners, *v. Penn Electrical Manufacturing Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 442. The United States, plaintiff in error, *v.* William George;
 No. 548. The United States, plaintiff in error, *v.* The Northern
 Commercial Company; and

No. 705. The United States, plaintiff in error, *v.* O. T. Anderson.
 Motions to advance and place on the summary docket submitted by
 Mr. Solicitor General Bullitt for the United States.

No. 798. The United States of America, plaintiff in error, *v.* Felipe
 Sandoval. Motion to advance submitted by Mr. Solicitor General
 Bullitt for the plaintiff in error.

No. —, original. *Ex parte* in the matter of Jewell King, petitioner.
 Motion for leave to file a petition for a writ of habeas corpus submit-
 ted by Mr. Henry E. Davis in behalf of Mr. Burton Smith for the
 petitioner.

No. 501. Big Vein Coal Company of West Virginia, plaintiff in
 error, *v.* Benjamin H. Read. Motion to dismiss submitted by Mr.
 W. L. Rawls, Mr. Frank Gosnell, and Mr. George Weems Williams
 for the defendant in error in support of the motion, and by Mr.
 Osborne I. Yellott for the plaintiff in error in opposition thereto.

No. 881. Charles F. Allen, executor, etc., petitioner, *v.* Seaboard
 Air Line Railway Company et al. 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. F. E. M. Bullowa
 for petitioner, and by Mr. James Byrne for the respondents.

No. 695. Mary R. Peabody et al., appellants, *v.* The United States.
 Motion to advance submitted by Mr. Chauncey Hackett for the
 appellants.

No. 854. Lizzie M. Troxell, administratrix, etc., plaintiff in error, *v.*
 The Delaware, Lackawanna & Western Railroad Company. Sugges-
 tion of diminution of the record and motion for a writ of certiorari
 submitted by Mr. Paul Freeman, in behalf of Mr. James F. Camp-
 bell and Mr. William S. Jenney for the defendant in error in sup-
 port of motion, and by Mr. George Demming for the plaintiff in error
 in opposition thereto.

No. 50. The New York Central & Hudson River Railroad Com-
 pany, plaintiff in error, *v.* The Board of Chosen Freeholders of the
 County of Hudson. Motion for leave to file a brief herein as *amicus*
curiæ submitted by Mr. Henry E. Bodman in that behalf.

No. 892. The Keystone Type Foundry, petitioner, *v.* The National
 Compositype Company. Petition for a writ of certiorari to the
 United States Circuit of Appeals for the Fourth Circuit submitted
 by Mr. E. W. Bradford for the petitioner.

No. 883. Howard H. Sypher et al., petitioners, *v.* Bouvier-Iaeger
 Coal Land Company. Petition for a writ of certiorari to the United
 States Circuit Court of Appeals for the Fourth Circuit submitted

by Mr. John H. Holt for the petitioner, and by Mr. George E. Price for the respondent.

No. 895. Walter Murphy, petitioner, *v.* Ashley M. Gould, associate justice of the Supreme Court of the District of Columbia. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John Altheus Johnson for the petitioner.

No. 772. Simon Taylor et al., plaintiffs in error, *v.* Joe Anderson et al. Motion to advance under the thirty-second rule submitted by Mr. Frederick S. Tyler, in behalf of Mr. N. B. Maxey, for the plaintiffs in error.

Adjourned until Monday, January 6, 1913, at 12 o'clock.

The day call for Monday, January 6, will be as follows: Nos. 122, 831, 638, 741, 280, 762, 473, 299, 591, 381, 588, 602 (and 603), 842, 500, 520, 620, 682 (and 683), 698, 854, 670, 691, 858, and 862.



SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 6, 1913.

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

Leo Oppenheimer, of New York City; Jacob B. Engel, of New York City; H. R. Berndt, of Bismarck, N. Dak.; A. G. Pollock, of Santa Fe, N. Mex.; Royal Bosworth Young, of Boston, Mass.; Edward C. Stimson, of Denver, Colo.; Henry F. Parmelee, of New York City; Irving H. Frank, of San Francisco, Cal.; Lewis Marks, of Boston, Mass.; Charles P. Bates, of Sioux Falls, S. Dak.; Ed Tom Randle, of Dallas, Tex.; John W. Pope, of Dallas, Tex.; Walter Collins, of Hillsboro, Tex.; Delbert J. Hinkley, of Los Angeles, Cal.; and Lyman T. Boucher, of Aberdeen, S. Dak., were admitted to practice.

No. 45. Jessie E. Thompson, appellant, *v.* Charles M. Thompson. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 65. George W. Evans, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney. Dissenting, Mr. Justice McKenna and Mr. Justice Hughes.

No. 517. Missouri, Kansas & Texas Railway Company, plaintiff in error, *v.* Mrs. Sallie C. Wulf. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Texas. Opinion by Mr. Justice Pitney. (Mr. Justice Lurton entertains doubts as to whether the two years' limitation does not apply.)

No. 101. The Bunker Hill & Sullivan Mining & Concentrating Company, plaintiff in error, *v.* The United States. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the District of Idaho. Opinion by Mr. Justice Lamar.

No. 35. Samuel M. Plumley, appellant, *v.* The United States; and
 No. 36. The United States, appellant, *v.* Samuel M. Plumley.
 Appeals from the Court of Claims. Judgment reversed, and cause
 remanded with directions to dismiss the petition. Opinion by Mr.
 Justice Lamar.

No. 282. The United States, plaintiff in error, *v.* James A. Patten
 et al. In error to the Circuit Court of the United States for the
 Southern District of New York. Judgment reversed in part, and
 cause remanded to the District Court of the United States for the
 Southern District of New York for further proceedings in con-
 formity with the opinion of this court. Opinion by Mr. Justice
 Van Devanter. Dissenting: Mr. Justice Lurton, the Chief Justice,
 and Mr. Justice Holmes.

No. 687. John McNamara, appellant, *v.* William Henkel, United
 States marshal, etc., et al. Appeal from the District Court of the
 United States for the Southern District of New York. Final order
 affirmed with costs. Opinion by Mr. Justice Hughes.

No. 18. Adams Express Company, plaintiff in error, *v.* E. H.
 Croninger. In error to the Circuit Court of Kenton County, State
 of Kentucky. Judgment reversed with costs, and cause remanded
 with directions to overrule the demurrer and for such further pro-
 ceedings as are not inconsistent with the opinion of this court.
 Opinion by Mr. Justice Lurton.

No. 231. Chicago, St. Paul, Minneapolis & Omaha Railway Com-
 pany, petitioner, *v.* Bud R. Latta. On writ of certiorari to the
 United States Circuit Court of Appeals for the Eighth Circuit.
 Judgment reversed with costs, and cause remanded to the District
 Court of the United States for the District of Nebraska with direc-
 tions to grant a new trial. Opinion by Mr. Justice Lurton.

No. 17. Chicago, Burlington & Quincy Railway Company, plain-
 tiff in error, *v.* H. Fred Miller. In error to the Supreme Court of
 the State of Nebraska. Judgment reversed with costs, and cause
 remanded for further proceedings not inconsistent with the opinion
 of this court. Opinion by Mr. Justice Lurton.

No. 66. Ralph A. Ewing, plaintiff in error, *v.* The City of Leaven-
 worth. In error to the Supreme Court of the State of Kansas.
 Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 658. Warren B. Wheeler, plaintiff in error, *v.* The United
 States. In error to the District Court of the United States for the
 District of Massachusetts. Judgment affirmed. Opinion by Mr.
 Justice Day.

No. 659. Stillman Shaw, plaintiff in error, *v.* The United States.
 In error to the District Court of the United States for the District
 of Massachusetts. Judgment affirmed. Opinion by Mr. Justice Day.

No. 660. Warren B. Wheeler, appellant, *v.* Guy Murchie, United States Marshal, etc. Appeal from the District Court of the United States for the District of Massachusetts. Final order affirmed with costs. Opinion by Mr. Justice Day.

No. 661. Stillman Shaw, appellant, *v.* Guy Murchie, United States Marshal, etc. Appeal from the District Court of the United States for the District of Massachusetts. Final order affirmed with costs. Opinion by Mr. Justice Day.

No. 446. The United States of America, appellant, *v.* The Union Pacific Railroad Company, et al. Motion for instructions as to form of mandate denied. Opinion by Mr. Justice Day.

No. 77. Patricio Ubeda, appellant, *v.* Agapito Zialcita. Appeal from the Supreme Court of the Philippine Islands. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 103. Pittsburgh Steel Company, plaintiff in error, *v.* Baltimore Equitable Society. In error to the Court of Appeals of the State of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 104. Marshall Dental Manufacturing Company, plaintiff in error, *v.* The State of Iowa. In error to the Supreme Court of the State of Iowa. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 109. Jonah Kalaniana'ole, plaintiff in error, *v.* George E. Smithies, trustee, etc. In error to the Supreme Court of the Territory of Hawaii. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 10 Original. *Ex parte*: In the matter of the United States of America, petitioner. Writ of prohibition granted. Opinion by Mr. Chief Justice White.

No. 30. William G. Hannum, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice White.

No. 25. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* The Hardwick Farmers' Elevator Company. In error to the Supreme Court of the State of Minnesota. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 91. Ella Anderson, administratrix, etc., plaintiff in error, *v.* J. Paul Smith. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 105. Illinois Central Railroad Company of the State of Illinois, plaintiff in error, *v.* Henderson Elevator Company. In error to the Court of Appeals of the State of Kentucky. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 195. Charles T. Preston, plaintiff in error, *v.* The City of Chicago et al. In error to the Supreme Court of the State of Illinois. Writ of error dismissed for want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 474. The People of the State of Illinois ex rel. Charles H. Gersch, plaintiff in error, *v.* The City of Chicago et al. In error to the Supreme Court of the State of Illinois. Writ of error dismissed for want of jurisdiction. Opinion by Mr. Chief Justice White.

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

No. 98. John Medley, plaintiff in error, *v.* The State of West Virginia. In error to the Supreme Court of Appeals of the State of West Virginia. Per curiam: Dismissed for the want of jurisdiction on the authority of *Spies v. Illinois*, 123 U. S., 131, 181; and *Seaboard Air Line Railway Co. v. Duvall*, 225 U. S., 477, 485-486, and cases cited.

No. 100. Park Rapids Lumber Company, plaintiff in error, *v.* The United States. In error to the Circuit Court of the United States for the District of Minnesota. Per curiam: Judgment affirmed on the authority of *United States v. Rickert*, 188 U. S., 432, 436; act of Congress of April 21, 1904, ch. 1402, 33 Stat., 189, 209, *Heckman v. United States*, 224 U. S., 413, 437, and cause remanded to the District Court of the United States for the District of Minnesota.

No. 442. The United States, plaintiff in error, *v.* William George;

No. 705. The United States, plaintiff in error, *v.* O. T. Anderson;

No. 695. Mary R. Peabody et al., appellants, *v.* The United States; and

No. 798. The United States of America, plaintiff in error, *v.* Felipe Sandoval. Motions to advance granted, and cases assigned for argument on Monday, February 24 next, after cases heretofore assigned for that day.

No. 772. Simon Taylor et al., plaintiffs in error, *v.* Joe Anderson et al. Motion to advance denied, but the case will be taken on printed briefs if counsel shall be so advised.

No. — Original. Ex parte: In the matter of Jewell King, petitioner. Motion for leave to file a petition for a writ of habeas corpus denied.

No. 50. The New York Central & Hudson River Railroad Company, plaintiff in error, *v.* The Board of Chosen Freeholders of the County of Hudson. Motion for leave to file brief herein as *amicus curiæ* granted.

No. 854. Lizzie M. Troxell, administratrix, etc., plaintiff in error, *v.* The Delaware, Lackawanna & Western Railroad Company. Motion for a writ of certiorari on the suggestion of diminution of the record granted, without prejudice.

No. 501. Big Vein Coal Company of West Virginia, plaintiff in error, *v.* Benjamin H. Read. Ordered that this case be placed on the summary docket.

No. 881. Charles F. Allen, executor, etc., petitioner, *v.* Seaboard Air Line Railway et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 883. Howard H. Sypher et al., petitioners, *v.* Bouvier-Iaeger Coal Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 892. The Keystone Type Foundry, petitioner, *v.* National Compositype Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 895. Walter Murphy, petitioner, *v.* Ashley M. Gould, associate justice, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 117. John H. Hall, plaintiff in error, *v.* The United States. In error to the Circuit Court of the United States for the District of Oregon. Dismissed, on motion of Mr. Solicitor General Bullitt for the defendant in error, and cause remanded to the District Court of the United States for the District of Oregon.

No. 548. The United States, plaintiff in error, *v.* Northern Commercial Company. In error to the District Court of the United States for the Fourth Division, Territory of Alaska. Dismissed, on motion of Mr. Solicitor General Bullitt for the plaintiff in error.

No. 652. The United States of America, plaintiff in error, *v.* Adams Express Company. Motion to advance submitted by Mr. Solicitor General Bullitt for the plaintiff in error.

No. 783. The United States, plaintiff in error, *v.* The Chandler-Dunbar Water Power Company et al.;

No. 784. The Chandler-Dunbar Water Power Company et al., plaintiffs in error, *v.* The United States;

No. 785. St. Mary's Power Company, plaintiff in error, *v.* The United States; and

No. 786. Clarence M. Brown, sole receiver, etc., plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Bullitt for the United States.

No. 615. The United States, appellant, *v.* The Harvey Steel Company; and

No. 616. Midvale Steel Company, appellant, *v.* The Harvey Steel Company. Motion to affirm submitted by Mr. James R. Sheffield for the appellee in support of the motion, and by Mr. Assistant Attorney General Thompson and Mr. P. M. Ashford for the United States, and Mr. Frederic D. McKenney, Mr. Frank S. Busser, and Mr. A. H. Wintersteen for the Midvale Steel Company in opposition thereto.

No. 689. Wynkoop, Hallenbeck, Crawford Company, appellant, *v.* Thomas J. Gaines, jr. Motion to dismiss submitted by Mr. John J. Crawford for the appellee in support of the motion, and by Mr. William Otis Badger, jr., for the appellant in opposition thereto.

No. 33. Sarah K. McLean, widow of Nathaniel H. McLean, deceased, appellant, *v.* The United States. Mandate granted, on motion of Mr. George A. King for the appellant.

No. 891. G. W. Wathen, appellant, *v.* Jackson Oil & Refining Company et al. Motion to advance submitted by Mr. Harry Peyton, in behalf of counsel for the appellant.

No. 909. Royal Bosworth Young et al., petitioners, *v.* United Zinc Companies et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Lewis Marks and Mr. R. B. Young for the petitioners, and by Mr. Samuel Williston and Mr. Hollis R. Bailey for the respondents.

No. 670. William McCoach, Collector of Internal Revenue, petitioner, *v.* Minehill & Schuylkill Haven Railroad Company. Motion for leave to file brief herein as amicus curiæ on behalf of the Albany & Susquehanna Railroad Company submitted by Mr. Frederic D. McKenney in behalf of counsel, and motion granted.

No. 682. Edmund Burke *v.* Southern Pacific Railroad Company et al.; and

No. 683. J. I. Lamprecht and F. M. Aiken, Trustees, *v.* Southern Pacific Railroad Company et al. Leave granted to file brief herein as amicus curiæ on behalf of the Northern Pacific Railway Company, on motion of Mr. C. W. Bunn for the Northern Pacific Railway Company.

No. 887. J. L. Shine, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals

for the Fifth Circuit submitted by Mr. Frederick S. Tyler, in behalf of Mr. W. S. Welch for the petitioner, and by Mr. Assistant Attorney General Harr for the respondent.

No. 3, Original. The People of the State of New York, complainants, *v.* The State of New Jersey et al. On motion of Mr. Frederick S. Tyler, in behalf of counsel, ordered that the time for taking testimony herein be extended in accordance with the terms of the stipulation of counsel.

No. 908. Charles Gring, Owner, etc., petitioner, *v.* Rosa Lee Cherry, Administratrix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Howard M. Long, Mr. J. Parker Kirlin, and Mr. Edward R. Baird, jr., for the petitioner, and by Mr. Henry Bowden for the respondents.

No. 910. J. G. Brill Company, petitioner, *v.* The Bemis Car Box Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. J. Edgar Bull, Mr. Alexander Simpson, jr., and Mr. Francis Rawle for the petitioner, and by Mr. John G. Johnson, Mr. Henry P. Brown, and Mr. Antonio Knauth for the respondent.

No. 906. The Hartford Rubber Works Company, petitioner, *v.* Metallic Rubber Tire Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John M. Coit, in behalf of Mr. Livingston Gifford, for the petitioner, and by Mr. Norman G. Johnson for the respondent.

No. 322. S. T. Gray and Robert Brady, appellants, *v.* Robert H. Taylor et al., Board of Commissioners of Lincoln County et al.; and

No. 483. The Territory of New Mexico, by its Attorney General, Frank W. Clancy, on the relation of Jacobo J. Aragon, appellant, *v.* The Board of County Commissioners of Lincoln County, New Mexico. Submitted pursuant to the twentieth rule by Mr. T. B. Catron for the appellant, and by Mr. John Y. Hewett for the appellees.

No. 756. Rasmus K. Svor, plaintiff in error, *v.* Catherine M. Morris. Submitted pursuant to the twentieth rule by Mr. C. A. Fosnes for the plaintiff in error, and by Mr. Owen Morris for the defendant in error.

No. 182. Augustus Burgdorf, Surviving Trustee, et al., appellants, *v.* Lemuel E. Mayhew. Appeal from the Court of Appeals of the District of Columbia. Dismissed with costs, on motion of counsel for the appellant.

No. 315. German Insurance Company, plaintiff in error, *v.* Commonwealth of Kentucky, for the use, etc., of the Louisville school

board et al. In error to the Court of Appeals of the State of Kentucky. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 638. William H. Wadkins, Natural Tutor, etc., plaintiff in error, *v.* Producers Oil Company et al. Passed on account of sickness of counsel, to be restored to the call under the provisions of section 9, rule 26.

No. 122. Southern Pacific Company, appellant, *v.* The City of Portland. Argued by Mr. J. E. Fenton for the appellant, and by Mr. Frank S. Grant for the appellee.

No. 831. Walter B. Grant et al., appellants and plaintiffs in error, *v.* The United States. Argued by Mr. Solicitor General Bullitt for the appellee and defendant in error, and submitted by Mr. William A. Keener for the appellants and plaintiffs in error.

No. 741. Continental & Commercial Trust & Savings Bank, appellant, *v.* The Chicago Title & Trust Company, Trustee, etc. Argued by Mr. Horace Kent Tenney for the appellant, and by Mr. Edwin Terwilliger, jr., for the appellee.

No. 280. The Guardian Assurance Co. of London (Ltd.), plaintiff in error, *v.* Domingo Quintana. Argument commenced by Mr. Frederic D. McKenney for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 7, will be as follows: Nos. 280, 762, 473, 299, 591, 381, 588, 602 (and 603), 842, 500, 520, 620, 682 (and 683), 698, 854, 670, 691, 858, and 862.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 7, 1913.

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

Allen Hughes, of Memphis, Tenn.; Thos. W. O'Donnell, of Vernal, Utah; and Fred Farrar, of Fort Collins, Colo., were admitted to practice.

No. 280. The Guardian Assurance Co. of London (Ltd.), plaintiff in error, *v.* Domingo Quintana. Argument continued by Mr. Frederic D. McKenney for the plaintiff in error, by Mr. C. L. Bouve for the defendant in error, and concluded by Mr. Frederic D. McKenney for the plaintiff in error.

No. 762. Gulf, Colorado & Santa Fe Railway Co., plaintiff in error, *v.* Mary J. McGinnis, administratrix, etc. Argued by Mr. A. H. Culwell for the plaintiff in error, and submitted by Mr. Winbourn Pearce and Mr. A. L. Curtis for the defendant in error.

No. 473. Clara A. Wheeler et al., appellants, *v.* City and County of Denver et al. Argued by Mr. Edwin H. Park for the appellant, and by Mr. W. H. Bryant for the appellees.

No. 299. B. Zavelo, plaintiff in error, *v.* J. S. Reeves et al. Argued by Mr. Samuel A. Putman for the defendants in error, and submitted by Mr. Oscar R. Hundley for the plaintiff in error.

No. 591. Clarence S. Houghton, as receiver, etc., appellant, *v.* William H. Burden. Argued by Mr. Jacob B. Engel for the appellant, and by Mr. John J. Crawford for the appellee.

No. 381. Effie Hoke et al., plaintiffs in error, *v.* The United States;

No. 588. Louis Athanasaw et al., plaintiffs in error, *v.* The United States;

No. 602. Emma Harris, etc., et al., plaintiffs in error, *v.* The United States;

No. 603. Della Bennett, plaintiff in error, *v.* The United States; and

No. 842. John A. Johnson, appellant, *v.* Luman T. Hoy, United States marshal, etc. Ordered to be heard as one case, and two hours

allowed each side in the argument, on motion of Mr. Benjamin C. Bachrach, for Johnson. Leave granted to file reply brief in Nos. 602 and 603 within one week, on motion of Mr. Max Levy, for the plaintiffs in error.

Argument commenced by Mr. Benjamin C. Bachrach for the appellant in No. 842, and continued by Mr. C. W. Howth for Effie Hoke.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 8, will be as follows: Nos. 381, 588, 602 (and 603), 842, 500, 520, 620, 682 (and 683), 698, 854, 670, 691, 858, and 862.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 8, 1913.

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

F. M. Walcott, of Valentine, Nebr.; Rush L. Holland, of Colorado Springs, Colo.; and Delph E. Carpenter, of Greeley, Colo., were admitted to practice.

No. 8, Original. The State of Wyoming, complainant, *v.* The State of Colorado et al. Leave granted to file answers herein, on motion of Mr. Fred Farrar for the defendant The State of Colorado.

No. 381. Effie Hoke et al., plaintiffs in error, *v.* The United States;

No. 588. Louis Athanasaw et al., plaintiffs in error, *v.* The United States;

No. 602. Emma Harris, etc., et al., plaintiffs in error, *v.* The United States;

No. 603. Della Bennett, plaintiff in error, *v.* The United States; and

No. 842. John A. Johnson, appellant, *v.* Luman T. Hoy, United States marshal, etc. Leave granted to Mr. C. W. Howth to file an additional brief in behalf of Effie Hoke within one week. Argument continued by Mr. C. W. Howth for Effie Hoke, by Mr. Max Levy for the plaintiffs in error in Nos. 602 and 603, and by Mr. Assistant Attorney General Harr for the United States, and concluded by Mr. Max Levy for the plaintiffs in error in Nos. 602 and 603.

No. 500. The Northern Pacific Railway Company et al., appellants, *v.* The United States of America. Argument commenced by Mr. Charles Donnelly for the appellants, and continued by Mr. Assistant Attorney General Knaebel for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 9, will be as follows: Nos. 500, 520, 620, 682 (and 683), 698, 854, 670, 691, 858, and 862.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 9, 1913.

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

Howard C. Wiggins, of Rome, N. Y.; Roberts Walker, of New York City; Charles F. Choate, jr., of Boston, Mass.; and Stephen W. Williams, of Washington, D. C., were admitted to practice.

No. 500. The Northern Pacific Railway Company et al., appellants, *v.* The United States of America. Argument continued by Mr. Assistant Attorney General Knaebel for the appellee, and concluded by Charles Donnelly for the appellants.

No. 520. Charles R. Heike, petitioner, *v.* The United States. Leave granted to file reply brief, on motion of Mr. John B. Stanchfield for the petitioner. Argued by Mr. John B. Stanchfield for the petitioner, and by Mr. Assistant Attorney General Denison for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 10, will be as follows: Nos. 620, 682 (and 683), 698, 854, 670, 691, 858, 862, 112 (and 113), and 121.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 10, 1913.

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

Henry W. Clark, of New York City; Romney Spring, of Boston, Mass.; William S. Coburn, of Atlanta, Ga.; and John S. Leahy, of St. Louis, Mo., were admitted to practice.

No. 696. Frederick de Barry & Company, plaintiff in error, *v.* The State of Louisiana. Submitted pursuant to the twentieth rule by Mr. J. D. Rouse, Mr. William Grant, and Mr. William B. Grant for the plaintiff in error, and by Mr. R. G. Pleasant for the defendant in error.

No. 718. Mary E. Hughes, appellant, *v.* The United States;

No. 719. The United States, appellant, *v.* Mary E. Hughes; and

No. 720. Mattie W. Jackson, widow, etc., et al., appellants, *v.* The United States. Submitted pursuant to the twentieth rule by Mr. Waitman H. Conaway for the appellants in Nos. 718 and 720, and the appellee in No. 719, and by Mr. Assistant Attorney General Thompson for The United States.

No. 771. Amy B. Zimmerman, appellant, *v.* Frank F. Harding; and

No. 894. Frank F. Harding, appellant, *v.* Amy B. Zimmerman. Submitted pursuant to the twentieth rule by Mr. N. B. K. Pettingill for Zimmerman, and by Mr. H. H. Scoville and Mr. Willis Sweet for Harding.

No. 620. The United States, plaintiff in error, *v.* Sidney W. Winslow et al. Two hours allowed to each side in the argument, on motion of Mr. Solicitor General Bullitt for the plaintiff in error. Argument commenced by Mr. Solicitor General Bullitt for the plaintiff in error, continued by Mr. Charles F. Choate, jr., and Mr. Frederick P. Fish for the defendants in error, and concluded by Mr. Solicitor General Bullitt for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 13, will be as follows: Nos. 682 (and 683), 698, 854, 670, 691, 858, 862, 112 (and 113), 121, and 123 (and 124).



SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 13, 1913.

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

J. Harwood Graves, of Washington, D. C.; Jay A. Hindman, of Hartford City, Ind.; George B. Wellington, of Troy, N. Y.; J. Hayden Oliver, of Scranton, Pa.; and Edward A. Haid, of St. Louis, Mo., were admitted to practice.

No. 252. El Paso & Southwestern Railroad Company, plaintiff in error, *v.* Eichel & Weikel. In error to the Court of Civil Appeals of the Fourth Supreme Judicial District of the State of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Pitney.

No. 115. Mathias Schmidinger, plaintiff in error, *v.* The City of Chicago. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Day.

The Chief Justice announced the following orders of the court:

No. 652. The United States of America, plaintiff in error, *v.* The Adams Express Company. Motion to advance granted, and cause assigned for argument on Monday, April 7 next.

No. 783. The United States, plaintiff in error, *v.* The Chandler-Dunbar Water Power Company et al.;

No. 784. The Chandler-Dunbar Water Power Company, plaintiff in error, *v.* The United States;

No. 785. St. Mary's Power Company, plaintiff in error, *v.* The United States; and

No. 786. Clarence M. Brown, sole receiver, etc., plaintiff in error, *v.* The United States. Motion to advance granted, and cases assigned for argument on Monday, April 7 next, after the case heretofore assigned for that day.

No. 891. G. W. Wathen, appellant, *v.* Jackson Oil & Refining Company et al. Motion to advance denied.

No. 887. J. L. Shine, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 906. The Hartford Rubber Works Company, petitioner, *v.* Metallic Rubber Tire Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 908. Charles Gring, owner, etc., petitioner, *v.* Rosa Lee Cherry, administratrix, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 909. Royal Bosworth Young et al., petitioners, *v.* United Zinc Companies et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 910. J. G. Brill Company, petitioner, *v.* The Bemis Car Box Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. —, Original. Ex parte: In the matter of the First National Bank of Dexter, New York, petitioner. Motion for leave to file petition for writs of mandamus and certiorari submitted by Mr. A. S. Worthington and Mr. Charles L. Frailey for the petitioner.

No. 917. Louisiana & Texas Lumber Company, petitioner, *v.* C. S. Swift. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. C. L. Bouvé, in behalf of Mr. L. C. Boyle and Mr. Joseph S. Brooks, for the petitioner.

No. 593. William S. Lovell, trustee in bankruptcy, etc., plaintiff in error, *v.* Henry Hentz & Company et al. Motion to dismiss or affirm submitted by Mr. L. R. Alden, in behalf of Mr. John W. Griffin and Mr. Everett P. Wheeler, for the defendants in error, in support of the motion, and by Mr. W. A. Blount, Mr. H. Generes Dufour, and Mr. Walker Percy for the plaintiff in error in opposition thereto.

No. 658. Warren B. Wheeler, plaintiff in error, *v.* The United States;

No. 659. Stillman Shaw, plaintiff in error, *v.* The United States;

No. 660. Warren B. Wheeler, appellant, *v.* Guy Murchie, United States marshal, etc.; and

No. 661. Stillman Shaw, appellant, *v.* Guy Murchie, United States marshal, etc. Mandates granted, on motion of Mr. Solicitor General Bullitt for the United States.

No. 210. St. Louis Fair Association, plaintiff in error, *v.* Gilsonite Roofing & Paving Company. In error to the Supreme Court of the

State of Missouri. Dismissed with costs, on motion of counsel for the plaintiff in error, and mandate granted.

No. —. Josephine P. McGowan, executrix of Jonas H. McGowan, deceased, and Elijah V. Brookshire *v.* Emily E. Parish, executrix of Joseph W. Parish, deceased. Petition for allowance of appeal submitted by Mr. Nathaniel Wilson and Mr. J. J. Darlington for McGowan et al., and five days allowed counsel to file briefs.

No. 682. Edmund Burke *v.* The Southern Pacific Railroad Company et al.; and

No. 683. J. I. Lamprecht and F. M. Aiken, trustees, *v.* Southern Pacific Railroad Company et al. Two hours and a half allowed each side in the argument of these cases, on motion of Mr. Edmund Burke, *pro se.* Argument commenced by Mr. Frederic R. Kellogg for Burke, continued by Mr. Roberts Walker for Burke, by Mr. D. J. Hinkley for Lamprecht and Aiken, trustees, and by Mr. Maxwell for the Southern Pacific Railroad Company et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 14, will be as follows: Nos. 682 (and 683), 698, 854, 670, 691, 858, 862, 112 (and 113), 121, and 123 (and 124).



SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 14, 1913.

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

William Hawthorn Stoddard, of Luverne, Ala., was admitted to practice.

No. 682. Edmund Burke *v.* The Southern Pacific Railroad Co. et al.; and

No. 683. J. I. Lamprecht and F. M. Aiken, trustees, *v.* Southern Pacific Railroad Co. et al. Argument continued by Mr. Maxwell Evarts for the Southern Pacific Railroad Co. et al., and concluded by Mr. D. J. Hinkley for Lamprecht and Aiken, trustees.

No. 698. Martin Pederson, plaintiff in error, *v.* Delaware, Lackawanna & Western Railroad Co. Argued by Mr. Benjamin Patterson for the plaintiff in error, and by Mr. James F. Campbell for the defendant in error.

No. 854. Lizzie M. Troxell, administratrix, etc., plaintiff in error, *v.* Delaware, Lackawanna & Western Railroad Co. Argued by Mr. George Demming for the plaintiff in error, and by Mr. James F. Campbell for the defendant in error.

No. 691. Lester P. Bartell, plaintiff in error, *v.* The United States. Argued by Mr. Solicitor General Bullitt for the defendant in error, and submitted by Mr. Joe Kirby for the plaintiff in error.

No. 670. William McCoach, collector of internal revenue, petitioner, *v.* Minehill & Schuylkill Haven Railroad Co. Argument commenced by Mr. Solicitor General Bullitt for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 15, will be as follows: Nos. 670, 858, 862, 112 (and 113), 121, 123 (and 124), 126, 127 (and 128), 576 (and 577), and 129.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 15, 1913.

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

Thomas William White, of St. Louis, Mo., was admitted to practice.

No. 278. Morris G. Samuels, appellant, *v.* Charles A. Read, trustee, etc. Bankruptcy of Morris G. Samuels suggested, and Robert H. Montgomery, trustee in bankruptcy of Maurice G. Samuels, substituted as the appellant herein, on motion of Mr. E. C. Brandenburg, in behalf of counsel for the appellant.

No. 278. Robert H. Montgomery, trustee in bankruptcy of Maurice G. Samuels, appellant, *v.* Charles A. Read, trustee, etc. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs, on motion of Mr. E. C. Brandenburg, in behalf of counsel for the appellants.

No. 670. William McCoach, collector of internal revenue, petitioner, *v.* Minehill & Schuylkill Haven Railroad Company. Argument continued by Mr. Solicitor General Bullitt for the petitioner, by Mr. George Wharton Pepper for the respondent, and concluded by Mr. Solicitor General Bullitt for the petitioner.

No. 858. Florida East Coast Railway Company, appellant, *v.* The United States et al. Two hours allowed each side for the argument, on motion of Mr. Frederick C. Bryan for the appellant. Three counsel allowed to be heard for the appellees, on motion of Mr. Blackburn Esterline for the United States.

Argument commenced by Mr. Frederick C. Bryan for the appellant, and continued by Mr. Blackburn Esterline for the United States, by Mr. Frederick M. Hudson for the Railroad Commissioners of Florida, and by Mr. Charles W. Needham for the Interstate Commerce Commission, and concluded by Mr. Alex. St. Clair-Abrams for the appellant.

The day call for Thursday, January 16, will be as follows: Nos. 858, 862, 112 (and 113), 121, 123 (and 124), 126, 127 (and 128), 576 (and 577), 129, 130.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 16, 1913.

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

Alfred E. Ommen, of New York City; W. F. Wilson, of Oklahoma City, Okla.; Worth W. Pepple, of Michigan City, Ind.; and Daniel L. Cruice, of Chicago, Ill., were admitted to practice.

No. 130. Axel Gustaveson et al., plaintiffs in error, *v.* The State of Iowa. In error to the Supreme Court of the State of Iowa. Dismissed with costs, pursuant to the tenth rule.

No. 858. Florida East Coast Railway Company, appellant, *v.* The United States et al. Argument concluded by Mr. Alex. St. Clair-Abrams for the appellant.

No. 862. The United States et al., appellants, *v.* The Baltimore & Ohio Railroad Company et al. Two hours allowed to each side in the argument, on motion of Mr. Solicitor General Bullitt for the United States. Leave granted to Mr. George F. Brownell for the railroad companies to file a reply brief within five days. Argument commenced by Mr. Solicitor General Bullitt for the United States, and continued by Mr. Ernest A. Bigelow for the Federal Sugar Refining Co., by Mr. George F. Brownell for the railroad companies, by Mr. H. B. Closson for the Brooklyn Eastern District Terminal, and by Mr. William N. Dykman for the Jay Street Terminal and Arbuckle Bros.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 17, will be as follows: Nos. 862, 112 (and 113), 121, 123 (and 124), 126, 127 (and 128), 576 (and 577), 129, 131, and 132.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 17, 1913.

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

Richard I. Lawson, of Detroit, Mich.; J. Merrick Moore, of Little Rock, Ark.; and William H. Rector, of Fort Smith, Ark., were admitted to practice.

No. 682. The United States at al., appellants, *v.* The Baltimore & Ohio Railroad Company et al. Argument continued by Mr. William M. Dykman for the Jay Street Terminal and Arbuckle Bros., and concluded by Mr. P. J. Farrell for the Interstate Commerce Commission.

No. 112. George McDermott, plaintiff in error, *v.* The State of Wisconsin; and

No. 113. T. H. Grady, plaintiff in error, *v.* The State of Wisconsin. Argument commenced by Mr. H. O. Fairchild for the plaintiffs in error, and continued by Mr. John M. Olin 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. 112 (and 113), 121, 123 (and 124), 126, 127 (and 128), 576 (and 577), 129, 131, 132, and 134.



SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 20, 1913.

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

J. Ellsworth Hall, of Macon, Ga.; W. Pitt Gifford, of Erie, Pa.; J. L. McNab, of San Francisco, Cal.; Charles A. Murray, of Denver, Colo.; Charles H. Shamel, of Springfield, Ill.; Lincoln Tyler, of New York City; Paul E. Walker, of Topeka, Kans.; and Joseph C. Ewing, of Greeley, Colo., were admitted to practice.

No. 600. Interstate Commerce Commission, et al., appellants, *v.* The Louisville & Nashville Railroad Company. Appeal from the United States Commerce Court. Decree reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 831. Walter B. Grant and E. E. Burlingame, appellants and plaintiffs in error, *v.* The United States. Appeal from and in error to the District Court of the United States for the Southern District of New York. Appeal dismissed, and writ of error dismissed as to Burlingame. Judgment affirmed as to Grant. Opinion by Mr. Justice Hughes.

No. 242. The Michigan Central Railroad Company, plaintiff in error, *v.* Daniel B. Vreeland, administrator, etc. In error to the Circuit Court of the United States for the Northern District of Ohio. Judgment reversed, with costs, and cause remanded to the District Court of the United States for the Northern District of Ohio, with directions to grant a new trial. Opinion by Mr. Justice Lurton. (Mr. Justice Holmes concurs in the result.)

No. 87. Norman H. Davis et al., appellants, *v.* The Las Ovas Company, Incorporated. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Lurton.

No. 322. S. T. Gray and Robert Brady, appellants, *v.* Robert H. Taylor et al., Board of Commissioners of Lincoln County et al.; and

No. 483. The Territory of New Mexico, by its attorney general, Frank W. Clancy, on the relation of Jacobo J. Aragon, appellant, *v.*

The Board of County Commissioners of Lincoln County, N. Mex. Appeals from the Supreme Court of the Territory of New Mexico. Decrees affirmed, with costs, and causes remanded to the Supreme Court of the State of New Mexico. Opinion by Mr. Justice Holmes.

No. 80. D. E. Virtue et al., plaintiffs in error, *v.* The Creamery Package Manufacturing 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 District Court of the United States for the District of Minnesota. Opinion by Mr. Justice McKenna.

No. 82. Cameron Septic Tank Company, appellant, *v.* City of Knoxville, in the county of Marion and State of Iowa. Appeal from the Circuit Court of the United States for the Southern District of Iowa. Decree affirmed, with costs, and cause remanded to the District Court of the United States for the Southern District of Iowa. Opinion by Mr. Justice McKenna.

No. 689. Wynkoop, Hallenbeck, Crawford Company, appellant, *v.* Thomas J. Gaines, jr. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 54. Yazoo & Mississippi Valley Railroad Company, plaintiff in error, *v.* Greenwood Grocery Company. In error to the Supreme Court of the State of Mississippi. Judgment reversed, with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

The Chief Justice announced the following orders of the court:

No. —, Original. Ex parte: In the matter of the First National Bank of Dexter, N. Y., petitioner. Motion for leave to file petition for writs of mandamus and certiorari granted, and rule to show cause awarded returnable on Monday, February 24 next.

No. 917. Louisiana & Texas Lumber Company, petitioner, *v.* C. S. Swift. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 282. The United States, plaintiff in error, *v.* James A. Patten et al. Motion that mandate issue forthwith submitted by Mr. Solicitor General Bullitt for the plaintiff in error.

No. 29. Wells, Fargo & Company et al., plaintiffs in error, *v.* The Neiman-Marcus Company. Motion for leave to file an additional

brief on behalf of the defendant in error submitted by Mr. Edward T. Fenwick, in behalf of counsel.

No. 45. Jessie E. Thompson, appellant, *v.* Charles M. Thompson. Mandate granted, per stipulation, on motion of Mr. John A. Kratz, jr., for the appellee.

No. —, Original. *Ex parte*: In the matter of Benjamin F. Edwards, petitioner. Motion for leave to file a petition for writs of mandamus and certiorari submitted by Mr. W. W. Millan for the petitioner.

No. 178. George Mengel, plaintiff in error, *v.* Blanche Mengel and Louis Eckhart, sheriff. Motion to dismiss submitted by Mr. I. S. Pepper for the defendants in error in support of the motion.

No. 135. Thomas B. Stuart and Charles A. Murray, petitioners, *v.* Union Pacific Railroad Company. Leave granted to Mr. Joseph C. Ewing to file brief herein as *amicus curiae*, on motion of Mr. Joseph C. Ewing in that behalf.

No. 926. J. B. Clements et al., petitioners, *v.* George P. Northrop et al., executors. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alexander Akerman for the petitioners and by Mr. A. H. Codrington for the respondents.

No. 927. M. P. Hall et al., petitioners, *v.* W. A. Huff et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alexander Akerman for the petitioners, and by Mr. Du Pont Guerry and Mr. Thomas S. Felder for the respondents.

No. 479. Missouri Pacific Railway Company, plaintiff in error, *v.* F. D. Larabee et al. Motion to dismiss or affirm submitted by Mr. Evans Browne, in behalf of Mr. Joseph G. Waters, and Mr. Charles Blood Smith for the defendants in error, in support of the motion, and by Mr. B. P. Waggener for the plaintiff in error in opposition thereto.

No. 225. Commercial Life Insurance Company, plaintiff in error, *v.* The People of the State of Illinois, upon the information of George J. Ambrose. In error to the Supreme Court of the State of Illinois. Dismissed, without costs to either party, per stipulation of counsel.

No. 112. George McDermott, plaintiff in error, *v.* The State of Wisconsin; and

No. 113. T. H. Grady, plaintiff in error, *v.* The State of Wisconsin. Argument concluded by Mr. John M. Olin for the defendant in error.

No. 121. Missouri, Kansas & Texas Railway Company, plaintiff in error, *v.* Robert L. Harriman et al., as Harriman Brothers. Argued

by Mr. William M. Williams for the defendants in error, and submitted by Mr. Joseph M. Bryson and Mr. Cecil H. Smith for the plaintiff in error.

No. 123. William A. Ensign, plaintiff in error, *v.* The Commonwealth of Pennsylvania; and

No. 124. Charles A. Ensign, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Argued by Mr. John B. Brooks for the plaintiffs in error, and by Mr. W. Pitt Gifford for the defendant in error.

No. 126. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* E. H. Edwards. Submitted by Mr. Martin L. Clardy, Mr. H. G. Hebel, and Mr. Lovick P. Miles for the plaintiff in error. No counsel appeared for the defendant in error.

No. 127. A. C. Crenshaw, plaintiff in error, *v.* The State of Arkansas; and

No. 128. E. L. Gannaway, plaintiff in error, *v.* The State of Arkansas. Argument commenced by Mr. J. Merrick Moore for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 21, will be as follows: Nos. 127 (and 128), 576 (and 577), 129, 131, 132, 134, 135, 136, 137, and 139.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 21, 1913.

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

W. B. Rubin, of Milwaukee, Wis.; John Leffler Davidson, of Chicago, Ill.; Boyd Dudley, of Gallatin, Mo.; John T. Barker, of Jefferson City, Mo.; and Milton Roberts, of Baltimore, Md., were admitted to practice.

No. 137. *Compania de los Ferrocarriles de Puerto Rico*, plaintiff in error, *v. Karl Rohrer et al.* In error to the District Court of the United States for Porto Rico. Dismissed with costs, pursuant to the tenth rule.

No. 127. *A. C. Crenshaw*, plaintiff in error, *v. The State of Arkansas*; and

No. 128. *E. L. Gannaway*, plaintiff in error, *v. The State of Arkansas*. Argument continued by Mr. J. Merrick Moore for the plaintiffs in error, by Mr. William H. Rector for the defendant in error, and concluded by Mr. J. Merrick Moore for the plaintiffs in error.

No. 576. *P. L. Rogers*, plaintiff in error, *v. The State of Arkansas*; and

No. 577. *L. P. Barnhill*, plaintiff in error, *v. The State of Arkansas*. Argued by Mr. A. C. Lyon for the plaintiffs in error, and by Mr. Charles C. Reid for the defendant in error.

No. 129. *Rafael Guiterrez del Arroyo et al.*, appellants, *v. Robert Graham*. Submitted by Mr. Francis H. Dexter and Mr. Frederic McKenney for the appellants, and by Mr. N. B. K. Pettingill for the appellee.

No. 131. *Mary F. Butts*, plaintiff in error, *v. Merchants & Miners Transportation Company*. Argued by Mr. Albin L. Richards for the plaintiff in error, and by Mr. A. Nathan Williams for the defendant in error.

No. 132. The Chicago, Rock Island & Pacific Railway Company et al., plaintiffs in error, *v.* Albert H. Schwyhart et al. Argument commenced by Mr. Paul E. Walker for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 22, will be as follows: Nos. 132, 134, 135, 136, 139, 140, 141, 142, 143, and 144.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 22, 1913.

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

Charles H. Fuller, of New York City; James W. Hocker, of Purcell, Okla.; and Francis S. Howell, of Omaha, Nebr., were admitted to practice.

No. 132. The Chicago, Rock Island & Pacific Railway Company et al., plaintiffs in error, *v.* Albert H. Schwyhart et al. Argument continued by Mr. Paul E. Walker for the plaintiff in error, by Mr. Kendall B. Randolph and Mr. Boyd Dudley for the defendants in error, and concluded by Mr. Paul E. Walker for the plaintiffs in error.

No. 134. Gulf, Colorado & Santa Fe Railway Company, plaintiff in error, *v.* J. H. Thorn. Submitted by Mr. J. W. Terry, Mr. Gardiner Lathrop, Mr. A. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, and Mr. A. H. Culwell for the plaintiff in error. No counsel appeared for the defendant in error.

No. 135. Thomas B. Stuart and Charles A. Murray, petitioners, *v.* Union Pacific Railroad Company. Argument commenced by Mr. Charles A. Murray for the petitioners, continued by Mr. Clayton C. Dorsey for the respondent, and concluded by Mr. Charles A. Murray for the petitioners.

No. 136. Robert Van Iderstine, trustee in bankruptcy, etc., appellant, *v.* The National Discount Company. Argument commenced by Mr. Abram I. Elkus for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 23, will be as follows: Nos. 136, 139, 140, 141, 142, 143, 144, 145, 146, and 147.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 23, 1913.

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

A. C. Stamm, of Harrisburg, Pa.; Denis M. Kelleher, of Fort Dodge, Iowa; Herbert W. Meyers, of Seattle, Wash.; Edgar A. Morning, of Emmetsburg, Iowa; Andrew A. Casassa, of Revere, Mass.; and A. G. Avery, of Spokane, Wash., were admitted to practice.

No. 773. R. A. Marks et al., plaintiffs in error, *v.* S. A. Davis et al. In error to the Supreme Court of the State of Kansas. Dismissed with costs, on motion of Mr. M. E. Olmsted for the plaintiff in error.

No. 136. Robert Van Iderstine, trustee in bankruptcy, etc., appellant, *v.* The National Discount Co. Argument continued by Mr. Abram I. Elkus for the appellant, by Mr. Charles H. Fuller for the appellee, and concluded by Mr. Abram I. Elkus for the appellant.

No. 139. William H. Winfree, as administrator, etc., plaintiff in error, *v.* Northern Pacific Railway Co. Submitted by Mr. B. C. Mosby for the plaintiff in error, and by Mr. Charles W. Bunn for the defendant in error.

No. 140. Charles L. Ross, plaintiff in error, *v.* Minerva Stewart. Submitted by Mr. W. H. Kornegay for the plaintiff in error. No counsel appeared for the defendant in error.

No. 160. Dominga Enrequita Dumey, appellant, *v.* Isabel Hernandez y Bello et al. Advanced for argument with No. 41, on motion of Mr. N. B. K. Pettingill for the appellant.

No. 141. Emilia Rijos Cordovo, appellant, *v.* Teresa Folgueras y Rijos et al.; and

No. 160. Dominga Enrequita Dumey, appellant, *v.* Isabel Hernandez y Bello et al. Argued by Mr. N. B. K. Pettingill for the appellants. No counsel appeared for the appellees.

No. 142. John L. James, bankrupt, appellant, *v.* Stone & Co., creditors, et al. Submitted by Mr. H. L. Stevens for the appellant. No counsel appeared for the appellees.

No. 143. Southern Pacific Co., plaintiff in error, *v.* Mary S. Schuyler et al., infants, etc. Argued by Mr. Maxwell Evarts for the plaintiff in error, and submitted by Mr. Edward M. Cleary for the defendants in error.

No. 144. Brooklyn Mining & Milling Co., appellant, *v.* Charles C. Miller et al. Argument commenced by Mr. F. S. Howell for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 24, will be as follows: Nos. 144, 145, 146, 147, 148, 149, 150, 106, 151, and 152.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 24, 1913.

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

George M. Tunison, of Omaha, Nebr.; Andrew H. Hudspeth, of White Oaks, N. Mex.; and Abraham Benedict, of New York City, were admitted to practice.

No. 322. S. T. Gray et al., appellants, *v.* Robert H. Taylor et al., board of commissioners of Lincoln County, et al.; and

No. 483. The Territory of New Mexico, by its attorney general, Frank W. Clancy, on the relation of Jacobo J. Aragon, appellant, *v.* The Board of County Commissioners of Lincoln County, N. Mex. Mandates granted, per stipulation, on motion of Mr. T. B. Catron for the appellants.

No. 148. George Matheson, plaintiff in error, *v.* The United States. Submitted by Mr. James Wickersham for the plaintiff in error, and by Mr. Assistant Attorney General Adkins for the defendant in error.

No. 144. Brooklyn Mining & Milling Company, appellant, *v.* Charles C. Miller et al. Argument continued by Mr. F. S. Howell for the appellant, and concluded by Mr. T. G. Norris for the appellees.

No. 145. The People of Porto Rico, appellants, *v.* Manuel Rosaly y Castillo. Submitted by Mr. Felix Frankfurter for the appellants. No counsel appeared for the appellees.

No. 146. Sarah M. Hutchinson, appellant, *v.* The City of Valdosta et al. Submitted by Sarah M. Hutchinson pro se. No counsel appeared for the appellee.

No. 147. Santa Fe, Prescott & Phoenix Railway Company et al., plaintiffs in error, *v.* Grant Brothers Construction Company. Argued by Mr. Gardiner Lathrop for the plaintiffs in error, and by Mr. Isidore B. Dockweiler for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 27, will be as follows: Nos. 149, 150, 106, 151, 152, 153, 154, 155, 156, and 157 (and 158).

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 27, 1913.

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

Patrick D. Cronin, of Boston, Mass.; W. Parker Jones, of Stoneham, Mass.; Thomas C. Bradley, of Washington, D. C.; Walter Schell Gilchrist, of Washington, D. C.; Edmund Blanchard Quiggle, of McElhattan, Pa.; Thomas M. Hyde, of Basin, Wyo.; Albert M. Belcher, of Charleston, W. Va.; Sydney R. Prince, of Mobile, Ala.; Harold W. Houston, of Charleston, W. Va.; Sidney L. Herold, of Shreveport, La.; Benjamin B. Jenkins, of Indianapolis, Ind.; Edward B. Herndon, of Shreveport, La.; Guy C. Calden, of San Francisco, Cal.; Harry W. Miller, of Portsmouth, Ohio; Roy B. Smith, of Roanoke, Va.; Samuel Davis Stokes, of Williamson, W. Va.; and F. J. Moissen, of Brooklyn, N. Y., were admitted to practice.

No. 75. J. Thorburn Ross, plaintiff in error, *v.* The State of Oregon. In error to the Supreme Court of the State of Oregon. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 72. The American Railroad Company of Porto Rico, plaintiff in error *v.* Federico Didricksen and his wife, Louisa Rodriguez. In error to the District Court of the United States for Porto Rico. Judgment reversed with costs, and cause remanded with directions to award a new trial. Opinion by Mr. Justice Lurton. (Mr. Justice Holmes concurs in the result.)

No. 520. Charles R. Heike, petitioner, *v.* The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Holmes.

No. 93. Texas & New Orleans Railroad Company et al., plaintiffs in error, *v.* Sabine Tram Company. In error to the Court of Civil Appeals for the First Supreme Judicial District of the State of Texas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 280. The Guardian Assurance Company of London, Limited, plaintiff in error, *v. Domingo Quintana*. Motion to dismiss or affirm denied without prejudice. Opinion by Mr. Chief Justice White.

No. 696. Frederick de Bary & Company, plaintiff in error, *v. The State of Louisiana*. In error to the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

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

No. 178. George Engel, plaintiff in error, *v. Blanche Engel and Louis Eckhart, sheriff*. In error to the Supreme Court of the State of Iowa. Per curiam: Dismissed for the want of jurisdiction with 10 per cent damages. (*Waters-Pierce Oil Co. v. Texas*, 212 U. S., 112, 118; *McCorquodale v. Texas*, 211 U. S., 432; *Farrell v. O'Brien*, 199 U. S., 100-101; *Deming v. Carlisle Packing Co.*, decided Dec. 2, 1912.)

No. 134. The Gulf, Colorado & Santa Fe Railway Company, plaintiff in error, *v. J. H. Thorn*. In error to the County Court of Sabine County, State of Texas. Per curiam: Judgment reversed with costs, and cause remanded for further proceedings, upon the authority of *Gulf, Colorado & Santa Fe Ry. Co. v. Dennis* (224 U. S., 503).

No. —, Original. Ex parte: In the matter of Benjamin F. Edwards, petitioner. Motion for leave to file petition for writs of mandamus and certiorari granted, and rule to show cause awarded returnable on Monday, February 24 next.

No. 29. Wells, Fargo & Company et al., plaintiffs in error, *v. Neiman-Marcus Company*. Motion for leave to file an additional brief for the defendant in error granted.

No. 479. Missouri Pacific Railway Company, plaintiff in error, *v. F. D. Larabee et al.* Motion to dismiss or affirm postponed to the hearing on the merits.

No. 926. J. B. Clements et al., petitioners, *v. George P. Northrop et al.*, executors. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 927. M. P. Hall et al., petitioners, *v. W. A. Huff et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

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

No. 950. Congregacion de la Mision de San Vicente de Paul, appellant, *v.* Francisco Reyes y Mijares and Banco Espanol Filipino. Appeal from the Supreme Court of the Philippine Islands. Docketed and dismissed with costs, on motion of Mr. Evans Browne for the appellees.

No. 935. A. D. Howe Machine Company, petitioner, *v.* Coffield Motor Washer Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Conrad H. Syme for the petitioner, and by Mr. R. J. McCarty for the respondent.

No. 905. Fireball Gas Tank & Illuminating Company et al., petitioners, *v.* Commercial Acetylene Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Hugh K. Wager for the petitioner.

No. —. The United States of America ex rel. George L. Foreman, petitioner, *v.* George von L. Meyer, Secretary of the Navy; and

No. —. The United States of America ex rel. The Champion Lumber Company, a corporation, petitioner, *v.* Walter L. Fisher, Secretary of the Interior, et al. Petitions for writs of error to the Court of Appeals of the District of Columbia submitted by Mr. Patrick H. Loughran for the petitioners.

No. —, Original. Ex parte: In the matter of Nathan Eisemann, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Archibald King, in behalf of Mr. Eugene P. Carver, for the petitioner.

No. 149. McLaughlin Brothers, a corporation, etc., plaintiff in error, *v.* L. A. Hallowell et al. Argument commenced by Mr. Edgar A. Morling for the plaintiff in error, continued by Mr. Denis M. Kelleher for the defendants in error, and concluded by Mr. Edgar A. Morling for the plaintiff in error.

No. 150. Frank Luke and John Luke, appellants, *v.* Jesse Hoyt Smith. Argument commenced by Mr. Walter Bennett for the appellants, continued by Mr. Lewis M. Ogden for the appellee, and concluded by Mr. Walter Bennett for the appellants.

No. 106. The Arizona Copper Company, Limited, appellant, *v.* William Allen Gillespie. Argument commenced by Mr. John A. Garver for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 28, will be as follows: Nos. 106, 151, 152, 153, 154, 155, 156, 157 (and 158), 638, and 59.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 28, 1913.

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

Albert M. Kales, of Chicago, Ill.; James Francis Horton, of Washington, D. C.; Chester E. Cleveland, of Chicago, Ill.; and Sam D. Stennis, jr., of Carlsbad, N. Mex., were admitted to practice.

No. 198. The United States, appellant, *v.* The Reading Company et al.;

No. 206. The Temple Iron Company, appellant, *v.* The United States; and

No. 217. The Reading Company et al., appellants, *v.* The United States. Motions to modify decree submitted by Mr. Adelbert Moot for the Hillside Coal & Iron Company; by Mr. William S. Jenney and John G. Johnson for the Delaware, Lackawanna & Western Railroad Company; by Mr. Gilbert Collins and Mr. William H. Corbin for the New York, Susquehanna & Western Coal Company; by Mr. George F. Brownell for the Pennsylvania Coal Company; and by Mr. Frank H. Platt for the Elk Hill Coal & Iron Company, in support of the motions, and by Mr. Attorney General Wickersham, Mr. J. C. McReynolds, and Mr. G. Carroll Todd for the United States, in opposition thereto.

No. 620. The United States, plaintiff in error, *v.* Sidney W. Winslow et al. Leave granted to file printed copies of oral argument herein, on motion of Mr. Solicitor General Bullitt for the plaintiff in error.

No. —, Original. Ex parte: In the matter of Dan Chain, petitioner. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. A. M. Belcher and Mr. H. W. Houston for the petitioner.

No. 106. The Arizona Copper Company, Limited, appellant, *v.* William Allen Gillespie. Argument continued by Mr. John A. Garver for the appellant, by Mr. Ernest W. Lewis for the appellee, and concluded by Mr. Walter Bennett for the appellant.

No. 151. R. W. Starr, plaintiff in error, *v.* Long Jim and Annie, his wife. Argument commenced by Mr. R. W. Starr pro se, continued by Mr. A. G. Avery for the defendants in error, and concluded by Mr. Frank Reeves for the plaintiff in error.

No. 152. Consolidated Turnpike Company et al., plaintiffs in error, *v.* Norfolk & Ocean View Railway Company. Argument commenced by Mr. Charles H. Burr for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 29, will be as follows: Nos. 152, 153, 154, 155, 156, 157 (and 158), 638, 59, 60, and 161.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 29, 1913.

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

Frank L. Moore, of Moscow, Idaho; Benjamin S. Baker, of Omaha, Nebr.; Walter B. Guy, of Washington, D. C.; David F. McGowan, of Portland, Oreg.; Albert T. Scharps, of New York City; and Earl Caspar Arnold, of Boise, Idaho, were admitted to practice.

No. 282. The United States, plaintiff in error, *v.* James A. Patten et al. Motion that mandate issue forthwith granted.

No. 461. Central Vermont Railway Company, appellant, *v.* John W. Redmond et al., constituting the Public Service Commission of the State of Vermont. Appeal from the Circuit Court of the United States for the District of Vermont. Dismissed with costs, on motion of counsel for the appellant, and cause remanded to the District Court of the United States for the District of Vermont.

No. 161. The Detroit United Railway, plaintiff in error, *v.* The People of the State of Michigan. Continued, per stipulation.

No. 152. Consolidated Turnpike Company et al., plaintiffs in error, *v.* Norfolk & Ocean View Railway Company. Argument continued by Mr. Charles H. Burr for the plaintiffs in error, by Mr. Henry W. Anderson for the defendant in error, and concluded by Mr. Charles H. Burr for the plaintiffs in error.

No. 153. Norfolk & Western Railway Company, plaintiff in error, *v.* D. E. Earnest. Argument commenced by Mr. John H. Holt for the plaintiff in error, and continued by Mr. B. E. Hinton and Mr. Thomas Lee Moore for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 30, will be as follows: Nos. 153, 154, 155, 156, 157 (and 158), 638, 59, 60, 162 (and 754), and 163.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 30, 1913.

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

George S. Ludlow, of New York City; Arthur M. Bowen, of Twin Falls, Idaho; and Victor Elting, of Chicago, Ill., were admitted to practice.

No. 457. German Alliance Insurance Company, appellant, *v.* Ike Lewis, as superintendent of insurance of the State of Kansas; and

No. 699. Citizens Insurance Company of Missouri, appellant, *v.* Matt C. Clay et al. Motion to advance submitted by Mr. John G. Johnson for the appellants.

No. 500. The Northern Pacific Railway Company et al., appellants, *v.* The United States of America. Leave granted to file brief for the State of Washington as amicus curiæ, on motion of Mr. Wesley L. Jones in that behalf.

No. 153. Norfolk & Western Railway Company, plaintiff in error, *v.* D. B. Earnest. Argument continued by Mr. Thomas Lee Moore for the defendant in error, and concluded by Mr. Roy B. Smith for the plaintiff in error.

No. 154. The People of Porto Rico, plaintiffs in error, *v.* The Title Guaranty & Surety Company. Argued by Mr. William Jessup Hand for the plaintiffs in error, and by Mr. Everett Warren and Mr. John G. Johnson for the defendant in error.

No. 155. Henry Friend et al., petitioners, *v.* James Talcott. Argument commenced by Mr. Chester E. Cleveland for the petitioners, and continued by Mr. Albert M. Kales for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 31, will be as follows: Nos. 155, 156, 157 (and 158), 638, 59, 60, 162 (and 754), 163, 164, and 165.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 31, 1913.

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

Henry V. Poor, of New York City; Henry R. Rathbone, of Chicago, Ill.; and Willis S. Mitchell, of Los Angeles, Cal., were admitted to practice.

No. 13, Original. The State of New Mexico, complainant, *v.* The State of Texas. Leave granted to file bill of complaint herein, and process awarded, on motion of Mr. T. B. Catron for the complainant.

No. 164. Henry S. Redmond et al., appellants, *v.* Paul Alexander as trustee in bankruptcy of Bornn & Company. Passed for settlement, per stipulation of counsel.

No. 155. Henry Friend et al., petitioners, *v.* James Talcott. Argument continued by Mr. Albert M. Kales for the respondent, and concluded by Mr. Chester E. Cleveland for the petitioner.

No. 156. William G. Plested et al., appellants, *v.* Samuel A. Abbey et al. Argument commenced by Mr. Jesse G. Northcutt for the appellants, continued by Mr. Assistant Attorney Cobb for the appellees, and concluded by Mr. William C. Prentiss for the appellants. Leave granted to the appellants to file an additional brief within five days.

No. 157. W. W. Degge et al., plaintiffs in error, *v.* Frank H. Hitchcock, Postmaster General of the United States; and

No. 158. Mytton Maury et al., plaintiffs in error, *v.* Frank H. Hitchcock, Postmaster General of the United States. Argued by Mr. O. A. Erdman for the plaintiffs in error, and by Mr. Assistant Attorney General Adkins for the defendant in error.

No. 638. William H. Wadkins, natural tutor, etc., *v.* Producers' Oil Company et al. Argued by Mr. S. L. Herold for the plaintiff in error, and by Mr. Amos L. Beaty for the defendants in error.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 3, 1913.

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

Donald Spencer Edmonds, of Washington, D. C.; Abram Simmons, of Bluffton, Ind.; Edmund Brady, of Washington, D. C.; Herbert L. Frank, of Washington, D. C.; Arthur L. Morsell, of Milwaukee, Wis.; Gustavus S. Fernald, of Chicago, Ill.; and Lincoln R. Clark, of Chillicothe, Mo., were admitted to practice.

No. 842. John A. Johnson, appellant, *v.* Luman T. Hoy, United States marshal, etc. Appeal from the District Court of the United States for the Northern District of Illinois. Dismissed with costs. Opinion by Mr. Justice Lamar.

No. 86. John E. Scott, plaintiff in error, *v.* Charles P. Lattig, designated as C. T. Lattig and Robert Green. In error to the Supreme Court of the State of Idaho. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 738. St. Louis, Southwestern Railway Company of Texas, plaintiff in error, *v.* Robert Alexander. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs and interest. Opinion by Mr. Justice Day.

No. 129. Rafael Guiterrez del Arroyo et al., appellants, *v.* Robert Graham. Appeal from the District Court of the United States for Porto Rico. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 132. The Chicago, Rock Island & Pacific Railway Company et al., plaintiffs in error, *v.* Albert H. Schwyhart et al. In error to the Kansas City Court of Appeals, State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 144. Brooklyn Mining & Milling Company, appellant, *v.* Charles C. Miller et al. Appeal from the Supreme Court of the Territory of Arizona. Decree affirmed with costs, and cause remanded to the Supreme Court of the State of Arizona. Opinion by Mr. Justice Holmes.

No. 620. The United States, plaintiff in error, *v.* Sidney W. Winslow et al. In error to the District Court of the United States for the District of Massachusetts. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 108. Hedwig Robinson et al., appellants, *v.* John E. Lundrigan. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Minnesota. Opinion by Mr. Justice McKenna.

No. 615. The United States, appellant, *v.* Harvey Steel Company; and

No. 616. Midvale Steel Company, appellant, *v.* Harvey Steel Company. Appeals from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice White.

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

No. —, Original. Ex parte: In the matter of Nathan Eisemann, petitioner. Motion for leave to file a petition for a writ of mandamus denied.

No. —, Original. Ex parte: In the matter of Dan Chain, petitioner. Motion for leave to file petition for writ of habeas corpus denied.

No. 457. German Alliance Insurance Company, appellant, *v.* Ike Lewis as superintendent of insurance of the State of Kansas; and

No. 699. Citizens Insurance Company of Missouri, appellant, *v.* Matt C. Clay et al. Motion to advance denied.

No. 905. Fireball Gas Tank & Illuminating Company et al., petitioners, *v.* Commercial Acetylene Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 935. A. D. Howe Machine Company, petitioner, *v.* Coffield Motor Washer Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 840. The United States, appellant, *v.* The Terminal Railroad Association of St. Louis et al. Motion to advance submitted by Mr. Solicitor General Bullitt for the appellant.

No. 863. The United States, plaintiff in error, *v.* Arnulfo Chavez, etc.; and

No. 864. The United States, plaintiff in error, *v.* Jose Mesa. Motion to advance and transfer to summary docket submitted by Mr. Solicitor General Bullitt for the plaintiff in error.

No. 878. The United States, plaintiff in error, *v.* John A. Davis et al. Motion to advance and transfer to summary docket submitted by Mr. Solicitor General Bullitt for the plaintiff in error.

No. 918. The United States, plaintiff in error, *v.* Bob Wright. Motion to advance and transfer to summary docket submitted by Mr. Solicitor General Bullitt for the plaintiff in error.

No. 923. Frank Guinn et al. *v.* The United States. Motion to advance submitted by Mr. Solicitor General Bullitt for the United States.

No. 943. The United States, plaintiff in error, *v.* Alfred Shelley. Motion to advance and transfer to summary docket submitted by Mr. Solicitor General Bullitt for the plaintiff in error.

No. 944. Charles H. Swigart et al., appellants, *v.* D. P. Baker. Motion to advance submitted by Mr. Solicitor General Bullitt for the appellants.

No. 947. Malleable Iron Range Company, petitioner, *v.* Arthur K. Beckwith. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Arthur L. Morsell and Mr. Thomas A. Banning for the petitioner, and by Mr. Fred L. Chappell for the respondent.

No. 957. Fred D. May et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Arthur Peter, in behalf of Mr. P. H. Cullen, Mr. Thomas T. Fauntleroy, and Mr. Shepard Barclay for the petitioners, and by Mr. Assistant Attorney General Harr for the respondent.

No. 507. The Pullman Company, appellant, *v.* A. C. Croom, comptroller, etc., et al. Motion to advance to be heard with No. 250, as one case, submitted by Mr. Gustavus S. Fernald for the appellant.

No. 949. Eugene Mosier, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. R. W. Wells in behalf of Mr. Milton Brown for the petitioner, and by Mr. Assistant Attorney General Denison for the respondent.

No. 736. The United States, appellant, *v.* The Mille Lac Band of Chippewa Indians of the State of Minnesota. Motion to advance submitted by Mr. D. B. Henderson for the appellee.

No. 902. Joseph F. Guffey et al., petitioners, *v.* James A. Smith et al.; and

No. 903. Joseph F. Guffey et al., petitioners, *v.* Susannah Smith et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Joseph

W. Bailey, Mr. J. H. Beal, Mr. Levy Mayer, and Mr. J. W. Moses for the petitioners, and by Mr. J. A. Hindman and Mr. John W. Kern for the respondents.

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

The day call for Monday, February 24, will be as follows: Nos. 706, 319, 697, 442, 705, 695, 798, 59, 60, and 162 (and 754).



SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 24, 1913.

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

Hilliard S. Ridgely, of Cheyenne, Wyo.; Lee Douglas, of Nashville, Tenn.; Charles Carroll, of Louisville, Ky.; George W. Burleigh, of New York City; John J. Halligan, of North Platte, Nebr.; Francis C. Wilson, of Santa Fe, N. Mex.; Henry T. Rainey, of Carrollton, Ill.; Harry Higbee, of Pittsfield, Ill.; John A. Sterling, of Bloomington, Ill.; Edwin E. Higgins, of Norwich, Conn.; Paul Howland, of Cleveland, Ohio; A. Welles Stump, of New York City; W. H. Bogle, of Seattle, Wash.; Bruce C. Shorts, of Seattle, Wash.; Henry Axtell Prince, of New York City; David Evans, of Los Angeles, Cal.; and Edgar Livingstone Cornelius, of Baltimore, Md., were admitted to practice.

No. 64. Marcelina Rosaly, widow of Rabainne, appellant, *v.* Roberto Graham y Frazer. Appeal from the Supreme Court of Porto Rico. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 123. William A. Ensign, plaintiff in error, *v.* The Commonwealth of Pennsylvania; and

No. 124. Charles A. Ensign, plaintiff in error, *v.* The Commonwealth of Pennsylvania. In error to the Supreme Court of the State of Pennsylvania. Judgments affirmed with costs. Opinion by Mr. Justice Pitney.

No. 143. Southern Pacific Company, plaintiff in error, *v.* Mary S. Schuyler et al., infants, etc. In error to the Supreme Court of the State of Utah. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 151. R. W. Starr, plaintiff in error, *v.* Long Jim and Annie, his wife. In error to the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 299. B. Zavelo, plaintiff in error, *v.* J. S. Reeves et al., etc. In error to the Supreme Court of the State of Alabama. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 81. Grand Trunk Western Railway Company, plaintiff in error, *v.* The City of South Bend et al. In error to the Supreme Court of the State of Indiana. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lamar. Concurring: Mr. Justice Day. Dissenting: Mr. Justice Hughes and Mr. Justice Pitney.

No. 122. Southern Pacific Company, appellant, *v.* The City of Portland. Appeal from the Circuit Court of the United States for the District of Oregon. Decree affirmed with costs, without prejudice, and cause remanded to the District Court of the United States for the District of Oregon. Opinion by Mr. Justice Lamar. Mr. Justice Hughes and Mr. Justice Pitney concur in the result.

No. 136. Robert Van Iderstine, trustee in bankruptcy, etc., appellant, *v.* The National Discount Company. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Lamar.

No. 148. George Matheson, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the Fourth Division of the Territory of Alaska. Judgment affirmed. Opinion by Mr. Justice Lamar.

No. 756. Rasmus K. Svor, plaintiff in error, *v.* Catherine M. Morris. In error to the Supreme Court of the State of Minnesota. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 140. Charles L. Ross, plaintiff in error, *v.* Minerva Stewart. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 85. Lewis E. Smoot, appellant, *v.* Julia Turner Heyl et al. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Hughes.

No. 34. Supreme Ruling of the Fraternal Mystic Circle, plaintiff in error, *v.* Annie Snyder. In error to the Supreme Court of the State of Tennessee. Judgment affirmed with costs and interest. Opinion by Mr. Justice Hughes.

No. 76. E. R. Bacon, doing business as Wabash Elevator, plaintiff in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 771. Amy B. Zimmerman, appellant, *v.* Frank F. Harding; and

No. 894. Frank F. Harding, appellant, *v.* Amy B. Zimmerman. Appeals from the District Court of the United States for Porto Rico. Decree affirmed, each party paying one-half the costs in this court. Opinion by Mr. Justice Lurton.

No. 38. F. S. Bradley, trading as Bradley & Company, plaintiff in error, *v.* The City of Richmond. In error to the Supreme Court of Appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Lurton. (Mr. Justice Lamar concurs in the result.)

No. 3. John E. Hampton et al., as railroad commissioners of the State of Arkansas et al., appellants, *v.* St. Louis, Iron Mountain & Southern Railway Company. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas. Decree reversed with costs, and cause remanded to the District Court of the United States for the Eastern District of Arkansas, with directions to dismiss the bill. Opinion by Mr. Justice Lurton.

No. 29. Wells, Fargo & Company et al., plaintiffs in error, *v.* Neiman-Marcus Company. In error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lurton.

No. 537. The United States, appellant, *v.* Charles B. Mason, executor of the estate of Thomas Mason, deceased. Appeal from the Court of Claims. Judgment reversed, and cause remanded with directions to dismiss the petition. Opinion by Mr. Justice Lurton.

No. 691. Lester P. Bartell, plaintiff in error, *v.* The United States, In error to the District Court of the United States for the District of South Dakota. Judgment affirmed. Opinion by Mr. Justice Day.

No. 854. Lizzie M. Troxell, administratrix, etc., plaintiff in error, *v.* The Delaware, Lackawanna & Western Railroad Company. In error to the United States Circuit Court of Appeals for the Third Circuit. Judgment of the United States Circuit Court of Appeals reversed with costs, and that of the District Court of the United States for the Eastern District of Pennsylvania affirmed with costs, and cause remanded to the said district court. Opinion by Mr. Justice Day. (Upon the issue of *res judicata*, Mr. Justice Lurton concurs solely because of the lack of identity of parties in the two actions.)

No. 593. William S. Lovell, trustee in bankruptcy of Knight, Yancey & Company, plaintiff in error, *v.* Isidor Newman & Son et al. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 127. A. C. Crenshaw, plaintiff in error, *v.* The State of Arkansas; and

No. 128. E. L. Gannaway, plaintiff in error, *v.* The State of Arkansas. In error to the Supreme Court of the State of Arkansas. Judgments reversed with costs, and cases remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 576. P. L. Rogers, plaintiff in error, *v.* The State of Arkansas; and

No. 577. L. P. Barnhill, plaintiff in error, *v.* The State of Arkansas. In error to the Supreme Court of the State of Arkansas. Judgments reversed with costs, and cases remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 142. John L. James, bankrupt, appellant, *v.* Stone & Company, creditor, et al. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. —. The United States of America ex rel. Champion Lumber Company, a corporation, petitioner, *v.* Walter L. Fisher, Secretary of the Interior, et al. Petition for writ of error to the Court of Appeals of the District of Columbia denied. Opinion by Mr. Justice Day.

No. —. The United States of America ex rel. George L. Foreman, petitioner, *v.* George von L. Meyer, Secretary of the Navy. Petition for a writ of error to the Court of Appeals of the District of Columbia denied. Opinion by Mr. Justice Day.

No. 141. Emilia Rijos Cordova, appellant, *v.* Teresa Folgueras y Rijos et al. Appeal from the Supreme Court of Porto Rico. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 160. Dominga Enriqueta Dumey, appellant, *v.* Isabel Hernandez y Bello et al. Appeal from the District Court of the United States for Porto Rico. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 150. Frank Luke and John Luke, appellants, *v.* Jesse Hoyt Smith. Appeal from the Supreme Court of the Territory of Arizona. Judgment affirmed with costs, and cause remanded to the Supreme Court of the State of Arizona. Opinion by Mr. Justice Holmes.

No. 154. The People of Porto Rico, plaintiff in error, *v.* The Title Guaranty & Surety Company. In error to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Middle District of Pennsylvania. Opinion by Mr. Justice Holmes.

No. 500. The Northern Pacific Railway Company et al., appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Eastern District of Washington. Opinion by Mr. Justice McKenna.

No. 381. Effie Hoke and Basil Economides, plaintiffs in error, *v.* The United States. In error to the District Court of the United States Court for the Eastern District of Texas. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. 588. Louis Athanasaw and Mitchell Sampson, plaintiffs in error, *v.* The United States. In error to the District Court of the United States for the Southern District of Florida. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. 603. Della Bennett, plaintiff in error and petitioner, *v.* The United States of America. In error to and on writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Southern District of Ohio. Opinion by Mr. Justice McKenna.

No. 602. Emma Harris, alias Emma R. Smith, and Bessie Green, plaintiffs in error and petitioners, *v.* The United States of America. In error to and on writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Southern District of Ohio. Opinion by Mr. Justice McKenna.

No. 135. Thomas B. Stewart and Charles A. Murray, petitioners, *v.* Union Pacific Railroad Co. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Colorado. Opinion by Mr. Justice McKenna. Mr. Justice Holmes and Mr. Justice Pitney took no part in the decision of this case.

No. 146. Sarah M. Hutchinson, appellant, *v.* City of Valdosta et al. Appeal from the Circuit Court of the United States for the Southern District of Georgia. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of Georgia. Opinion by Mr. Justice McKenna.

No. 139. William H. Winfree, as administrator of the estate of Albert E. Phipps, deceased, plaintiff in error, *v.* Northern Pacific Railway Company. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Washington. Opinion by Mr. Justice McKenna.

No. 638. William H. Wadkins, Natural Tutor of Effie Bell Wadkins, minor, plaintiff in error, *v.* Producers Oil Company et al. In error to the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 126. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* E. H. Edwards. In error to the Supreme Court of the State of Arkansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 50. New York Central & Hudson River Railroad Company, plaintiff in error, *v.* The Board of Chosen Freeholders of the County of Hudson. In error to the Supreme Court of the State of New Jersey. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 145. The People of Porto Rico, appellants, *v.* Manuel Rosaly y Castillo. Appeal from the Supreme Court of Porto Rico. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 610. Home Telephone & Telegraph Company, appellant, *v.* City of Los Angeles et al. Appeal from the District Court of the United States for the Southern District of California. Decree reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. 507. The Pullman Company, appellant, *v.* A. C. Croom, as comptroller of the State of Florida et al. Motion to advance for argument with No. 250 granted.

No. 736. The United States, appellant, *v.* The Mille Lac Band of Chippewa Indians in the State of Minnesota;

No. 923. Frank Guinn et al. *v.* The United States; and

No. 944. Charles H. Swigart et al., appellants, *v.* D. P. Baker. Motions to advance granted, and cases assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 863. The United States, plaintiff in error, *v.* Arnulfo Chavez, alias Arnuto Chavez;

No. 864. The United States, plaintiff in error, *v.* Jose Mesa;

No. 878. The United States, plaintiff in error, *v.* John A. Davis et al.;

No. 918. The United States, plaintiff in error, *v.* Bob Wright; and
 No. 943. The United States, plaintiff in error, *v.* Alfred Shelley.
 Motions to advance and place on the summary docket granted.

No. 902. Joseph F. Guffey et al., petitioners, *v.* James A. Smith
 et al.; and

No. 903. Joseph F. Guffey et al., petitioners, *v.* Susannah Smith
 et al. Petitions for writs of certiorari to the United States Circuit
 Court of Appeals for the Seventh Circuit granted.

No. 947. Malleable Iron Range Company, petitioner, *v.* Arthur
 K. Beckwith. Petition for a writ of certiorari to the United States
 Circuit Court of Appeals for the Seventh Circuit denied.

No. 957. Fred D. May et al., petitioners, *v.* The United States.
 Petition for a writ of certiorari to the United States Circuit Court of
 Appeals for the Eighth Circuit denied.

No. 715. Harry K. Johnson, plaintiff in error, *v.* The United
 States. Motion to dismiss submitted by Mr. Solicitor General Bul-
 litt and Mr. Assistant Attorney General Harr for the defendant in
 error in support of the motion, and by Mr. Edw. J. Fox for the
 plaintiff in error in opposition thereto. Motion to require the clerk
 of this court to give a new bond submitted by Mr. Solicitor General
 Bullitt in that behalf.

No. 882. John F. Baxter, plaintiff in error, *v.* The Buchholz Hill
 Transportation Company. Motion to dismiss or affirm submitted by
 Mr. Corry M. Stadden, in behalf of Mr. Arthur English for the
 defendant in error, in support of the motion, and by Mr. Charles
 C. Burlingham for the plaintiff in error in opposition thereto.

No. 168. Marcelina Torres Zayas, appellant and plaintiff in error,
v. Lothrop, Luce & Company et al. Suggestion of death of Pedro
 Juan Rosaly Capo, one of the appellees and defendants in error, and
 motion for order of publication submitted by Mr. Horace A. Dodge
 in behalf of counsel for the appellant and plaintiff in error, and
 motion granted.

No. 977. Isaac B. Walker, petitioner, *v.* The United States. Peti-
 tion for a writ of certiorari to the United States Circuit Court of
 Appeals for the Fifth Circuit submitted Mr. Hannis Taylor, Mr.
 Francis M. Etheridge, and Mr. Joseph M. McCormick for the
 petitioner.

No. 615. The United States, appellant, *v.* Harvey Steel Company;
 and

No. 616. Midvale Steel Company, appellant, *v.* Harvey Steel Com-
 pany. Ordered that mandates issue at once, on motion of Mr. L. F.
 H. Betts for the Harvey Steel Company.

No. 172. Isidor Straus et al., composing the firm of R. H. Macy & Company, plaintiffs in error, *v.* American Publishers Association et al. Motion to continue submitted by Mr. Wallace McFarlane and Mr. Edmond E. Wise for the plaintiffs in error, in support of the motion, and by Mr. Stephen H. Olin and Mr. John G. Milburn for the defendants in error in opposition thereto.

Nos. 679, 703, 710, and 711. International Harvester Company of America, plaintiff in error, *v.* The Commonwealth of Kentucky. Motions to advance submitted by Mr. Charles Carroll for the defendant in error.

No. 961. Josephine P. McGowan, executrix, etc., et al., petitioners, *v.* Emily E. Parish, executrix, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Nathaniel Wilson and Mr. J. J. Darlington for the petitioners, and by Mr. Holmes Conrad and Mr. Leigh Robinson for the respondent.

No. —, Original. In the matter of the petition to strike the name of Fletcher Dobyns from the roll of attorneys. Motion for leave to file petition submitted by Mr. William Armstrong in support of the petition.

No. 956. Mary A. Velati, petitioner, *v.* William J. Dante, trustee. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Wilton J. Lambert for the petitioner, and by Mr. Edwin C. Brandenburg, Mr. Clarence A. Brandenburg, and Mr. F. Walter Brandenburg for the respondents.

No. 942. Missouri, Kansas & Texas Railway Company 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. Evans Browne, in behalf of Mr. Cecil H. Smith for the petitioner.

No. 820. Antonio Maria Peralta et al., appellants, *v.* The State of California et al. Motion to dismiss or affirm submitted by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Britton, Mr. E. S. Pillsbury, Mr. F. D. Madison, Mr. Alfred Sutro, and Mr. Oscar Sutro for certain appellees in support of the motion, and by Mr. William H. H. Hart for the appellants in opposition thereto.

No. 695. Mary R. Peabody et al., appellants, *v.* The United States. Death of Mary R. Peabody, one of the appellants herein, suggested, and appearance of Amory Eliot, administrator of Mary R. Peabody, deceased, as a party appellant herein, filed and entered on motion of Mr. Chauncey Hackett for the appellants.

No. —, Original. *Ex parte*: In the matter of William J. Dante, collector of the estate of Stilson Hutchins, deceased. Motion for leave to file a petition for writs of mandamus and certiorari submitted by Mr. E. C. Brandenburg, Mr. Clarence A. Brandenburg, and Mr. F. Walter Brandenburg for the petitioner.

No. 968. J. A. Folger, petitioner, *v.* Kate C. Putnam, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frederick S. Tyler, in behalf of Mr. Walter D. Mansfield for the petitioner, and by Mr. Edward M. Cleary for the respondent.

No. 214. The Dakota Cattle Company, appellant, *v.* The United States and the Sioux Indians;

No. 215. Catherine Howard, appellant, *v.* The United States and the Sioux Indians; and

No. 216. The Keystone Land & Cattle Company, appellant, *v.* The United States and the Sioux Indians. Motion to remand to the Court of Claims for further findings of fact submitted by Mr. William B. King and Mr. William E. Harvey for the appellants.

No. 889. Chicago, Indianapolis & Louisville Railway Company, plaintiff in error, *v.* Haynes L. Hackett. Motion to dismiss or affirm submitted by Mr. Morse Ives for the defendant in error in support of the motion, and by Mr. E. C. Field, Mr. H. R. Kurrie, and Mr. John D. Black for the plaintiff in error in opposition thereto.

No. 164. Henry S. Redmond et al., appellants, *v.* Paul Alexander, as trustee in bankruptcy of Bornn & Company. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Dismissed per stipulation.

No. 700. Louis Cella, appellant, *v.* William Henkel, United States marshal, etc., et al.;

No. 701. Angelo Cella, appellant, *v.* William Henkel, United States marshal, etc., et al.; and

No. 702. Samuel Adler, appellant, *v.* William Henkel, United States marshal, etc., et al. Appeals from the District Court of the United States for the Southern District of New York. Dismissed with costs, on motion of counsel for the appellants.

No. 770. Dan Shaw, plaintiff in error. *v.* The City of Atlanta. In error to the Court of Appeals of the State of Georgia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 706. The United States of America et al., appellants, *v.* The Louisville & Nashville Railroad Company et al. Two hours allowed each side in the argument, on motion of Mr. Solicitor General Bullitt for the appellants. Three counsel allowed to be heard for the appellees, on motion of Mr. R. Walton Moore for the appellees. Argument commenced by Mr. Solicitor General Bullitt for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 25, will be as follows: Nos. 706, 319, 697, 442, 705, 695, 798, 59, 60, and 162 (and 754).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, FEBRUARY 25, 1913.

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

Duncan M. Vinsonhaler, of Omaha, Nebr.; Percy M. Cox, of Washington, D. C.; Le Roy Percy, of Greenville, Miss.; Fred B. Rhodes, of Washington, D. C.; J. R. Thornton, of Alexandria, La.; Alfred B. Beers, of Bridgeport, Conn.; Oscar C. Anderson, of West Point, Nebr.; Harry L. Keefe, of Walthill, Nebr.; and C. E. Pickett, of Waterloo, Iowa, were admitted to practice.

No. 706. The United States of America et al., appellants, *v.* The Louisville & Nashville Railroad Company et al. Argument continued by Mr. Solicitor General Bullitt for the United States, by Mr. William A. Wimbish for Duncan & Co. et al, by Mr. K. T. McConnico and Mr. Albert S. Brandeis for the appellees, and concluded by Mr. Charles W. Needham for the Interstate Commerce Commission.

No. 319. Juan Pico, plaintiff in error, *v.* The United States. Argument commenced by Mr. Clement L. Bouve for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 26, will be as follows: Nos. 319, 697, 442, 705, 695, 798, 59, 60, 162 (and 754), and 71.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, FEBRUARY 26, 1913.

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

Hal H. Smith, of Detroit, Mich., was admitted to practice.

No. 840. The United States, appellant, *v.* The Terminal Railroad Association of St. Louis et al. Appeal from the District Court of the United States for the Eastern District of Missouri. Dismissed, on motion of Mr. Solicitor General Bullitt for the appellant.

No. 977. Isaac B. Walker, petitioner, *v.* The United States. Leave granted to file brief for the respondent, on motion of Mr. Solicitor General Bullitt for the respondent.

No. 214. The Dakota Cattle Company, appellant, *v.* The United States and the Sioux Indians;

No. 215. Catherine Howard, appellant, *v.* The United States and the Sioux Indians; and

No. 216. The Keystone Land & Cattle Company, appellant, *v.* The United States and the Sioux Indians. Leave granted to file brief in opposition to motion to remand for further findings of fact, on or before Friday next, on motion of Mr. Solicitor General Bullitt for the appellees.

No. —. Original. Ex parte: In the matter of The American Steel Barrel Company and Elizabeth C. Seaman, petitioners. Motion for leave to file a petition for a writ of mandamus submitted by Mr. Aldis B. Browne and Mr. John C. Spooner for the petitioners.

No. 319. Juan Pico, plaintiff in error, *v.* The United States. Argument continued by Mr. Clement L. Bouve for the plaintiff in error, and concluded by Mr. Solicitor General Bullitt for the defendant in error.

No. 697. The United States of America, plaintiff in error, *v.* Pacific & Arctic Railway & Navigation Company et al. Argued by Mr. Solicitor General Bullitt for the plaintiff in error, and by Mr. W. H. Bogle for the defendants in error.

No. 442. The United States, plaintiff in error, *v.* William George. Argued by Mr. Solicitor General Bullitt for the plaintiff in error, and by Mr. J. J. Halligan for the defendant in error.

No. 705. The United States, plaintiff in error, *v.* O. T. Anderson. Argued by Mr. Solicitor General Bullitt for the plaintiff in error, and leave granted counsel for defendant in error to file brief on or before March 10, next.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 27, will be as follows: Nos. 695, 798, 59, 60, 162 (and 754), 71, 163, 165, 166, and 167.

○

SUPREME COURT OF THE UNITED STATES.

THURSDAY, FEBRUARY 27, 1913.

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

John A. Blevins, of St. Louis, Mo.; George W. Prince, of Galesburg, Ill.; D. J. Cable, of Lima, Ohio; and Arthur L. Davis, of New York City, were admitted to practice.

No. 166. Umeno Shigematsu, appellant, *v.* H. Hackfeld & Company, Limited. Appeal from the District Court of the United States for the Territory of Hawaii. Dismissed with costs, pursuant to the tenth rule.

No. 695. Amory Eliot, administrator, etc., et al., appellants, *v.* The United States. Argument commenced by Mr. John Lowell for the appellants, continued by Mr. Frederick de C. Faust for the appellee, and concluded by Mr. John Lowell for the appellants.

No. 798. The United States of America, plaintiff in error, *v.* Felipe Sandoval. Argued by Mr. Solicitor General Bullitt for the plaintiff in error, and by Mr. A. B. Renehan for the defendant in error.

No. 162. Omaha Electric Light & Power Company, appellant, *v.* The City of Omaha et al.; and

No. 754. Old Colony Trust Company, appellant, *v.* The City of Omaha. Argument commenced by Mr. William D. McHugh for the appellant in No. 754.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 28, will be as follows: Nos. 162 (and 754), 59, 60, 71, 163, 165, 167, 169, 170, and 171.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, FEBRUARY 28, 1913.

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

William Jennings Price, of Danville, Ky., was admitted to practice.

No. 162. Omaha Electric Light & Power Company, appellant, *v.* The City of Omaha et al.; and

No. 754. Old Colony Trust Company, appellant, *v.* The City of Omaha. Argument continued by Mr. William D. McHugh for the appellant in No. 754, by Mr. Benjamin S. Baker for the appellees, and concluded by Mr. Edgar H. Scott for the appellant in No. 162.

No. 59. Joseph Marrone, plaintiff in error, *v.* The Washington Jockey Club of the District of Columbia et al. Argued by Mr. Lorenzo A. Bailey for the plaintiff in error, and by Mr. A. S. Worthington for the defendants in error.

No. 60. Anne Sweeney, plaintiff in error, *v.* William G. Erving. Argued by Mr. Lorenzo A. Bailey for the plaintiff in error, and by Mr. Charles L. Frailey and Mr. A. S. Worthington for the defendant in error.

No. 71. Joseph Parker Camp, appellant, *v.* Kate Willard Boyd et al. Argument commenced by Mr. Hugh T. Taggart for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 3, will be as follows: Nos. 71, 163, 165, 167, 169, 170, 171, 172, 173, and 174.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 3, 1913.

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

Frank Hall Davis, of Dover, Del.; W. B. Lynch, of Woodsfield, Ohio; Arthur M. Seekell, of Minneapolis, Minn.; John W. Gwilt, of Oakland, Cal.; Frans E. Lindquist, of Kansas City, Mo.; E. G. Moon, of Ottumwa, Iowa; William J. Bacon, jr., of Washington, D. C.; Thomas Tillar Dickinson, of Little Rock, Ark.; Bernard Goldman, of Detroit, Mich.; Charles B. Williams, of St. Louis, Mo.; George A. Bartlett, of Reno, Nev.; A. P. Wozencraft, of Dallas, Tex.; J. L. Gammon, of Waxahachie, Tex.; Charles S. Sullivan, of Boston, Mass.; and William F. Murray, of Boston, Mass., were admitted to practice.

The Chief Justice announced the following orders of the court:

No. —, Original. In the matter of the petition of William Armstrong to strike the name of Fletcher Dobyns from the roll of attorneys. Motion for leave to file petition denied.

No. —, Original. Ex parte: In the matter of William J. Dante, collector, etc., petitioner. Motion for leave to file petition for writs of mandamus and certiorari granted, and rule to show cause awarded returnable Monday, April 7, next.

No. —, Original. Ex parte: In the matter of the American Steel Barrel Co. et al., petitioners. Motion for leave to file petition for writ of mandamus granted, and rule to show cause awarded returnable Monday, April 7, next.

No. 172. Isidor Straus et al., composing the firm of R. H. Macy & Co., plaintiffs in error, *v.* American Publishers Association et al. Motion to continue case until next term denied.

Nos. 679, 703, 710, and 711. International Harvester Company of America, plaintiff in error, *v.* Commonwealth of Kentucky. Motions to advance denied.

No. 942. Missouri, Kansas & Texas Railway Company 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 granted.

No. 956. Mary A. Velati, petitioner, *v.* William J. Dant, trustee. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 961. Josephine P. McGowan, executrix, etc., et al., petitioners, *v.* Emily E. Parish, executrix, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 968. J. A. Folger, petitioner, *v.* Kate C. Putnam, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 977. Isaac B. Walker, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 214. The Dakota Cattle Company, appellant, *v.* The United States and The Sioux Indians;

No. 215. Catherine Howard, appellant, *v.* The United States and The Sioux Indians; and

No. 216. The Keystone Land and Cattle Company, appellant, *v.* The United States and The Sioux Indians. Motion to remand for further findings of fact denied.

No. 715. Harry K. Johnson, plaintiff in error, *v.* The United States. Ordered that this case be placed on the summary docket.

No. 820. Antonio Maria Peralta et al., appellants, *v.* The State of California et al. Motion to dismiss or affirm postponed to the hearing of the case on its merits.

No. 911. The United States ex rel. Sali Zimmerspitz, appellant, *v.* R. L. Prentis et al. Motion to advance and place on summary docket submitted by Mr. Solicitor General Bullitt for the appellees.

No. 983. The United States, petitioner, *v.* F. W. Whitredge, receiver, etc.; and

No. 984. The United States, petitioner, *v.* A. H. Joline et al., receivers, etc., et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Bullitt and Mr. William C. Herron for the petitioner, and by Mr. Arthur H. Masten and Mr. Matthew C. Fleming for the respondents.

No. 988. Mississippi Valley Fuel Company et al., petitioners, *v.* Watson Coal Company. Petition for a writ of certiorari to the

United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles B. Williams and Mr. Thomas William White for the petitioners, and by Mr. John A. Blevins for the respondent.

No. 986. Mary Genevieve Pennell, administratrix, etc., plaintiff in error, *v.* Philadelphia & Reading Railway Company. Motion to advance or place on the summary docket submitted by Mr. George Demming and Mr. Charles H. Burr for the plaintiff in error in support of the motion.

No. —, Original. Oscar W. White, plaintiff, *v.* Don Enrique Borja, defendant. Motion for leave to file declaration submitted by Mr. John Ridout for the plaintiff.

No. 173. Joseph Atwater, plaintiff in error, *v.* W. T. Hassett, judge, et al. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, pursuant to the tenth rule.

No. 174. Frederick M. Hubbell et al., as trustees, etc., plaintiffs in error, *v.* Lafayette Higgins. In error to the Supreme Court of the State of Iowa. Dismissed with costs, pursuant to the tenth rule.

No. —, Original. Ex parte: In the matter of Gordon R. McGee, petitioner. Motion for leave to file petition for writ of habeas corpus submitted by Mr. Frans E. Lindquist for the petitioner.

No. 962. Theresa L. Lang et al., petitioners, *v.* The Choctaw, Oklahoma & Gulf Railroad Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. K. D. McKellar, in behalf of Mr. William M. Randolph and Mr. Wassell Randolph for the petitioners, and by Mr. Thomas S. Buzbee for the respondent.

No. 655. Chicago & North Western Railway Company, plaintiff in error, *v.* Hugh Rowlands. Motion to dismiss or affirm submitted by Mr. John J. Cook for the defendant in error in support of the motion, and by Mr. Edward M. Smart for the plaintiff in error in opposition thereto.

No. 71. Joseph Parker Camp, appellant, *v.* Kate Willard Boyd et al. Argument continued by Mr. Hugh T. Taggart for the appellant, and by Mr. R. Ross Perry for the appellees.

Adjourned until to-morrow at 11 o'clock.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 4, 1913.

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

The Chief Justice announced that the court would take a recess for the purpose of attending the inauguration of the President of the United States.

The oath of office was administered to the Hon. Woodrow Wilson as President of the United States by the Chief Justice, and the court reconvened.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 5, will be as follows: Nos. 71, 163, 165, 167, 169, 170, 171, 172, 175, and 176.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 5, 1913.

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

William L. Chenault, of Russellville, Ala.; Lawrence F. Puter, of Eureka, Cal.; Arthur H. Barendt, of San Francisco, Cal.; James A. Cahill, of Providence, R. I.; and Edward Thomas Curren, of New York City, were admitted to practice.

No. 761. Phoenix Knitting Works, appellant, *v.* Nathan J. Rich et al., as N. J. Rich & Company. Appeal from the District Court of the United States for the Northern District of Ohio. Dismissed per stipulation.

No. 175. Abilene National Bank, of Abilene, et al., appellants, *v.* Joseph N. Dolley, as bank commissioner, etc., et al. Submitted by Mr. John L. Webster, Mr. B. P. Waggener, Mr. Chester I. Long, and Mr. J. W. Gleed for the appellants, and by Mr. John S. Dawson and Mr. F. S. Jackson for the appellees.

No. 71. Joseph Parker Camp, appellant, *v.* Kate Willard Boyd et al. Argument continued by Mr. R. Ross Perry for the appellees, and concluded by Mr. Hugh T. Taggart for the appellant.

No. 167. Roscoe Lyle, appellant, *v.* George W. Patterson et al. Argued by Mr. George C. Scott for the appellees, and submitted by Mr. Madison B. Davis for the appellant.

No. 165. Henry Bogert et al., executors, etc., appellants, *v.* The Southern Pacific Company et al. Argued by Mr. H. Snowden Marshall for the appellants, and by Mr. Arthur H. Van Brunt for the appellees.

No. 163. The United States of America on the relation of Herman Knight, plaintiff in error, *v.* Walter L. Fisher, Secretary of the Department of the Interior. Argument commenced by Mr. Frederic D. McKenney for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 6, will be as follows: Nos. 163, 169, 170, 171, 172, 176, 177, 179, 180, and 181.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 6, 1913.

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

Pendleton Beckley, of Louisville, Ky.; John L. Caldwell, of Fort Scott, Kans.; L. E. Hall, of Baton Rouge, La.; Lawrence O'Donnell, of New Orleans, La.; Hubert Lardner, of Fort Scott, Kans.; Joseph Taggart, of Kansas City, Kans.; Thomas H. Dowd, of Boston, Mass.; John P. S. Mahoney, of Lawrence, Mass.; Thomas P. Riley, of Malden, Mass.; David B. Shaw, of Boston, Mass.; J. Joseph O'Connor, of Lowell, Mass.; Marshall S. Reynolds, of Cokeville, Wyo.; Ralph W. Smith, of Kemmerer, Wyo.; Walter Barlow, of Detroit, Mich.; Francis H. Warren, of Detroit, Mich.; Edwin J. Brown, of Seattle, Wash.; T. H. Paynter, of Frankfort, Ky.; J. H. Harrod, of Little Rock, Ark.; George B. Pugh, of Little Rock, Ark.; and Charles D. James, of Eureka Springs, Ark., were admitted to practice.

No. 224. *Riwke Maisen, alias Riwke Maisch, appellant, v. Louis T. Weis, United States Commissioner of Immigration, etc., et al.* Appeal from the District Court of the United States for the District of Maryland. Dismissed with costs, on motion of counsel for the appellant.

No. 163. *The United States of America on the relation of Herman Knight, plaintiff in error, v. Walter L. Fisher, Secretary of the Department of the Interior.* Retirement of Walter L. Fisher as Secretary of the Interior suggested, and appearance of Franklin K. Lane, his successor in office, filed and entered, on motion of Mr. Frederic D. McKenney for the plaintiff in error.

No. 163. *The United States of America on the relation of Herman Knight, plaintiff in error, v. Franklin K. Lane, Secretary of the Department of the Interior.* Argument continued by Mr. Frederic D. McKenney for the plaintiff in error, by Mr. Assistant Attorney General Cobb for the defendant in error, and concluded by Mr. Frederic D. McKenney for the plaintiff in error.

No. 169. *The Fair*, appellant, *v. Kohler Die & Specialty Company*. Argued by Mr. David S. Wegg for the appellant, and submitted by Mr. Frank T. Brown and Mr. Francis A. Hopkins for the appellee.

No. 170. Charles Dummer Barry et al., surviving partners, etc., appellants, *v. The United States*. Argued by Mr. George A. King for the appellants, and by Mr. Frederick de C. Faust for the appellee.

No. 171. Truman R. Hawley, plaintiff in error, *v. The City of Malden*. Argument commenced by Mr. Courtenay Crocker for the plaintiff in error, and continued by Mr. H. L. Boutwell for the defendant in error, and by Mr. Nathan Matthews for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 7, will be as follows: Nos. 171, 172, 176, 177, 179, 180, 181, 184, 595, and 496.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 7, 1913.

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

Victor Keller, of San Antonio, Tex.; John A. Riddle, of Linton, Ind.; George G. Shaw, of Kaufman, Tex.; Horace C. Gordon, of Tampa, Fla.; George W. McKenzie, of Brooklyn, N. Y.; Robert Benson Evins, of Greensboro, Ala.; G. M. Stephen, of Chicago, Ill.; J. V. Norman, of Louisville, Ky.; John Edmundson Alexander, of San Francisco, Cal.; William F. Cowan, of Santa Rosa, Cal.; Edward P. Humphrey, of Louisville, Ky.; and James Sulgrove, of Choteau, Mont., were admitted to practice.

No. 171. Truman R. Hawley, plaintiff in error, *v.* The City of Malden. Argument concluded by Mr. Nathan Matthews for the plaintiff in error.

No. 172. Isidor Straus et al., composing the firm of R. H. Macy & Company, plaintiffs in error, *v.* American Publishers' Association et al. Argument commenced by Mr. Wallace Macfarlane for the plaintiffs in error, continued by Mr. Stephen H. Olin and Mr. John G. Milburn for the defendants in error, and concluded by Mr. Wallace Macfarlane for the plaintiffs in error.

No. 176. George A. Fuller Company, plaintiff in error, *v.* Wilson A. McCloskey. Submitted by Mr. Edward S. Duvall, jr., for the plaintiff in error, and by Mr. S. V. Hayden and Mr. Hayden Johnson for the defendant in error.

No. 177. Sy Joc Lieng et al., appellants and plaintiffs in error, *v.* Gregorio Sy Quia et al. Argument commenced by Mr. Jackson H. Ralston for the appellants and plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 10, will be as follows: Nos. 177, 179, 180, 181, 184, 595, 496, 185, 186, and 187.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 10, 1913.

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

Alden Shirley Bradley, of Swainsboro, Ga.; S. M. Breckenridge Long, of St. Louis, Mo.; L. M. Keys, of Hobart, Okla.; Arthur L. Sprinkle, of Chicago, Ill.; John B. Dahlgren, of Santa Cruz, Cal.; John F. MacLane, of Boise, Idaho; Charles M. Haft, of Chicago, Ill.; and Charles E. Avery, of Missoula, Mont., were admitted to practice.

No. 16. The Kansas City Southern Railway Company, plaintiff in error, *v. J. M. Carl*. In error to the Supreme Court of the State of Arkansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lurton. Dissenting: Mr. Justice Hughes and Mr. Justice Pitney.

No. 121. Missouri, Kansas & Texas Railway Company, plaintiff in error, *v. Robert L. Harriman et al.*, as Harriman Brothers. In error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas. Judgment reversed with costs, and cause remanded for such further proceedings as may be consistent with the opinion of this court. Opinion by Mr. Justice Lurton. Mr. Justice Hughes concurs in the result. Dissenting: Mr. Justice Pitney.

No. 59. Joseph Marrone, plaintiff in error, *v. The Washington Jockey Club of the District of Columbia et al.* In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 882. John F. Baxter, plaintiff in error, *v. Buchholz Hill Transportation Company*. In error to the Supreme Court of the State of New York. Dismissed for want of jurisdiction. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 962. Theresa L. Lang et al., petitioners, *v.* The Choctaw, Oklahoma & Gulf Railroad Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 988. Mississippi Valley Fuel Company et al., petitioners, *v.* Watson Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 983. The United States, petitioner, *v.* F. W. Whitridge, receiver, etc.; and

No. 984. The United States, petitioner, *v.* A. H. Joline et al., receivers, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 911. The United States ex rel. Sali Zimmerspitz, appellant, *v.* R. L. Prentis et al.; and

No. 655. Chicago & Northwestern Railway Company, plaintiff in error, *v.* Hugh Rowlands. Ordered transferred to the summary docket.

No. 986. Mary Genevieve Pennell, administratrix, etc., plaintiff in error, *v.* Philadelphia & Reading Railway Company. Motion to advance or place on the summary docket denied.

No. —, Original. Ex parte: In the matter of Gordon R. McGee, petitioner. Per curiam: The motion for leave to file petition for writ of habeas corpus is denied. (Ex parte Webb, 225 U. S., 663, 674, and authorities there cited.)

Order.—It is ordered that the cases heretofore transferred to the summary docket be, and the same are hereby, assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

Order.—On consideration of the motion of the Attorney General to require the clerk of this court to give a new bond in the sum of \$20,000, and in pursuance of section 220 of the Judicial Code, approved March 3, 1911—

It is now here ordered by the court that the said clerk give bond with sufficient sureties to the United States in the sum of \$20,000, and that the same be recorded in his office, and that the original bond be filed in the Department of Justice.

The bond required by the above order was presented, approved, and recorded.

Mr. Solicitor General Bullitt presented to the court the Hon. James Clark McReynolds as Attorney General of the United States, and the Chief Justice said:

“Mr. Attorney General, you are not a stranger at this bar, in view of your former official position—of the cases you have here argued, of the assistance previously afforded in the conduct of the business of the Government. These considerations give me a warm personal satisfaction in extending to you in the name of the court an official welcome. The clerk will record the commission.”

No. 980. Henry Lair, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Corry M. Stadden, in behalf of Mr. Marshall B. Woodworth for the petitioner, and by Mr. Assistant Attorney General Harr for the respondent.

No. 726. The City of Chicago, petitioner, *v.* William Munroe et al., executors, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles M. Haft, in behalf of Mr. John W. Beckwith for the petitioner.

No. 1003. Citizens' Wholesale Supply Company, petitioner, *v.* E. H. Snyder et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. T. Walter Fowler for the petitioner.

No. 951. Bauer & Cie. et al. *v.* James O'Donnell. Motion to advance submitted by Mr. E. J. Prindle for Bauer & Cie. et al.

Nos. 1001 and 1002. San Francisco Chemical Company, petitioner, *v.* Morse S. Duffield et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Evans Browne and Mr. D. Worth Clark, Mr. A. B. Browne, and Mr. Alexander Britton for the petitioner.

No. 186. Thomas A. Fields, appellant, *v.* George F. White, United States marshal, etc. Passed for settlement, on motion of Mr. Assistant Attorney General Denison for the appellee.

No. 220. The Pullman Company, plaintiff in error, *v.* Ellsworth C. Irvine, receiver, et al. In error to the Supreme Court of the State of Ohio. Dismissed per stipulation and mandate granted.

No. 899. J. Butler Studley, trustee, etc., *v.* The Boylston National Bank of Boston. Motion to affirm or transfer the cause to the summary docket submitted by Mr. Hollis R. Bailey for the appellee in support of the motion, and by Mr. William H. Dunbar for the appellant in opposition to the motion to affirm.

No. 177. *Sy Joc Lieng et al.*, appellants and plaintiffs in error, *v.* *Gregorio Sy Quia et al.* Argument continued by Mr. Jackson H. Ralston for the appellants and plaintiffs in error, by Mr. J. H. Blount and Mr. Antonio M. Opisso for the appellees and defendants in error, and concluded by Mr. Jackson H. Ralston for the appellants and plaintiffs in error.

No. 11, Original. *Ex parte*: In the matter of the First National Bank of Dexter, New York, petitioner. Argument commenced by Mr. Charles L. Frailey for the petitioner, and continued by Mr. J. J. Darlington for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 11, will be as follows: Nos. 179, 180, 181, 184, 595, 496, 185, 187, 188, and 189.

O

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 11, 1913.

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

Stephen A. D. Upton, of Tombstone, Ariz.; William C. Armstrong, of New York City; Harry E. Newell, of Syracuse, N. Y.; Philip Julius Chappuis, of Crowley, La.; and Charles C. Pitts, of Boston, Mass., were admitted to practice.

No. 818. The Journal of Commerce and Commercial Bulletin, appellant, *v.* Frank H. Hitchcock, Postmaster General, et al. Suggestion of resignation of Frank H. Hitchcock as Postmaster General and George W. Wickersham as Attorney General, and appearance of Albert S. Burleson as Postmaster General and James C. McReynolds as Attorney General as parties appellees herein, filed and entered on motion of Mr. Robert C. Morris for the appellant.

No. 818. The Journal of Commerce and Commercial Bulletin, appellant, *v.* Albert S. Burleson, Postmaster General, et al. Motion for restraining order submitted by Mr. Robert C. Morris for the appellant.

No. 186. Thomas A. Fields, appellant, *v.* George F. White, United States marshal, etc. Appeal from the Circuit Court of the United States for the Southern District of Georgia. Dismissed with costs, on motion of Mr. Frederick T. Saussy for the appellant, and cause remanded to the District Court of the United States for the Southern District of Georgia.

No. 11, Original. *Ex parte*: In the matter of the First National Bank of Dexter, N. Y., petitioner. Argument continued by Mr. J. J. Darlington for the respondents, and concluded by Mr. A. S. Worthington for the petitioner.

No. 12, Original. *Ex parte*: In the matter of Benjamin F. Edwards, petitioner. Submitted by Mr. W. W. Millan for the petitioner, and by Mr. J. J. Darlington for the respondents.

No. 179. The Lewis Publishing Company, appellant, *v.* Frank Wyman and James L. Stice. Argument commenced by Mr. Shepard Barclay for the appellant, continued by Mr. Solicitor General Bullitt for the appellees, and concluded by Mr. Shepard Barclay for the appellant.

No. 180. Jean L. Shelton et al., by their guardian, Mary L. Fairchild, appellants, *v.* Frank B. King et al. Argument commenced by Mr. Henry F. Woodard for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 12, will be as follows: Nos. 180, 181, 184, 595, 496, 185, 187, 188, 189, and 190.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 12, 1913.

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

Champ Clark, of Bowling Green, Mo.; Frank B. Burford, of Guthrie, Okla.; Barnard J. Stewart, of Salt Lake City, Utah; and Pedro Amado Rivera, of Arecibo, P. R., were admitted to practice.

No. 185. Juan Z. Rodriguez, appellant, *v.* The People of Porto Rico. Appeal from the Supreme Court of Porto Rico. Dismissed with costs, on motion of counsel for the appellant.

No. 180. Jean L. Shelton et al., by their guardian, Mary L. Fairchild, appellants, *v.* Frank B. King et al. Argument continued by Mr. Henry F. Woodard for the appellants and by Mrs. Ellen S. Mussey and Mr. J. J. Darlington for the appellees, and concluded by Mr. Henry F. Woodard for the appellants.

No. 181. Metropolis Theater Company et al., plaintiffs in error, *v.* City of Chicago et al. Argued by Mr. Alfred S. Austrian for the plaintiffs in error and by Mr. Charles M. Haft for the defendants in error.

No. 184. Charles C. Burlingham et al., as trustees, etc., appellants, *v.* Charles M. Crouse. Argument commenced by Mr. Dorr Raymond Cobb for the appellants and continued by Mr. W. T. Denison and Mr. Levi S. Chapman for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 13, will be as follows: Nos. 184, 595, 496, 187, 188, 189, 190, 191, 192, and 193.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 13, 1913.

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

Ralph P. Barnard, of Washington, D. C.; Louis T. Carpenter, of Phoenix, Ariz.; and Guy H. Johnson, of Washington, D. C., were admitted to practice.

No. 184. Charles C. Burlingham et al., as trustees, etc., appellants, *v.* Charles M. Crouse. Argument continued by Mr. Levi S. Chapman and Mr. Henry E. Newell for the appellee, and concluded by Mr. Dorr Raymond Cobb for the appellants.

No. 595. A. Leo Everett, as trustee, etc., petitioner, *v.* William D. Judson, as executor, etc. Argued by Mr. Charles K. Beekman for the petitioner, and by Mr. George S. Ludlow for the respondent.

No. 496. Hannah L. Andrews, executrix, etc., petitioner, *v.* Harvey K. Partridge, trustee, etc. Argued by Mr. Samuel H. Richards for the petitioner, and by Mr. John D. McMullen for the respondent.

No. 187. Mary Eleanor Wilson et al., plaintiffs in error, *v.* Chester A. Snow. Argument commenced by Mr. Charles F. Carusi for the plaintiffs in error, and continued by Mr. Hugh H. Obear and Mr. J. J. Darlington for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 14, will be as follows: Nos. 187, 188, 189, 190, 191, 192, 193 (and 194), 196, 197, and 200 (and 201).



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 14, 1913.

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

Herbert E. Boynton, of Detroit, Mich.; Alfred Gfeller, of Seattle, Wash.; Edmund John Stack, of Chicago, Ill.; and H. D. Folsom, jr., of Seattle, Wash., were admitted to practice.

No. 196. Charles F. Newcomb, plaintiff in error, *v.* The State of Washington. In error to the Supreme Court of the State of Washington. Dismissed with costs, pursuant to the tenth rule.

No. 187. Mary Eleanor Wilson et al., plaintiffs in error, *v.* Chester A. Snow. Argument continued by Mr. J. J. Darlington for the defendant in error, and concluded by Mr. John C. Gittings for the plaintiffs in error.

No. 188. C. H. Rexford, petitioner, *v.* The Brunswick-Balke-Clender Company. Argued by Mr. Julius C. Martin for the petitioner, and by Mr. James H. Merrimon for the respondent.

No. 189. Edwin J. Brown, plaintiff in error, *v.* The State of Washington. Argued by Mr. Edwin J. Brown, pro se, and submitted by Mr. W. V. Tanner for the defendant in error.

No. 190. John C. Mackay *v.* Uinta Development Company. Argument commenced by Mr. Barnard J. Stewart for Mackay.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 17, will be as follows: Nos. 190, 191, 192, 193 (and 194), 197, 200 (and 201), 202 (and 203), 204, 205, and 207.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 17, 1913.

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

Burt W. Andrews, of Orangeburg, S. C.; Edward E. Gann, of Louisville, Ky.; Israel E. Willey, of Salt Lake City, Utah; Charles F. Wilcox, of New York City, N. Y.; L. W. Duval, of Ocala, Fla.; Charles Henry Huberich, of San Francisco, Cal.; F. H. Prendergast, of Marshall, Tex.; A. W. Gregg, of Palestine, Tex.; and Jesse L. Billingsley, of Miama, Fla., were admitted to practice.

No. 163. The United States of America on the relation of Herman Knight, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Department of the Interior. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 175. Abilene National Bank of Abilene et al., appellants, *v.* Joseph N. Dolley, as bank commissioner, etc., et al. Appeal from the Circuit Court of the United States for the District of Kansas. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Kansas. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 951. Bauer & Cie et al. *v.* James O'Donnell. Motion to advance granted, and cause assigned for argument on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 818. The Journal of Commerce and Commercial Bulletin, appellant, *v.* Albert S. Burleson, Postmaster General, etc., et al. Motion for a restraining order granted.

No. 726. The City of Chicago, petitioner, *v.* William Munroe et al., executors, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 980. Henry Lair, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1001. San Francisco Chemical Company, petitioner, *v.* Morse S. Duffield et al.; and

No. 1002. San Francisco Chemical Company, petitioner, *v.* Morse S. Duffield et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1003. Citizens Wholesale Supply Company, petitioner, *v.* D. H. Snyder et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 899. J. Butler Studley, trustee, etc., appellant, *v.* The Boylston National Bank of Boston. Motion to place case on summary docket granted, and case assigned for argument on Monday, April 7 next.

No. 162. Omaha Electric Light & Power Company, appellant, *v.* The City of Omaha et al.; and

No. 754. Old Colony Trust Company, appellant, *v.* The City of Omaha. Restored to the docket for reargument, and assigned for hearing on Monday, April 7 next, after the cases heretofore assigned for that day.

No. 189. Edwin J. Brown, plaintiff in error, *v.* The State of Washington. In error to the Supreme Court of the State of Washington. Per curiam: Dismissed for the want of jurisdiction, on the authority of *Kansas City Star Co. v. Julian*, 215 U. S., 590, last paragraph; *Rogers v. Jones*, 214 U. S., 204.

Order.—The reporter having represented that owing to the number of decisions at the present term it would be impracticable to put the reports in one volume, it is therefore now here ordered that he publish an additional volume in this year pursuant to section 226 of the Judicial Code, approved March 3, 1911.

The Chief Justice also announced that the court would take a recess from Monday, the 24th instant, to Monday, April 7 next.

No. 571. James L. Bradford, appellant, *v.* The United States. Motion to advance and submit on printed argument submitted by Mr. Assistant to the Attorney General Fowler for the appellee.

No. 1012. The United States et al., appellants, *v.* The Ohio Oil Company;

No. 1013. The United States et al., appellants, *v.* Standard Oil Company; and

No. 1014. The United States et al., appellants, *v.* Standard Oil Company of Louisiana. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the appellants, with leave to Mr. F. L. Crawford to file suggestions as to the time of hearing within two days.

No. 838. Theodore Kharas, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. T. J. Mahoney for the petitioner, and by Mr. Assistant Attorney General Harr for the respondent.

No. 1009. The J. F. Rowley Company, petitioner, *v.* E. H. Rowley. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Wharton E. Lester, in behalf of Mr. L. P. Loving for the petitioner, and petition for cross-writ of certiorari submitted by Mr. Frederick S. Tyler, in behalf of Mr. Lowrie C. Barton for the respondent.

No. 190. John C. Mackay *v.* The Uinta Development Company. Argument continued by Mr. Barnard J. Stewart for Mackay, and concluded by Mr. John W. Lacey for the Uinta Development Company.

No. 191. William H. Dill, plaintiff in error, *v.* William H. Ebey, receiver, etc. Argued by Mr. Frank B. Burford for the plaintiff in error, and by Mr. Frederic D. McKenney for the defendant in error.

No. 192. Catherine M. S. Frosch et al., appellants, *v.* William Walter. Three counsel allowed to argue for the appellants, on motion of Mr. Ralph P. Barnard for the appellants. Argument commenced by Mr. Ralph P. Barnard for the appellants, and continued by Mr. M. J. Colbert for the appellants, and by Mr. James B. Archer for the appellee, and by Mr. B. F. Leighton for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 18, will be as follows: Nos. 192, 193 (and 194), 197, 200 (and 201), 202 (and 203), 204, 205, 207, 208, and 209.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 18, 1913.

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

Samuel Huston Thompson, jr., of Denver, Colo., was admitted to practice.

No. 798. The United States of America, plaintiff in error, *v.* Felipe Sandoval. Leave granted to file additional brief herein, on motion of Mr. T. B. Catron, in behalf of counsel for the defendant in error.

No. 1010. The Board of County Commissioners of the City and County of Denver, petitioner, *v.* The Home Savings Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles S. Thomas, Mr. William H. Bryant, Mr. Milton Smith, and Mr. Charles R. Brock for the petitioner.

No. 209. Frances A. Miedreich, plaintiff in error, *v.* Constanze Lauenstein. Passed, to be restored to the call under the provisions of section 9 of rule 26, on motion of Mr. L. T. Michener for the defendant in error.

No. 192. Catherine M. S. Frosch et al., appellants, *v.* William Walter. Argument concluded by Mr. B. F. Leighton for the appellants.

No. 193. Chicago, Burlington & Quincy Railroad Company, plaintiff in error, *v.* Wilbur I. Cram; and

No. 194. Chicago, Burlington & Quincy Railroad Company, plaintiff in error, *v.* James M. Kyle. Argued by Mr. Halleck F. Rose for the plaintiff in error, and by Mr. E. J. Clements for the defendants in error.

No. 197. Edmund S. Nash, Spencer P. Shotter, et al., petitioners, *v.* The United States. One hour additional time allowed to the petitioners in the argument of this case, on motion of Mr. Samuel B. Adams for the petitioners. Argument commenced by Mr. Samuel B. Adams for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 19, will be as follows: Nos. 197, 200 (and 201), 202 (and 203), 204, 205, 207, 208, 211, 212 (and 213), and 214.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 19, 1913.

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

George E. Farrand, of San Buena Ventura, Cal.; John David Lannon, of New York City; and George Thompson, of Fort Worth, Tex., were admitted to practice.

No. 197. Edmund S. Nash, Spencer P. Shotter, et al., petitioners, *v.* The United States. Argument continued by Mr. Samuel B. Adams for the petitioners, by Mr. Assistant to the Attorney General Fowler for the respondent, and concluded by Mr. John C. Spooner for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 20, will be as follows: Nos. 200 (and 201), 202 (and 203), 204, 205, 207, 208, 211, 212 (and 213), 214 (and 215 and 216), and 218.

○

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 20, 1913.

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

A. Farley Brewer, of Boston, Mass.; Frederick S. Macy, of Liberal, Kans.; Joseph D. Houston, of Wichita, Kans.; Daniel Fish, of Minneapolis, Minn.; and William Paine Everts, of Boston, Mass., were admitted to practice.

No. 800. S. S. White Dental Manufacturing Company, plaintiff in error, *v.* The Commonwealth of Massachusetts. Motion to advance to be heard with No. 268, as one case, submitted by Mr. William P. Everts, in behalf of counsel.

No. 214. The Dakota Cattle Company, appellant, *v.* The United States and The Sioux Indians;

No. 215. Catherine Howard, appellant, *v.* The United States and The Sioux Indians; and

No. 216. The Keystone Land & Cattle Company, appellant, *v.* The United States and The Sioux Indians. Appeals from the Court of Claims. Dismissed, on motion of Mr. Archibald King, in behalf of counsel for the appellants.

Nos. 200 and 201. The Michigan Trust Company, petitioner, *v.* Edward P. Ferry. Argument commenced by Mr. Willard F. Keeney for the petitioner, continued by Mr. George Sutherland and Mr. Franklin S. Richards for the respondent, and concluded by Mr. Charles S. Thomas for the petitioner.

No. 204. The Texas & Pacific Railway Company, plaintiff in error, *v.* Mrs. Amanda Harvey. Argued by Mr. F. H. Prendergast for the plaintiff in error, and submitted by Mr. S. P. Jones, Mr. Cone Johnson, and Mr. James M. Edwards for the defendant in error.

No. 205. The Texas & Pacific Railway Company, plaintiff in error, *v.* Mrs. Mary E. Stewart et al. Submitted by Mr. W. L. Hall and Mr. F. H. Prendergast for the plaintiff in error, and by Mr. S. P. Jones for the defendants in error.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 24, 1913.

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

William P. Malburn, of Denver, Colo.; Thomas H. Patterson, of Washington, D. C.; Rice Hooe, of Washington, D. C.; Charles H. Apt, of Iola, Kans.; C. T. Byrd, of San Diego, Cal.; Jess W. Watts, of Wagoner, Okla.; D. C. O'Flaherty, of Richmond, Va.; R. H. Willis, of Roanoke, Va.; H. Lowndes Maury, of Butte, Mont.; Benjamin L. Marx, of Honolulu, Hawaii; Gabriel la O, of Manila, P. I.; and Henry L. Myers, of Hamilton, Mont., were admitted to practice.

No. 169. The Fair, appellant, *v.* Kohler Die & Specialty Company. Appeal from the Circuit Court of the United States for the Northern District of Illinois. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Justice Holmes.

No. 442. The United States, plaintiff in error, *v.* William George. In error to the District Court of the United States for the District of Nebraska. Judgment affirmed. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 571. James L. Bradford, appellant, *v.* The United States. Motion to advance for submission on printed briefs granted.

No. 800. S. S. White Dental Manufacturing Company, plaintiff in error, *v.* Commonwealth of Massachusetts. Motion to advance for argument with case No. 268 as one case granted.

No. 1012. The United States of America et al., appellants, *v.* The Ohio Oil Company;

No. 1013. The United States of America et al., appellants, *v.* Standard Oil Company; and

No. 1014. The United States of America et al., appellants, *v.* Standard Oil Company of Louisiana. Motions to advance granted and cases assigned for argument on Tuesday, October 14 next.

No. 838. Theodore Kharas, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1009. The J. F. Rowley Company, petitioner, *v.* E. H. Rowley. Petitions for writ of certiorari and cross-writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1010. The Board of County Commissioners of the City and County of Denver, petitioner, *v.* The Home Savings Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 571. James L. Bradford, appellant, *v.* The United States. Submitted by Mr. Harvey M. Friend for the appellant, and by Mr. George M. Anderson for the appellee.

No. 1019. Welch Manufacturing Company, petitioner, *v.* Samuel D. Young, trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William S. Hodges and Mr. Fred L. Chappell for the petitioner, and by Mr. Nathan Heard and Mr. Charles E. Riordon for the respondent.

No. —, Original. *Ex parte*: In the matter of Charles F. Wilcox, petitioner. Motion for leave to file petition for writ of mandamus and for leave to proceed in forma pauperis submitted by Mr. Charles F. Wilcox, pro se.

No. 1018. Charles G. Dade, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Henry E. Davis for the petitioner, and by Mr. Assistant Attorney General Adkins for the respondent.

No. 1024. Portland Gold Mining Company et al., petitioners, *v.* Charles Daniels et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles S. Thomas, Mr. W. H. Bryant, Mr. George L. Nye, and Mr. William P. Malburn for the petitioners, and by Mr. Edward C. Stimson for the respondent.

No. 304. The Aetna Life Insurance Company, petitioner, *v.* John T. Moore, administrator, etc. Continued per stipulation, on motion of Mr. R. Walton Moore, in behalf of counsel.

No. 445. Belle J. Barnes et al., appellants, *v.* J. L. B. Alexander et al. Motion to dismiss or affirm submitted by Mr. A. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, Mr. J. L. B. Alexander,

and Mr. William M. Seabury for the appellees, in support of the motion, and by Mr. Eugene S. Ives for the appellants, in opposition thereto.

Adjourned until Monday, April 7 next, at 12 o'clock.

The day call for Monday, April 7, will be as follows: Nos. 652, 783, 784, 785, 786, 736, 923, 944, 951, 162, 754, 501, 863, 864, 878, 918, 943, 715, 911, 655, and 899.



SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 7, 1913.

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

Frank R. Devlin, of Vallejo, Cal.; Saul E. Rogers, of New York City; Thomas P. Littlepage, of Washington, D. C.; B. K. Wheeler, of Butte, Mont.; Frank P. Walsh, of Kansas City, Mo.; Charles Reeves Rowdybush, of Washington, D. C.; E. L. Westbrooke, of Jonesboro, Ark.; T. C. Fenton, of Philadelphia, Pa.; J. J. Fosselman, of Washington, D. C.; Mortimer C. Rhone, of Williamsport, Pa.; Charles S. Darden, of Los Angeles, Cal.; Charles P. Ford, of Boston, Mass.; Seth Millington, of Colusa, Cal.; and Thomas W. Pelham, of Boston, Mass., were admitted to practice.

No. 60. Anne Sweeney, plaintiff in error, *v.* William G. Erving. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 97. James Donnelly, plaintiff in error, *v.* The United States. In error to the Circuit Court of the United States for the Northern District of California. Judgment affirmed, and cause remanded to the District Court of the United States for the Northern District of California. Opinion by Mr. Justice Pitney. Mr. Justice Van Devanter concurs in the result. Dissenting: Mr. Justice Holmes, Mr. Justice Lurton, and Mr. Justice Hughes.

No. 149. McLaughlin Bros., a copartnership, etc., plaintiffs in error, *v.* L. A. Hallowell et al. In error to the Supreme Court of the State of Iowa. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Pitney.

No. 670. William McCoach, collector of internal revenue, petitioner, *v.* Minehill & Schuylkill Haven R. R. Co. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Day, Mr. Justice Hughes, and Mr. Justice Lamar.

No. 319. Juan Pico, plaintiff in error, *v.* The United States. In error to the Supreme Court of the Philippine Islands. Judgment affirmed. Opinion by Mr. Justice Lamar.

No. 83. J. M. Hebert et al., appellants, *v.* W. J. Crawford, trustee, etc. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed, with costs, and cause remanded to the District Court of the United States for the Eastern District of Texas for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 167. Roscoe Lyle, appellant, *v.* George W. Patterson et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, with costs, and cause remanded to the District Court of the United States for the Northern District of Iowa. Opinion by Mr. Justice Lamar.

No. 187. Mary Eleanor Wilson et al., plaintiffs in error, *v.* Chester A. Snow. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 176. George A. Fuller Company, plaintiff in error, *v.* Wilson A. McCloskey. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 147. Santa Fe, Prescott & Phoenix Railway Company, a corporation, and National Surety Company, plaintiffs in error, *v.* Grant Bros Construction Company. In error to the Supreme Court of the Territory of Arizona. Judgment reversed, with costs, and cause remanded to the Supreme Court of the State of Arizona for such further proceedings as may not be inconsistent with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 591. Clarence S. Houghton, as receiver in bankruptcy, etc., appellant, *v.* William H. Burden. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed, with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Lurton. Dissenting: Mr. Justice Pitney.

No. 762. Gulf, Colorado & Santa Fe Railway Company, plaintiff in error, *v.* Mary J. McGinnis, administratrix of the estate of W. T. McGinnis, deceased. In error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas. Judgment reversed with costs, and cause remanded for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Lurton.

No. 68. Manley Ettor and Mary T. Ettor, his wife, plaintiffs in error, *v.* City of Tacoma et al. In error to the Supreme Court of the

State of Washington. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lurton.

No. 69. Edwin Howard and Emma Howard, his wife, plaintiffs in error, *v.* City of Tacoma et al. In error to the Supreme Court of the State of Washington. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lurton.

No. 198. The United States, appellant, *v.* The Reading Company et al.;

No. 206. Temple Iron Company, appellant, *v.* The United States; and

No. 217. The Reading Company et al., appellants, *v.* The United States. Order modifying mandate entered. Announced by Mr. Justice Lurton. (Mr. Justice Day, Mr. Justice Hughes, and Mr. Justice Pitney did not participate in the decision of the original cases nor in the motion to modify the mandate.)

No. 112. George McDermott, plaintiff in error, *v.* The State of Wisconsin. In error to the Supreme Court of the State of Wisconsin. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 113. T. H. Grady, plaintiff in error, *v.* The State of Wisconsin. In error to the Supreme Court of the State of Wisconsin. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 165. Henry L. Bogert et al., as executors, etc., appellants, *v.* The Southern Pacific Company et al. Appeal from the Circuit Court of the United States for the Eastern District of New York. Dismissed for the want of jurisdiction, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Day.

No. 192. Catherine M. S. Frosch et al., appellants, *v.* William Walter. Appeal from the Court of Appeals of the District of Columbia. Decree reversed with costs, and cause remanded with directions to affirm the original decree of the Supreme Court of the District of Columbia. Opinion by Mr. Justice Holmes. Mr. Justice Pitney concurs.

No. 697. The United States of America, plaintiff in error, *v.* Pacific & Arctic Railway & Navigation Company et al. In error to the District Court of the United States for Alaska, Division No. 1.

Judgment reversed as to counts 1 and 2, and cause remanded with directions to proceed in accordance with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 181. Metropolis Theater Company et al., plaintiffs in error, *v.* The City of Chicago et al. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 193. Chicago, Burlington & Quincy Railroad Company, plaintiff in error, *v.* Wilbur I. Cram. In error to the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 194. Chicago, Burlington & Quincy Railroad Company, plaintiff in error, *v.* James M. Kyle. In error to the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 156. William G. Plested et al., appellants, *v.* Samuel A. Abbey et al. Appeal from the Circuit Court of the United States for the District of Colorado. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the District of Colorado. Opinion by Mr. Chief Justice White. (Mr. Justice Pitney took no part in this decision.)

No. 155. Henry Friend et al., petitioners, *v.* James Talcott. On writ of certiorari 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. Chief Justice White.

No. 705. The United States, plaintiff in error, *v.* O. T. Anderson. In error to the District Court of the United States for the District of Oregon. Judgment reversed, and cause remanded for further proceedings. Opinion by Mr. Chief Justice White.

The Chief Justice announced the following orders of the court:

No. —, Original. Ex parte In the matter of Charles F. Wilcox, petition. Motion for leave to file petition for a writ of mandamus and for leave to proceed in forma pauperis denied.

No. 1018. Charles G. Dade, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1019. Welch Manufacturing Company, petitioner, *v.* Samuel D. Young, trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1024. The Portland Gold Mining Company et al., petitioners, *v.* Charles Daniels et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 445. Belle J. Barnes et al., appellants, *v.* J. L. B. Alexander et al. Ordered that this case be placed on the summary docket.

No. 649. The United States, petitioner, *v.* Twenty-five Packages of Panama Hats, etc. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the petitioner.

No. 677. The Delaware, Lackawanna & Western Railroad Company, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the defendant in error.

No. 7, Original. The State of Arkansas, complainant, *v.* The State of Tennessee. Leave granted to file answer and cross bill herein, on motion of Mr. James A. Fowler, in behalf of Mr. Charles T. Cates, jr., for the defendant.

No. 1027. Jacob Salsburg, petitioner, *v.* George A. Blackford, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Andrew Jackson Montague for the petitioner.

No. 1044. Emma Jane Kirkpatrick, petitioner, *v.* Harriet Elizabeth McBride. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Charles L. Frailey, in behalf of Mr. Charles H. Burr for the petitioner, and by Mr. William B. Sanders and Mr. Henry M. Russell for the respondent.

No. 407. The United States of America *ex rel.* A. Goldberg, plaintiff in error, *v.* George von L. Meyer, Secretary of the Navy. Suggestion of retirement of George von L. Meyer and appointment of Josephus Daniels as his successor in office as Secretary of the Navy, and motion to substitute said Josephus Daniels as the party defendant in error herein, granted, on motion of Mr. Charles Poe for the plaintiff in error.

No. 8, Original. The State of Wyoming, complainant, *v.* The State of Colorado et al. Leave granted to file replications to answers, on motion of Mr. Joseph W. Cox, in behalf of Mr. Douglas A. Preston for the complainant.

No. —, Original. *Ex parte* In the matter of J. Harry Spencer, petitioner;

No. —, Original. *Ex parte* In the matter of Albert L. Scholl, petitioner; and

No. —, Original. *Ex parte* In the matter of Frank L. Moyer, petitioner. Motions for leave to file petitions for writs of habeas corpus submitted by Mr. W. H. Spencer and Mr. M. C. Rhone for the petitioners.

No. 1005. The Bunker Hill Mining & Concentrating Company, petitioner, *v.* Thomas Williams. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William R. Harr, in behalf of Mr. Myron A. Folsom for the petitioner, and by Mr. H. Lowndes Maury for the respondent.

No. —, Original. Oscar W. White, plaintiff, *v.* Don Enrique Borja. Motion for leave to withdraw motion for leave to file declaration granted, on motion of Mr. John Ridout for the plaintiff.

No. 951. Bauer & Cie et al. *v.* James O'Donnell. Leave granted to file brief as amicus curiæ herein on motion of Mr. Thomas W. Pelham for the Gillette Safety Razor Company.

No. 1004. Warner U. Grider et al., petitioners, *v.* Minnie C. Groff et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Britton, Mr. Frank Doster, and Mr. Hunter M. Meriwether for the petitioners.

No. 987. Old Dominion Copper Mining & Smelting Company, petitioner, *v.* Frederick Lewisohn et al., executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edward F. McClennen and Mr. Louis D. Brandeis for the petitioner, and by Mr. Eugene Treadwell for the respondents.

No. 974. The National City Bank of New York, appellant, *v.* Henry D. Hotchkiss, trustee, etc.; and

No. 975. Henry D. Hotchkiss, trustees, etc., appellant, *v.* The National City Bank of New York. Motion to advance submitted by Mr. Frederick S. Tyler, in behalf of Mr. Abram I. Elkus for Hotchkiss, trustee.

No. —, Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Motion for leave to file bill of complaint submitted by Mr. Moses Hooper, in behalf of counsel for the complainant.

No. 1023. William B. Strang, petitioner, *v.* J. A. Edson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Justin D. Bowersock for the petitioner, and by Mr. Samuel W. Moore for the respondent.

No. 857. St. Louis, San Francisco & Texas Railway Company, plaintiff in error, *v.* Maude Seale et al. Motion to dismiss or affirm

submitted by Mr. Judson H. Wood and Mr. James P. Haven for the defendants in error in support of the motion, and by Mr. Cecil H. Smith for the plaintiff in error in opposition thereto.

No. 280. The Guardian Assurance Company of London, Limited, plaintiff in error, *v.* Domingo Quintana. In error to the District Court of the United States for Porto Rico. Dismissed with costs, per stipulation.

No. 1007. Bunyan Lucas, appellant, *v.* Robert Lee Lucas et al., executors, etc., et al. Appeal from the District Court of the United States for the Southern District of California. Dismissed with costs on motion of counsel for appellant.

No. 923. Frank Guinn et al. *v.* The United States; and

No. 878. The United States, plaintiff in error, *v.* John A. Davis et al. Reassigned for argument on Tuesday, October 14 next, after the cases already assigned for that day, on motion of Mr. Assistant to the Attorney General Fowler for the United States.

No. 655. Chicago & Northwestern Railway Company, plaintiff in error, *v.* Hugh Rowlands. In error to the Supreme Court of the State of Wisconsin. Dismissed without costs to either party, per stipulation.

No. 652. The United States of America, plaintiff in error, *v.* The Adams Express Company. Argued by Mr. Assistant Attorney General Denison for the plaintiff in error, and by Mr. Joseph S. Graydon for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 8, will be as follows: Nos. 783 (and 784, 785, and 786), 736, 944, 951, 162 (and 754), 501, 863 (and 864), 918, 943, 715, 911, and 899.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 8, 1913.

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

William C. Bristol, of Portland, Oreg.; Charles E. Duffy, of Detroit, Mich.; Thomas A. Church, of New York City; Harry D. Nims, of New York City; and John W. Kealing, of Indianapolis, Ind., were admitted to practice.

No. 783. The United States, plaintiff in error, *v.* The Chandler-Dunbar Water Power Company et al.;

No. 784. The Chandler-Dunbar Water Power Company, plaintiff in error, *v.* The United States;

No. 785. St. Mary's Power Company, plaintiff in error, *v.* The United States; and

No. 786. Clarence M. Brown, sole receiver, etc., plaintiff in error, *v.* The United States. Argument commenced by Mr. Assistant to the Attorney General Fowler for the United States, continued by Mr. Moses Hooper for the Chandler-Dunbar Water Power Company, and concluded by Mr. Assistant to the Attorney General Fowler for the United States, and submitted by Mr. William L. Carpenter for the St. Mary's Water Power Company.

No. 736. The United States, appellant, *v.* The Mille Lac Band of Chippewa Indians in the State of Minnesota. Argument commenced by Mr. Assistant Attorney General Adkins for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 9, will be as follows: Nos. 736, 944, 951, 162 (and 754), 501, 863 (and 864), 918, 943, 715, 911, and 899.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 9, 1913.

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

F. P. Hobgood, jr., of Greensboro, N. C., was admitted to practice.

No. 736. The United States, appellant, *v.* The Mille Lac Band of Chippewa Indians in the State of Minnesota. Argument continued by Mr. George B. Edgerton and Mr. F. W. Houghton for the appellee, and concluded by Mr. George M. Anderson for the appellant, and submitted by Mr. C. E. Richardson for the appellee.

No. 944. Charles H. Swigart et al., appellants, *v.* D. P. Baker. Argument commenced by Mr. Assistant Attorney General Knaebel for the appellants, continued by Mr. W. T. Dovell for the appellee, and by Mr. Assistant Attorney General Knaebel for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 10, will be as follows: Nos. 944, 951, 162 (and 754), 501, 863 (and 864), 918, 943, 715, 911, and 899.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 10, 1913.

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

Richard Stevens Eskridge, of Seattle, Wash.; Samuel T. Spears, of Elkins, W. Va.; Frederick A. Blount, of Philadelphia, Pa.; and Charles F. Willard, of Camden, N. J., were admitted to practice.

No. 951. *Bauer & Cie et al v. James O'Donnell*. Leave granted to file brief herein on behalf of The Waltham Watch Company as amicus curiæ, on motion of Mr. Nathan Matthews, in that behalf.

No. 944. Charles H. Swigart et al., appellants, *v. D. P. Baker*. Argument concluded by Mr. Assistant Attorney General Knaebel for the appellants.

No. 951. *Bauer & Cie et al. v. James O'Donnell*. Argument commenced by Mr. Edwin J. Prindle for Bauer & Cie et al., and continued by Mr. Daniel W. Baker for James O'Donnell, and concluded by Mr. Edwin J. Prindle for Bauer & Cie et al.

No. 162. *Omaha Electric Light & Power Company*, appellant, *v. The City of Omaha et al.*; and

No. 754. *Old Colony Trust Company*, appellant, *v. The City of Omaha*. Reargument commenced by Mr. Edgar H. Scott for the appellant in No. 162, continued by Mr. William C. Lambert and Mr. Benjamin S. Baker for the appellees, and by Mr. William D. McHugh for the appellant in No. 754.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 11, will be as follows: Nos. 162 (and 754), 501, 863 (and 864), 918, 943, 715, 711, 899, 79, and 202 (and 203).



SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 11, 1913.

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

James Butler Studley, of Boston, Mass.; Frank C. Richardson, of Boston, Mass.; Robert A. Stotz, of Easton, Pa.; McDonald Meacham, of Houston, Tex.; and W. T. Bartholomew, of Fort Worth, Tex., were admitted to practice.

No. 8, original. The State of Wyoming, complainant, *v.* The State of Colorado et al. Leave granted to Mr. Charles D. Hayt and Mr. Clyde C. Dawson to withdraw their appearance for the defendants herein, on motion of Mr. Duane E. Fox in their behalf.

No. 162. Omaha Electric Light & Power Company, appellant, *v.* The City of Omaha et al.; and

No. 754. Old Colony Trust Company, appellant, *v.* The City of Omaha. Reargument concluded by Mr. William D. McHugh for the appellant in No. 754.

No. 501. Big Vein Coal Company of West Virginia, plaintiff in error, *v.* Benjamin H. Read. Argued by Mr. Osborne I. Yellott for the plaintiff in error, and by Mr. William L. Rawls and Mr. Frank Gosnell for the defendant in error.

No. 863. The United States, plaintiff in error, *v.* Arnulfo Chavez, alias Arnuto Chavez; and

No. 864. The United States, plaintiff in error, *v.* Jose Mesa. Argued by Mr. Assistant Attorney General Adkins for the plaintiff in error. No appearance for the defendants in error.

No. 918. The United States, plaintiff in error, *v.* Bob Wright. Argued by Mr. Assistant Attorney General Denison for the plaintiff in error and by Mr. James C. Denton for the defendant in error.

No. 943. The United States, plaintiff in error, *v.* Alfred Shelley. Argued by Mr. Assistant Attorney General Harr for the plaintiff in error and by Mr. Robert M. Moore for the defendant in error.

No. 715. Harry K. Johnson, plaintiff in error, *v.* The United States. Argued by Mr. Edward J. Fox for the plaintiff in error and by Mr. Assistant Attorney General Harr for the defendant in error.

No. 911. The United States *ex rel.* Sali Zimmerspitz, appellant, *v.* R. L. Prentis et al. Submitted by Mr. Benjamin C. Bachrach for the appellant and by Mr. Assistant Attorney General Harr for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 14, will be as follows: Nos. 899, 79, 202 (and 203), 207, 208, 211, 212 (and 213), 218, 221, and 222.



SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 14, 1913.

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

John W. Jennings, of Washington, D. C.; Roscoe C. Arrington, of Shawnee, Okla.; Edgar E. Hood, of Shawnee, Okla.; William H. Rogers, of San Jose, Cal.; Raleigh E. Rhodes, of Madera, Cal.; Chester N. Farr, of Philadelphia, Pa.; and Jerry B. Sullivan, of Des Moines, Iowa, were admitted to practice.

No. 177. *Sy Joc Lieng et al.*, appellants and plaintiffs in error, *v. Gregorio Sy Quia et al.* Appeal from and in error to the Supreme Court of the Philippine Islands. Writ of error dismissed. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 188. *C. H. Rexford*, petitioner, *v. The Brunswick-Balke-Clender Company*. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Western District of North Carolina, with directions to proceed to a final disposition of the case in regular course. Opinion by Mr. Justice Van Devanter.

No. 152. *Consolidated Turnpike Company et al.*, plaintiffs in error, *v. Norfolk & Ocean View Railway Company*. In error to the Supreme Court of Appeals of the State of West Virginia. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Lurton.

No. 204. *The Texas & Pacific Railway Company*, plaintiff in error, *v. Mrs. Amanda Harvey*. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Texas. Opinion by Mr. Justice Day.

No. —. *Josephine P. McGowan*, executrix of *Jonas H. McGowan*, deceased, and *Elijah B. Brookshire*, *v. Emily E. Parish*, executrix of *Joseph W. Parish*, deceased. Application for the allowance of an appeal from the Court of Appeals of the District of Columbia granted, and supersedeas bond fixed at \$3,000. Opinion by Mr. Chief Justice White.

The Chief Justice announced the following orders of the court:

No. —, Original. *Ex parte*: In the matter of J. Harry Spencer, petitioner;

No. —, Original. *Ex parte*: In the matter of Albert L. Scholl, petitioner; and

No. —, Original. *Ex parte*: In the matter of Frank L. Moyer, petitioner. Motions for leave to file petitions for writs of habeas corpus granted, and rules to show cause awarded returnable on the 28th instant.

No. —, Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Motion for leave to file bill of complaint granted, and process ordered to issue returnable on the first day of the next term (October 13, 1913).

No. 649. The United States, petitioner, *v.* Twenty-five Packages of Panama Hats, etc.;

No. 677. The Delaware, Lackawanna & Western Railroad Company, plaintiff in error, *v.* The United States of America;

No. 974. The National City Bank of New York, appellant, *v.* Henry D. Hotchkiss, trustee, etc.; and

No. 975. Henry D. Hotchkiss, trustee, etc., appellant, *v.* The National City Bank of New York. Motions to advance granted, and cases assigned for argument on Tuesday, October 14 next, after the cases heretofore assigned for that day.

No. 1004. Warner U. Grider et al., petitioners, *v.* Minnie C. Groff et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1005. The Bunker Hill and Sullivan Mining & Concentrating Company, petitioner, *v.* Thomas Williams. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1023. William B. Strang, petitioner, *v.* J. A. Edson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1027. Jacob Salsburg, petitioner, *v.* George A. Blackford, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1044. Emma Jane Kirkpatrick, petitioner, *v.* Harriet Elizabeth McBride. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 857. St. Louis, San Francisco & Texas Railway Company, plaintiff in error, *v.* Maude Seale et al. Ordered that this case be placed on the summary docket.

No. 971. Stratton's Independence, Limited, *v.* F. W. Howbert, collector, etc. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for Howbert, collector.

No. 983. The United States, petitioner, *v.* F. W. Whitridge, receiver, etc.; and

No. 984. The United States, petitioner, *v.* A. H. Joline et al., etc. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the United States.

No. 1053. The United States et al., appellants, *v.* The Prairie Oil & Gas Company;

No. 1054. The United States et al., appellants, *v.* The Uncle Sam Oil Company; and

No. 1055. The United States et al., appellants, *v.* Robert D. Benson et al. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the United States.

No. 1046. The United States, petitioner, *v.* James B. Regan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Assistant to the Attorney General Fowler, Mr. Attorney General McReynolds, and Mr. Assistant Attorney General Harr for the petitioner, and by Mr. Max D. Steuer for the respondent.

No. 941. Supreme Council of the Royal Arcanum et al., plaintiffs in error, *v.* Samuel Green. Motion to dismiss or affirm submitted by Mr. F. J. Moissen for the defendant in error in support of the motion, and by Mr. Howard C. Wiggins for the plaintiff in error in opposition thereto.

No. 1052. John B. Gleason, petitioner, *v.* Harry K. Thaw. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John B. Gleason pro se.

No. 1032. William Cramp & Sons Ship & Engine Building Company, petitioner, *v.* International Curtis Marine Turbine Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James R. Sheffield, Mr. Clifton V. Edwards, and Mr. Samuel Dickson for the petitioner, and by Mr. Frederick P. Fish and Mr. R. N. Dyer for the respondents.

No. 597. John Fletcher, appellant, *v.* C. T. Elliott, as United States marshal, etc. Appeal from the Circuit Court of the United States for the Northern District of California. Dismissed with costs, on motion of Mr. Henry F. Woodard for the appellant, and cause remanded to the District Court of the United States for the Northern District of California.

No. 1039. A. M. Winter, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. E. F. Colladay, in behalf

of Mr. Carr W. Taylor, for the petitioner, with leave to Mr. Assistant to the Attorney General Fowler to file a brief for the respondent within two days.

No. 1011. William T. Kettenbach et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Evans Browne, Mr. A. B. Browne, and Mr. Alexander Britton for the petitioners, and by Mr. Assistant Attorney General Adkins and Mr. Peyton Gordon for the respondent.

No. 1020. Gay-Ola Company, petitioner, *v.* Coca Cola Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederick S. Tyler for the petitioner, and by Mr. W. D. Thompson and Mr. Harold Hirsch for the respondent.

No. 298. Austro-American Steamship Company, Limited, petitioner, *v.* Peter Ramjak. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit dismissed, on motion of Mr. Edgar H. Farrar for the petitioner.

No. 951. Bauer & Cie et al. *v.* James O'Donnell. Motion for leave to file brief herein as amicus curiæ in behalf of The Ingersoll Watch Company submitted by Mr. Harry D. Nims in that behalf, which was opposed by Mr. E. J. Prindle for Bauer & Cie et al. Motion denied.

No. 208. The Chicago, Rock Island & Pacific Railway Company et al., plaintiffs in error, *v.* Albert M. Dowell. Submitted by Mr. F. C. Dillard and Mr. Paul E. Walker for the plaintiffs in error, and by Mr. David Smyth, Mr. J. D. Houston, and Mr. F. S. Macy for the defendant in error.

No. 899. J. Butler Studley, trustee, etc., appellant, *v.* The Boylston National Bank of Boston. Argued by Mr. J. Butler Studley for the appellant, and by Mr. Hollis R. Bailey for the appellee.

No. 15, Original. *Ex parte*: In the matter of William J. Dante, collector of the estate of Stilson Hutchins, petitioner. Argued by Mr. Edwin C. Brandenburg for the petitioner, and by Mr. Wharton E. Lester and Mr. M. J. Colbert for the respondents.

No. 79. National Safe Deposit, Savings & Trust Company of the District of Columbia, plaintiff in error, *v.* William B. Hibbs. Argument commenced by Mr. Charles L. Frailey for the plaintiff in error, and continued by Mr. W. C. Sullivan and Mr. J. J. Darlington for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 15, will be as follows: Nos. 79, 202 (and 203), 207, 211, 212 (and 213), 218, 221, 222, 223, and 226.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 15, 1913.

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

Edna Covert Plummer, of Mineral Hill, Nev., and Joseph D. Edelson, of New York City, N. Y., were admitted to practice.

No. 951. Bauer & Cie. et al. *v.* James O'Donnell. Leave granted to file brief herein as *amicus curiæ*, on behalf of the Victor Talking Machine Company, on motion of Mr. Horace Pettit in that behalf.

No. 226. The Richmond, Fredericksburg & Potomac Railroad Company, plaintiff in error, *v.* The Commonwealth of Virginia. Continued, per stipulation.

No. 79. National Safe Deposit, Savings & Trust Company of the District of Columbia, plaintiff in error, *v.* William B. Hibbs. Argument continued by Mr. J. J. Darlington for the defendant in error, and concluded by Mr. Charles L. Frailey for the plaintiff in error.

No. 202. Edward B. Jordan, collector of internal revenue, *v.* James W. Roche; and

No. 203. Edward B. Jordan, collector of internal revenue, *v.* Charles H. Ross and William P. Ross. Argued by Mr. Assistant Attorney General Harr for Jordan, collector, and by Mr. John David Lannon for Roche and Ross et al.

No. 207. Morrisdale Coal Company, appellant, *v.* Pennsylvania Railroad Company. Argued by Mr. William A. Glasgow, jr., for the appellant, and by Mr. John G. Johnson for the appellee.

No. 211. Texas & Pacific Railway Company, plaintiff in error, *v.* C. C. Prater. Submitted by Mr. W. L. Hall for the plaintiff in error, and by Mr. A. W. Gregg for the defendant in error, and by the defendant in error pro se.

No. 212. Dowagiac Manufacturing Company, petitioner, *v.* Minnesota-Moline Plow Company et al.; and

No. 213. Dowagiac Manufacturing Company, petitioner, *v.* Ernest F. Smith et al. Argument commenced by Mr. Fred L. Chappell for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 16, will be as follows: Nos. 212 (and 213), 218, 221, 222, 223, 229, 230, 232, 234, and 237.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 16, 1913.

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

Frank B. Brandegee, of New London, Conn.; Charles B. Whittlesey, of New London, Conn.; and Charles W. Comstock, of Norwich, Conn., were admitted to practice.

No. 207. Morrisdale Coal Company, appellant, *v.* Pennsylvania Railroad Company. Leave granted to counsel for appellant to file additional brief within 10 days, on motion of Mr. William A. Glasgow, jr., for the appellant.

No. 212. Dowagiac Manufacturing Company, petitioner, *v.* Minnesota Moline Plow Company et al.; and

No. 213. Dowagiac Manufacturing Company, petitioner, *v.* Ernest F. Smith and Lippo W. Zimmer. Argument continued by Mr. Fred L. Chappell for the petitioner, by Mr. Thomas A. Banning for the respondents, and concluded by Mr. Fred L. Chappell for the petitioner.

No. 218. Mary E. Nalle, plaintiff in error, *v.* James F. Oyster et al. Submitted by Mr. John C. Gittings and Mr. Justin Morrill Chamberlin for the plaintiff in error, and by Mr. Clarence R. Wilson and Mr. Reginald S. Huidekoper for the defendants in error.

No. 221. George Lemist Clarke, trustee, etc., appellant, *v.* Henry M. Rogers, trustee in bankruptcy, etc. Argument commenced by Mr. Felix Rackemann for the appellant, and continued by Mr. Melvin M. Johnson for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 17, will be as follows: Nos. 221, 222, 223, 229, 230, 232, 234, 237, 238, and 239 (and 240 and 241).



SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 17, 1913.

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

Aaron A. Melniker, of Bayonne, N. J.; John D. Rhoades, of Toledo, Ohio; James Campbell, jr., of Paducah, Ky.; Benjamin Irving Taylor, of Harrison, N. Y.; and De Witt H. Lyon, of Port Chester, N. Y., were admitted to practice.

No. 221. George Lemist Clarke, trustee, etc., appellant, *v.* Henry M. Rogers, trustee in bankruptcy, etc. Argument continued by Mr. Melvin M. Johnson for the appellee, and concluded by Mr. Felix Rackemann for the appellant.

No. 222. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* The State of Georgia. Argued by Mr. Henry L. Stone for the plaintiff in error, and by Mr. Thomas S. Felder for the defendant in error.

No. 223. Marion A. Morse, plaintiff in error, *v.* Sidney A. Brown, sheriff of New London County, Conn. Submitted by Mr. C. W. Comstock and Mr. Donald G. Perkins for the plaintiff in error, and by Mr. Charles B. Whittlesey for the defendant in error.

No. 229. Madera Water Works, appellant, *v.* City of Madera et al. Argument commenced by Mr. Frank H. Short for the appellant, and continued by Mr. Raleigh E. Rhodes for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 18, will be as follows: Nos. 229, 230, 232, 234, 237, 238, 239 (and 240 and 241), 243, 244, and 245.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 18, 1913.

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

John T. Wayland, of Kansas City, Mo., and Thomas J. Wingfield, of Birmingham, Ala., were admitted to practice.

No. 238. S. D. Harper, plaintiff in error, *v.* Grant Victor, United States marshal, etc. Submitted by Mr. James S. Davenport for the plaintiff in error, and by Mr. Assistant Attorney General Adkins for the defendant in error, with leave to counsel for the plaintiff in error to file an additional brief within 10 days.

No. 245. Charles E. Barrett, plaintiff in error, *v.* The State of Indiana. Submitted by Mr. John C. Chaney and Mr. Charles E. Barrett for the plaintiff in error, and by Mr. Thomas M. Honan for the defendant in error.

No. 229. Madera Water Works, appellant, *v.* City of Madera et al. Argument continued by Mr. Raleigh E. Rhodes for the appellees, and concluded by Mr. Frank H. Short for the appellant.

No. 230. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Thomas W. Brown. Argued by Mr. M. L. Bell for the plaintiff in error, and submitted by Mr. James C. McShane for the defendant in error.

No. 232. Paul Charlton, as the next friend of Porter Charlton, appellant, *v.* James J. Kelly, sheriff of Hudson County, N. J., et al. Argued by Mr. R. Floyd Clarke for the appellant, and by Mr. Pierre P. Garven for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 21, will be as follows: Nos. 234, 237, 239 (and 240 and 241), 243, 244, 246, 247, 248, 249, and 250 (and 507).



SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 21, 1913.

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

G. Murray Hulbert, of New York City; Marcus A. Jacobson, of Waukesha, Wis.; Louis O. Van Doren, of New York City; Oliver Perry Stidger, of San Francisco, Cal.; Charles Stewart, of San Francisco, Cal.; Martin Herbert Kennedy, of Denver, Colo.; H. W. Pyles, of Williamsport, Pa.; Charles A. Riegelman, of New York City; Charles R. Lewers, of San Francisco, Cal.; Thomas O. Peirce, of New York City; Merrill Bishop, of New York City; Oscar A. Lewis, of Brooklyn, N. Y.; and O. K. Cushing, of San Francisco, Cal., were admitted to practice.

No. 20. Lillian F. Slocum, executrix, etc., petitioner, *v.* New York Life Insurance Company. 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 Circuit Court of the United States for the Western District of Pennsylvania reversed with costs, and cause remanded to the District Court of the United States for the Western District of Pennsylvania with directions to grant a new trial. Opinion by Mr. Justice Van Devanter. Dissenting: Mr. Justice Hughes, Mr. Justice Holmes, Mr. Justice Lurton, and Mr. Justice Pitney.

No. 205. The Texas & Pacific Railway Company, plaintiff in error, *v.* Mrs. Mary E. Stewart et al. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Texas. Opinion by Mr. Justice Day.

No. 200. The Michigan Trust Company, petitioner, *v.* Edward P. Ferry; and

No. 201. The Michigan Trust Company, petitioner, *v.* Edward P. Ferry. On writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgments reversed with costs, and causes remanded to the District Court of the United States for the

District of Utah for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna and Mr. Justice Lamar. (Mr. Justice Van Devanter took no part in the decision.)

The Chief Justice announced the following orders of the court:

No. 971. Stratton's Independence, Limited, *v.* F. W. Howbert, collector, etc.;

No. 983. The United States, petitioner, *v.* F. W. Whitridge, receiver, etc.;

No. 984. The United States, petitioner, *v.* A. H. Joline et al., receivers, etc.;

No. 1053. The United States et al., appellants, *v.* The Prairie Oil & Gas Company;

No. 1054. The United States et al., appellants, *v.* The Uncle Sam Oil Company; and

No. 1055. The United States et al., appellants, *v.* Robert D. Benson et al. Motions to advance granted and cases assigned for argument on Tuesday, October 14 next, after the cases heretofore assigned for that day.

No. 1046. The United States, petitioner, *v.* James B. Regan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1052. John B. Gleason, petitioner, *v.* Harry K. Thaw. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 987. The Old Dominion Copper Mining & Smelting Company, petitioner, *v.* Frederick Lewisohn et al., executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1011. William T. Kettenbach et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1020. Gay-Ola Company, petitioner, *v.* Coca Cola Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1039. A. M. Winters, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 941. Supreme Council of the Royal Arcanum et al., plaintiffs in error, *v.* Samuel Green. Motion to dismiss or affirm postponed to the hearing on the merits.

No. 504. Etta L. Sanford et al., appellants, *v.* Santiago Ainsa, administrator, etc. Ordered that this case be placed on the summary docket.

Order: It is ordered that the cases transferred to the summary docket be assigned for hearing on Monday, May 5 next.

No. 9. John A. Knott et al., railroad and warehouse commissioners et al., appellants, *v.* Chicago, Burlington & Quincy Railroad Company; and

Nos. 12, 339 to 372, 159, 428, 219, 291, 292, 293, 440, and 441, State Railroad Rate cases. Leave granted to file brief herein as amicus curiæ, on motion of Mr. Assistant to the Attorney General Fowler for the United States.

No. 516. Albert B. Cameron, petitioner, *v.* The United States;

No. 522. Charles Wilson, alias Charles Willard, plaintiff in error, *v.* The United States; and

No. 523. Catherine Wilson, alias Zoe Willard, plaintiff in error, *v.* The United States. Motions to advance submitted by Mr. Assistant to the Attorney General Fowler for the United States.

No. 556. George H. Beddow, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the United States in support of the motion, and by Mr. M. M. Riley for plaintiff in error in opposition thereto.

No. 1066. William McCoach, collector, etc., petitioner, *v.* D. F. Pratt et al., executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Assistant to the Attorney General Fowler, Mr. Attorney General McReynolds, and Mr. Assistant Attorney General Harr for the petitioner.

No. 13, Original. The State of New Mexico, complainant, *v.* The State of Texas. Leave to file answer and cross-bill granted on motion of Mr. W. C. Dennis, in behalf of counsel for the defendant.

No. 972. Frances Harvey, petitioner, *v.* Fidelity & Casualty Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Wade H. Ellis and Mr. John W. Shine for the petitioner, and by Mr. Edwin A. Jones for the respondent.

No. 1059. Missouri-Edison Electric Company et al., petitioners, *v.* Morgan Jones et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Wade H. Ellis, Mr. H. S. Priest, and Mr. B. Schnurmacher for the petitioners, and by Mr. D. T. Bomar for the respondents.

No. 250. The Pullman Company, appellant, *v.* A. C. Croom, comptroller of the State of Florida; and

No. 507. The Pullman Company, appellant, *v.* A. C. Croom, as comptroller of the State of Florida, et al. Suggestion of death of A. C. Croom, comptroller of the State of Florida, and substitution of W. V. Knott, his successor in office, as a party appellee herein filed and entered on motion of Mr. Frank B. Kellogg for the appellant.

No. 250. The Pullman Company, appellant, *v.* W. V. Knott, comptroller of the State of Florida; and

No. 507. The Pullman Company, appellant, *v.* W. V. Knott, as comptroller of the State of Florida, et al. Continued, per stipulation, on motion of Mr. Frank B. Kellogg for the appellant.

No. 1035. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* L. E. Goodrich. Motion to dismiss or affirm submitted by Mr. A. W. Gregg, in behalf of Mr. J. A. L. Wolfe for the defendant in error, in support of the motion, and by Mr. Joseph M. Bryson, Mr. Alexander S. Coke, and Mr. A. B. Browne for the plaintiffs in error, in opposition thereto.

No. 1034. Charles Nemcof et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. E. Clinton Rhoads for the petitioners, and by Mr. Assistant Attorney General Denison for the respondent.

No. 1061. T. F. Baker 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. James B. Archer, in behalf of Mr. I. W. Stephens and Mr. George E. Miller for the petitioners, and by Mr. Assistant Attorney General Adkins for the respondent.

No. 3, Original. The People of the State of New York, complainants, *v.* The State of New Jersey et al. Time to take testimony for complainants extended to July 1, on motion of Mr. Frederick S. Tyler, in behalf of counsel.

No. 1063. Leonard A. Hochstadter, petitioner, *v.* Albert O. Brown et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Merrill Bishop and Mr. Irving L. Ernst for the petitioner, and by Mr. Dix W. Noel for the respondent.

No. 1045. C. M. Summers, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Evans Browne, Mr. Albert Fink, Mr. Louis P. Shackelford, Mr. A. B. Browne, Mr. Alexander Britton, and Mr. Kurnel R. Babbitt for the petitioner, and by Mr. Assistant Attorney General Adkins for the respondent.

No. 308. Adams Express Company, plaintiff in error, *v.* Hector Vervaeke. In error to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, per stipulation of counsel, and cause remanded for further proceedings.

No. 249. Chicago, Burlington & Quincy Railroad Company, plaintiff in error, *v.* William H. Hall. Submitted by Mr. T. Byron Clark and Mr. Arthur R. Wells for the plaintiff in error.

No. 14, Original. Ex parte: In the matter of The American Steel Barrel Company and Elizabeth C. Seaman, petitioners. Argued by Mr. John C. Spooner for the petitioners and by Mr. John A. Garver for the respondents.

No. 234. The St. Louis Southwestern Railway Company, plaintiff in error, *v.* C. W. Burckett. Submitted by Mr. S. H. West, Mr. Taliaferro Alexander, Mr. C. C. Collins, and Mr. Roy F. Britton for the plaintiff in error. No counsel appeared for the defendant in error.

No. 237. The United States Fidelity & Guaranty Company, of Baltimore, Md., plaintiff in error, *v.* The Commonwealth of Kentucky. Argued by Mr. Allan D. Cole for the plaintiff in error, and by Mr. James Garnett for the defendant in error.

No. 239. Helena Bugajewitz, appellant, *v.* Louis Adams, United States inspector, etc., et al.;

No. 240. Anna Schwartz, appellant, *v.* Louis Adams, United States inspector, etc., et al.; and

No. 241. Lilly Weiner, appellant, *v.* Louis Adams, United States inspector, etc., et al. Submitted by Mr. Joshua Freeman Grozier for the appellants, and by Mr. Assistant Attorney General Harr for the appellees.

No. 243. James E. Gorman, appellant, *v.* Charles E. Littlefield, trustee in bankruptcy of Albert O. Brown, et al. Argument commenced by Mr. James L. Coleman for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 22, will be as follows: Nos. 243, 244, 246, 247, 248, 251, 253, 254 (and 255 and 256), 257, and 258.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 22, 1913.

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

Edith Kingman Kern, of Washington, D. C.; George H. Parmelee, of Pittsburgh, Pa.; Percy Sandel, of Monroe, La., and A. L. Miller, of Macon, Ga., were admitted to practice.

No. 258. John Meeker et al., plaintiffs in error, *v.* Martin Kaelin, Mary Kaelin, his wife, et al. In error to the Circuit Court of the United States for the Western District of Washington. Dismissed with costs, pursuant to the tenth rule, and cause remanded to the District Court of the United States for the Western District of Washington.

No. 243. James E. Gorman, appellant, *v.* Charles E. Littlefield, trustee in bankruptcy of Albert O. Brown et al. Argument continued by Mr. James L. Coleman for the appellant, by Mr. Daniel P. Hays for the appellees, and concluded by Mr. James L. Coleman for the appellant.

No. 244. City of Owensboro, appellant, *v.* The Cumberland Telephone & Telegraph Company. Argued by Mr. R. S. Todd and Mr. George W. Jolly for the appellant, and by Mr. William L. Granbery for the appellee.

No. 246. City of Paducah, Kentucky, appellant, *v.* East Tennessee Telephone Company. Argued by Mr. James Campbell, jr., for the appellant, and by Mr. William L. Granbery for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 23, will be as follows: Nos. 247, 248, 251, 253, 254 (and 255 and 256), 257, 259, 260, 261, and 262.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 23, 1913.

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

Frank Boughton Fox, of Washington, D. C., was admitted to practice.

No. 251. Charles M. Campbell, appellant, *v.* Northwest Eckington Improvement Company et al. Motion to pass for 10 days submitted by Mr. Leigh Robinson, in behalf of counsel for the appellees, and denied.

No. 262. Jose Avalo Sanchez, appellant, *v.* Concepcion Veve y Diaz and her husband, Jose Sastrano. Appeal from the District Court of the United States for Porto Rico. Dismissed with costs, pursuant to the tenth rule.

No. 247. John Quincy Adams, plaintiff in error, *v.* The City of Milwaukee et al. Argued by Mr. Marcus A. Jacobson for the plaintiff in error, and by Mr. Daniel W. Hoan for the defendants in error.

No. 248. George A. Luria, appellant, *v.* The United States. Argued by Mr. Louis Marshall for the appellant, and by Mr. Assistant Attorney General Harr for the appellees.

No. 251. Charles M. Campbell, appellant, *v.* Northwest Eckington Improvement Company et al. Argument commenced by Mr. John Ridout for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 24, will be as follows: Nos. 251, 253, 254 (and 255 and 256), 257, 259, 260, 261, 263 (and 264 and 302 and 303), 265, and 266.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 24, 1913.

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

Alfred M. Liveright, of Clearfield, Pa.; Dan J. Malarkey, of Portland, Oreg.; Hale K. Darling, of Chelsea, Vt.; and Marville C. Weber, of Rutland, Vt., were admitted to practice.

No. 446. The United States of America, appellant, *v.* The Union Pacific Railroad Company et al. Motion to recall mandate and modify decree submitted by Mr. John C. Spooner for the appellees, with leave to the Attorney General to file objections within two days.

No. 251. Charles M. Campbell, appellant, *v.* Northwest Eckington Improvement Company et al. Argument concluded by Mr. John Ridout for the appellant, with leave to counsel for the appellees to file brief within 10 days.

No. 253. The United States, plaintiff in error, *v.* Atlanta Journal Company et al. Argued by Mr. Assistant Attorney General Harr for the plaintiff in error, and by Mr. Alex. C. King and Mr. Charles T. Hopkins for the defendants in error.

No. 254. Chuoco Tiaco, alias Choa Tea, plaintiff in error, *v.* W. Cameron Forbes et al.;

No. 255. Gan Tico, plaintiff in error, *v.* W. Cameron Forbes et al.; and

No. 256. Sy Chang, plaintiff in error, *v.* W. Cameron Forbes et al. Argued by Mr. Jackson H. Ralston and Mr. C. L. Bouve for the plaintiffs in error, and by Mr. Felix Frankfurter for the defendants in error.

No. 257. William Scott Wood et al., plaintiffs in error, *v.* Abram M. Chesborough et al. Argument commenced by Mr. Frank Boughton Fox for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 25, will be as follows: Nos. 257, 259, 261, 263 (and 264, 302 and 303), 265, 266, 268 (and 800), 269, 270 (and 279), and 271.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 25, 1913.

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

Frank H. Kerr, of Steubenville, Ohio; Frans J. Gustin, of Salt Lake City, Utah; Elmore S. Banks, of Bridgeport, Conn.; Andrew Marshall, of Boston, Mass.; Edward E. Browne, of Waupaca, Wis.; W. W. Turney, of El Paso, Tex.; and Sigmund M. Brandt, of Norfolk, Va., were admitted to practice.

No. 265. Norfolk & Western Railway Company, plaintiff in error, *v.* Dixie Tobacco Company. Leave granted to Mr. Francis Markoe Rivinus to appear herein *pro hac vice*, on motion of Mr. John K. Graves, in that behalf.

No. 291. George T. Simpson et al., appellants, *v.* David C. Shepard;

No. 292. George T. Simpson et al., appellants, *v.* Emma B. Kennedy et al.; and

No. 293. George T. Simpson et al., appellants, *v.* William Shillaber. Leave granted to file brief herein in reply to the brief of the Attorney General of the United States, on motion of Mr. Thomas D. O'Brien for the appellants.

No. 257. William Scott Wood et al., plaintiffs in error, *v.* Abram M. Chesborough et al. Argument continued by Mr. Frank Boughton Fox for the plaintiffs in error, by Mr. T. M. Miller for the defendants in error, and concluded by Mr. Duane E. Fox for the plaintiffs in error.

No. 259. William Stewart Macleod, as sole surviving partner, etc., appellant, *v.* The United States. Argued by Mr. Barry Mohun and Mr. L. T. Michener for the appellant, and by Mr. Frederick de C. Faust for the appellee.

No. 260. The Texas & Pacific Railway Company, plaintiff in error, *v.* John Lacey. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 261. Lem Woon, plaintiff in error, *v.* The State of Oregon. Submitted by Mr. James E. Fenton and Mr. John F. Logan for the plaintiff in error, and by Mr. A. M. Crawford and Mr. Dan J. Malarkey for the defendant in error.

No. 263. First National Bank of Claremore, plaintiff in error, *v.* C. M. Keys et al.;

No. 264. First National Bank of Vinita, plaintiff in error, *v.* C. M. Keys et al.;

No. 302. Citizens' Bank of Pryor Creek, plaintiff in error, *v.* C. M. Keys et al.; and

No. 303. J. C. Hogan, plaintiff in error, *v.* C. M. Keys et al. Argument commenced by Mr. W. H. Kornegay for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 28, will be as follows: Nos. 263 (and 264, 302, and 303), 265, 266, 268 (and 800), 269, 270 (and 279), 271, 272, 273, and 119 (and 120).



SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 28, 1913.

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

Nicholas M. Edwards, of Williamsport, Pa.; J. E. B. Cunningham, of Pittsburgh, Pa.; Archibald M. Hoagland, of Williamsport, Pa.; Reginald Hathaway Johnson, of Boston, Mass.; Irwin Donovan, of Muskogee, Okla.; Alfred D. Smith, of Washington, D. C.; Harry J. Rickelman, of Effingham, Ill.; and Claude A. Swanson, of Chatham, Va., were admitted to practice.

No. 47. Northern Pacific Railway Company et al., appellants, *v.* Joseph H. Boyd. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Washington. Opinion by Mr. Justice Lamar. Dissenting: Mr. Justice Lurton, Mr. Chief Justice White, Mr. Justice Holmes, and Mr. Justice Van Devanter.

No. 184. Charles C. Burlingham et al., trustees, etc., appellants, *v.* Charles M. Crouse. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Day.

No. 496. Hannah L. Andrews, executrix, etc., petitioner, *v.* Harvey K. Partridge, trustee, etc. 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 District Court of the United States for the District of New Jersey for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day.

No. 595. A. Leo Everett, as trustee in bankruptcy, etc., petitioner, *v.* William D. Judson, as executor, etc. 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 Day.

No. 229. Madera Water Works, appellant, *v.* City of Madera et al. Appeal from the Circuit Court of the United States for the Southern District of California. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of California. Opinion by Mr. Justice Holmes.

No. 715. Harry K. Johnson, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the Eastern District of Pennsylvania. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 571. James L. Bradford, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna. The Chief Justice took no part in the decision of this case.

No. 202. Edward B. Jordan, collector of internal revenue, *v.* James W. Roche; and

No. 203. Edward B. Jordan, collector of internal revenue, *v.* Charles H. Ross and William P. Ross. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Question certified answered in the affirmative. Opinion by Mr. Justice McKenna.

No. 609. Seaboard Air Line Railway, plaintiff in error, *v.* P. R. Moore. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of Florida. Opinion by Mr. Chief Justice White.

No. 15, Original. *Ex parte*: In the matter of William J. Dante, collector of the estate of Stilson Hutchins, petitioner. Rule to show cause discharged, and petition for writs of mandamus and certiorari denied. Opinion by Mr. Chief Justice White.

The Chief Justice announced the following orders of the court:

No. 234. The St. Louis Southwestern Railway Company, plaintiff in error, *v.* A. W. Burckett. In error to the District Court of the Parish of Caddo, State of Louisiana. *Per curiam*: Judgment reversed with costs, and case remanded for further proceedings upon the authority of *Railroad Co. v. Hefley* (158 U. S., 98); *Texas & Pacific Ry. v. Mugg* (202 U. S., 242); *United States v. Miller* (223 U. S., 599); *Ill. Central R. R. v. Henderson Elevator Co.* (226 U. S., 441).

No. 911. The United States *ex rel.* Sali Zimmerspitz, appellant, *v.* P. L. Prentis et al. Appeal from the District Court of the United States for the Northern District of Illinois. *Per curiam*: Dismissed

for the want of jurisdiction. *Lampasas v. Bell* (180 U. S., 276, 282); *American Sugar Refining Co. v. United States* (211 U. S., 155, 161).

No. 223. Marion A. Morse, plaintiff in error, *v. Sidney A. Brown*, sheriff of New London County, Conn. In error to the Supreme Court of Errors of the State of Connecticut. *Per curiam*: Dismissed for the want of jurisdiction. *Anderson v. Connecticut* (226 U. S., 603).

No. 516. Albert B. Cameron, petitioner, *v. The United States*;

No. 522. Charles Wilson, alias Charles Willard, plaintiff in error, *v. The United States*;

No. 523. Catherine Wilson, alias Zoe Willard, plaintiff in error, *v. The United States*; and

No. 556. George H. Beddow, plaintiff in error, *v. The United States*. Motions to advance granted, and cases assigned for argument on Tuesday, October 14 next, after the cases heretofore assigned for that day.

No. 1045. C. M. Summers, petitioner, *v. The United States*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 1066. William McCoach, collector, etc., petitioner, *v. D. F. Pratt et al.*, executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 972. Frances Harvey, petitioner, *v. Fidelity & Casualty Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1034. Charles Nemcof et al., petitioners, *v. The United States*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1059. Missouri-Edison Electric Company et al., petitioners, *v. Morgan Jones et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1061. T. F. Baker et al., petitioners, *v. The United States*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1063. Leonard A. Hochstadter, petitioner, *v. Albert O. Brown et al.*, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

The Chief Justice also announced that the call of the docket will be suspended on Friday, May 9, and that the court will take a recess from Monday, May 12, to Monday, May 26.

No. 321. Charles Wilson, arrested under the name of Charles Willard, appellant, *v.* The United States. Motion to dismiss submitted by Mr. Assistant to the Attorney General Fowler, Mr. Attorney General McReynolds, and Mr. Assistant Attorney General Harr for the appellee in support of the motion.

No. 499. Chino Lee, plaintiff in error, *v.* The United States. Motion to advance and place on the summary docket submitted by Mr. Assistant to the Attorney General Fowler for the defendant in error.

No. 678. The National Home for Disabled Volunteer Soldiers et al., appellants, *v.* J. E. Parrish. Motion to advance for submission on printed briefs submitted by Mr. Assistant to the Attorney General Fowler for the appellants.

No. 829. The New York Electric Lines Company, plaintiff in error, *v.* Empire City Subway Company, Limited. Motion to advance submitted by Mr. Frederic D. McKenney, in behalf of counsel for the appellant.

No. 1075. Jacob Doll & Sons, Incorporated, petitioner, *v.* Giovanni Tommaso Ribetti. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. W. S. Dalzell for the petitioner.

No. 783. The United States, plaintiff in error, *v.* The Chandler-Dunbar Water Power Company, plaintiff in error; and

No. 784. The Chandler-Dunbar Water Power Company, plaintiff in error, *v.* The United States. Leave granted to file brief herein on the question of jurisdiction, on motion of Mr. Moses Hooper for the Chandler-Dunbar Water Power Co.

No. 823. The Belt Line Railway Company, appellant, *v.* The City of Montgomery et al. Motion to dismiss or affirm submitted by Mr. W. A. Gunter for the appellees in support of the motion, and by Mr. Alexander Hamilton for the appellant in opposition thereto.

No. 530. The Title Guaranty & Surety Company, plaintiff in error, *v.* The United States to the use of Harlan & Hollingsworth. Advanced pursuant to the thirty-second rule, on motion of Mr. Thomas Stokes for the defendant in error, and submitted by Mr. Russell H. Robbins for the plaintiff in error, and by Mr. G. W. Pepper and Mr. Thomas Stokes for the defendant in error.

No. 963. Thomas J. Lynch, executor of Fred S. Thorne, deceased, petitioner, *v.* The Travelers Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. George W. Heselton for the petitioner, and by Mr. R. Ross Perry, Mr. R. Ross Perry, jr., and Mr. Harvey D. Eaton for the respondent.

No. 176. George A. Fuller Company, plaintiff in error, *v.* William A. McCloskey. Mandate granted, on motion of Mr. Samuel V. Hayden for the appellee.

No. 1050. Elijah Watt Sells, petitioner, *v.* The City of Chicago. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Oliver C. Carpenter, Mr. Delevan A. Holmes, and Mr. M. M. Townley for the petitioner, and by Mr. William H. Sexton and Mr. Charles M. Haft for the respondent.

No. 1000. Julian Munsuri, appellant, *v.* C. O. Lord, trustee for the creditors of Sucesores de Jose Hernaiz & Company. Motion to dismiss submitted by Mr. William H. Hawkins and Mr. N. B. K. Pettingill for the appellee in support of the motion, and by Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury for the appellant in opposition thereto. Petition for a writ of certiorari to the District Court of the United States for Porto Rico submitted by Mr. J. C. McReynolds, in behalf of Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury in support of the petition, and by Mr. W. H. Hawkins and Mr. N. B. K. Pettingill in opposition thereto. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mr. J. C. McReynolds, in behalf of Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury for the appellant.

No. 1065. The National Surety Company, petitioner, *v.* The Western Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. J. C. McReynolds, in behalf of Mr. Frederic R. Coudert, Mr. William J. Griffin, Mr. E. S. Heller, and Mr. G. W. McEnerney for the petitioner, and by Mr. F. W. M. Cutcheon for the respondent.

No. 263. First National Bank of Claremore, plaintiff in error, *v.* C. M. Keys et al.;

No. 264. First National Bank of Vinita, plaintiff in error, *v.* C. M. Keys et al.;

No. 302. Citizens' Bank of Pryor Creek, plaintiff in error, *v.* C. M. Keys et al.; and

No. 303. J. C. Hogan, plaintiff in error, *v.* C. M. Keys et al. Argument continued by Mr. W. H. Kornegay for the plaintiffs in error, by Mr. Robert F. Blair for the defendants in error, and concluded by Mr. W. H. Kornegay for the plaintiffs in error.

No. 16, Original. *Ex parte*: In the matter of J. Harry Spencer, petitioner;

No. 17, Original. *Ex parte*: In the matter of Albert L. Scholl, petitioner; and

No. 18, Original. *Ex parte*: In the matter of Frank L. Moyer, petitioner. Argued by Mr. M. C. Rhone and Mr. W. H. Spencer for petitioners, and by Mr. N. M. Edwards and Mr. Max L. Mitchell for the respondent.

No. 265. Norfolk & Western Railway Company, plaintiff in error, *v.* Dixie Tobacco Company. Argued by Mr. Francis Markoe Rivinus for the plaintiff in error (by special leave). No counsel appeared for the defendant in error.

No. 266. The Clement National Bank, plaintiff in error, *v.* The State of Vermont. Argument commenced by Mr. Marvelle C. Weber for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 29, will be as follows: Nos. 266, 268 (and 800), 269, 270 (and 279), 271, 272, 273, 119 (and 120), 274, and 275.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 29, 1913.

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

No. 275. Northwestern Pacific Railroad Company, plaintiff in error, *v.* The United States. Continued, per stipulation.

No. 266. The Clement National Bank, plaintiff in error, *v.* The State of Vermont. Argument continued by Mr. Marvelle C. Webber for the plaintiff in error, by Mr. Hale K. Darling and Mr. Clarke C. Fitts for the defendant in error, and concluded by Mr. Maxwell Evarts for the plaintiff in error.

No. 268. Baltic Mining Company, plaintiff in error, *v.* Commonwealth of Massachusetts; and

No. 800. S. S. White Dental Manufacturing Company, plaintiff in error, *v.* Commonwealth of Massachusetts. Argument commenced by Mr. William P. Everts for the plaintiffs in error and continued by Mr. Charles A. Snow for the plaintiffs in error, and by Mr. James M. Swift for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 30, will be as follows: Nos. 268 (and 800), 269, 270 (and 279), 271, 272, 273, 119 (and 120), 274, 276 (and 277), and 281.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 30, 1913.

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

Franklin T. Griffith, of Portland, Oreg.; Harry P. Gamble, of New Orleans, La.; James A. Marsh, of Denver, Colo.; Philip W. Russell, of New York City; and E. Waring Wilson, of Philadelphia, Pa., were admitted to practice.

No. 268. Baltic Mining Company, plaintiff in error, *v.* Commonwealth of Massachusetts; and

No. 800. S. S. White Dental Manufacturing Company, plaintiff in error, *v.* Commonwealth of Massachusetts. Argument continued by Mr. Andrew Marshall for the defendant in error, and concluded by Mr. Charles A. Snow for the plaintiff in error.

No. 269. The Southern Pacific Railroad Company, appellant, *v.* The United States. Argued by Mr. Maxwell Evarts for the appellant, and by Mr. Assistant Attorney General Knaebel for the appellee.

Nos. 270 and 279. George W. Cureton, plaintiff in error, *v.* The State of Georgia. Argued by Mr. Samuel P. Maddox and Mr. J. J. Lynch for the plaintiff in error, and by Mr. Thomas S. Felder for the defendant in error. Leave granted to defendant in error to file an additional brief within 10 days.

No. 271. Douglas W. Bailey, appellant, *v.* Arthur Sanders. Submitted by Mr. Douglas W. Bailey pro se, and by Mr. Henry H. Gilfrey for the appellant. No counsel appeared for the appellee.

No. 272. The Lewis Bluepoint Oyster Cultivation Company, plaintiff in error, *v.* J. Marvin Briggs. Argument commenced by Mr. Howard Taylor for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 1, will be as follows: Nos. 272, 273, 119 (and 120), 274, 267 (and 277), 281, 283, 284 (and 285), 286, and 287.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 1, 1913.

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

Ralph D. Cole, of Findlay, Ohio; Hugh Shepherd, of Detroit, Mich.; James Rosenthal, of Chicago, Ill.; James A. Veasey, of Tulsa, Okla.; and Francis B. Carter, of Pensacola, Fla., were admitted to practice.

No. 276. John Ashon, appellant, *v.* The Board of Commissioners for the Protection of Birds, etc., et al.; and

No. 277. Leong Mow, appellant, *v.* The Board of Commissioners for the Protection of Birds, etc., et al. The Conservation Commission of Louisiana and M. L. Alexander, Edgar T. Leche, and J. A. Dayries, substituted as the parties appellees in these cases, per stipulation of counsel, and on motion of Mr. Harry P. Gamble for the appellees.

No. 272. The Lewis Blue Point Oyster Cultivation Company, plaintiff in error, *v.* J. Marvin Briggs. Argument continued by Mr. Howard Taylor for the plaintiff in error, by Mr. Assistant Attorney General Denison for the defendant in error, and concluded by Mr. Howard Taylor for the plaintiff in error.

No. 273. Oscar Wilkinson et al., plaintiffs in error, *v.* Oscar A. M. McKimmie et al. Argument commenced by Mr. Charles Poe for the plaintiffs in error, continued by Mr. John Ridout for the defendants in error, and concluded by Mr. Alfred D. Smith for the plaintiffs in error.

Nos. 119 and 120. Portland Railway, Light & Power Company, plaintiff in error, *v.* Railroad Commission of Oregon. Argument commenced by Mr. Franklin T. Griffith for the plaintiff in error, and continued by Mr. A. M. Crawford and Mr. Clyde B. Aitchison for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 2, will be as follows: Nos. 119 (and 120), 274, 276 (and 277), 281, 283, 284 (and 285), 286, 287, 288, and 289.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 2, 1913.

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

M. Frederick O'Connell, of Fitchburg, Mass.; Samuel J. Rosensohn, of New York City; and Charles F. Reddoch, of Boise City, Idaho, were admitted to practice.

No. 288. Samuel O'Brien, plaintiff in error, *v.* Rudolph B. Schneider et al. In error to the Supreme Court of the State of Nebraska. Dismissed with costs, pursuant to the tenth rule.

Nos. 119 and 120. Portland Railway, Light & Power Company, plaintiff in error, *v.* Railroad Commission of Oregon. Argument continued by Mr. Clyde B. Aitchison for the defendant in error, and concluded by Mr. Joseph S. Clark for the plaintiff in error.

No. 274. Jerome E. Morse, appellant, *v.* The United States. Argued by Mr. George A. King for the appellant, and by Mr. Frederick de C. Faust for the appellee.

No. 276. John Ashon, appellant, *v.* The Conservation Commission of Louisiana et al.; and

No. 277. Leong Mow, appellant, *v.* The Conservation Commission of Louisiana. Argued by Mr. Harry P. Gamble for the appellees, and submitted by Mr. E. Howard McCaleb for the appellants.

No. 281. The Oregon Railroad & Navigation Company, plaintiff in error, *v.* F. V. Martin, as sole surviving partner, etc. Submitted by Mr. Maxwell Everts and Mr. W. W. Cotton for the plaintiff in error. No counsel appeared for the defendant in error.

No. 283. Roy Brooks, plaintiff in error, *v.* Central Sainte Jeanne. Submitted by Mr. N. B. K. Pettingill and Mr. George H. Lamar for the plaintiff in error, and by Mr. Benjamin S. Minor, Mr. Hugh B. Rowland, and Mr. Colley W. Bell for the defendant in error.

Nos. 284 and 285. The Citizens' Telephone Company, appellant, *v.* Oramel B. Fuller, auditor general of the State of Michigan. Argued by Mr. Roger I. Wykes for the appellee, and submitted by Mr. Thomas P. Bradfield for the appellant.

No. 286. The Chicago Dock & Canal Company, plaintiff in error, *v.* Catherine A. Fraley, as administratrix. Argued by Mr. Morse Ives for the plaintiff in error, and submitted by Mr. James C. McShane for the defendant in error.

No. 287. The Merchants' National Bank of the City of New York et al., appellants, *v.* Lawrence E. Sexton, as trustee, etc. Argued by Mr. Wallace Macfarlane for the appellee, and submitted by Mr. George Zabriskie and Mr. Henry G. Gray for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, May 5, will be as follows: Nos. 289, 445, 857, 504, 290, 294, 296, 297, 301, and 305.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 5, 1913.

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

George D. Christy, of Phoenix, Ariz.; Thomas Wall Shelton, of Norfolk, Va.; J. M. Collins, of Maysville, Ky.; Henry J. Scott, of Philadelphia, Pa.; Robert D. Totten, of Pittsburgh, Pa.; James Robertson, of Minneapolis, Minn.; Grosvenor M. Jones, of Cleveland, Ohio; Walter D. Herrick, of Chicago, Ill.; Fulton M. Brylawski, of Washington, D. C.; Samuel William Fisher, of Austin, Tex.; and Chauncey I. Clark, of New York City, were admitted to practice.

No. 889. Chicago, Indianapolis & Louisville Railway Company, plaintiff in error, *v. Haynes L. Hackett*. In error to the Appellate Court for the First District, State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Lurton.

No. 254. Chuoco Tiaco, alias Choa Tea, plaintiff in error, *v. W. Cameron Forbes et al.*;

No. 255. Gan Tico, plaintiff in error, *v. W. Cameron Forbes et al.*; and

No. 256. Sy Chang, plaintiff in error, *v. W. Cameron Forbes et al.* In error to the Supreme Court of the Philippine Islands. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 221. George Lemist Clarke, trustee, etc., appellant, *v. Henry M. Rogers, trustee in bankruptcy, etc.* Appeal from the United States Circuit Court of Appeals for the First Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Massachusetts. Opinion by Mr. Justice McKenna. (Mr. Justice Holmes concurs in the result.)

No. 863. The United States, plaintiff in error, *v. Arnulfo Chavez, alias Arnuto Chavez*. In error to the District Court of the United States for the Western District of Texas. Judgment reversed, and cause remanded for further proceedings. Opinion by Mr. Chief Justice White.

No. 864. The United States, plaintiff in error, *v. Jose Mesa*. In error to the District Court of the United States for the Western District of Texas. Judgment reversed, and cause remanded for further proceedings. Opinion by Mr. Chief Justice White.

No. 11, Original. Ex parte in the matter of the First National Bank of Dexter, N. Y., a corporation, petitioner; and

No. 12, Original. Ex parte in the matter of Benjamin F. Edwards, petitioner. Rules discharged, and petitions for writs of mandamus and certiorari denied. Opinion by Mr. Chief Justice White.

No. 46. Union Trust Company of St. Louis, executor, etc., plaintiff in error, *v. Ben Westhus et al.* In error to the Circuit Court of the United States for the Eastern District of Missouri.

Dismissed for the want of jurisdiction, and cause remanded to the District Court of the United States for the Eastern District of Missouri. Opinion by Mr. Chief Justice White.

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

No. 321. Charles Wilson, arrested under the name of Charles Willard, appellant, *v. The United States.* Appeal from the District Court of the United States for the Northern District of Illinois. Per curiam: Appeal dismissed upon the authority of *Johnson v. Hoy* (227 U. S., 245).

No. 2. Colorado & Northwestern Railroad Company, plaintiff in error, *v. The United States.* In error to the District Court of the United States for the District of Colorado. Per curiam: Dismissed for the want of jurisdiction on the authority of *Union Trust Co. of St. Louis, executor, etc., v. Ben Westhus et al.*, just decided. (See *United States v. The Colorado & N. W. R. R. Co.*, 157 Fed., 321; s. c. 209 U. S., 544.)

No. 238. S. D. Harper, plaintiff in error, *v. Grant Victor, United States marshal, etc.* In error to the Circuit Court of the United States for the Eastern District of Oklahoma. Per curiam: Dismissed for the want of jurisdiction on the authority of *Fisher v. Baker* (203 U. S., 174, 182), and cases cited, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma.

No. 253. The United States, plaintiff in error, *v. Atlanta Journal Company et al.* In error to the Circuit Court of the United States for the Northern District of Georgia. Per curiam: Dismissed for the want of jurisdiction, on the authority of *United States v. Patten* (226 U. S., 525, 535), and cases cited, and cause remanded to the District Court of the United States for the Northern District of Georgia.

No. 276. John Ashon, appellant, *v. The Conservation Commission of Louisiana et al.*; and

No. 277. Leong Mow, appellant, *v. The Conservation Commission of Louisiana et al.* Appeals from the Circuit Court of the United

States for the Eastern District of Louisiana. Per curiam: Appeals dismissed without costs to either party (*Mills v. Green*, 159 U. S., 651; *Board v. Glover*, 161 U. S., 101), and cases remanded to the District Court of the United States for the Eastern District of Louisiana.

No. 281. The Oregon Railroad & Navigation Company, plaintiff in error, *v. F. V. Martin*, as sole surviving partner, etc. In error to the Supreme Court of the State of Oregon. Per curiam: Judgment reversed with costs on the authority of *C., R. I. & C. Ry. Co. v. Hardwick Elevator Co.* (226 U. S., 426), and cause remanded for further proceedings.

No. 409. George Harrington et al., appellants, *v. The Atlantic & Pacific Telegraph Company et al.* Appeal from the United States Circuit Court of Appeals for the Second Circuit. Per curiam: Dismissed for the want of jurisdiction. (*United States v. Jahn*, 155 U. S., 109, 114 (3); *Carter v. Roberts*, 177 U. S., 496, 500; *Cary Mfg. Co. v. Acme Flexible Clasp Co.*, 187 U. S., 427; *Macfadden v. United States*, 213 U. S., 288.)

No. 410. George Harrington et al., appellants, *v. The Atlantic & Pacific Telegraph Company et al.* Appeal from the Circuit Court of the United States for the Southern District of New York. Per curiam: Dismissed for the want of jurisdiction. (*Aspen Mining & Smelting Co. v. Billings*, 150 U. S., 31; *Brown v. Alton Water Co.*, 222 U. S., 326; *Metropolitan Co. v. Kaw Valley District*, 223 U. S., 519; *Union Trust Co. of St. Louis, executor, etc., v. Ben Westhus et al.*, just decided.)

No. 1035. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v. L. E. Goodrich*. In error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas. Per curiam: Dismissed for the want of jurisdiction, upon the authority of *York v. Texas* (137 U. S., 15); *Kauffman v. Wootters* (138 U. S., 285).

No. 499. Chino Lee, plaintiff in error, *v. The United States*. Motion to advance granted, and case assigned for argument on Tuesday, October 14 next, after the cases heretofore assigned for that day.

No. 678. The National Home for Disabled Volunteer Soldiers et al., appellants, *v. J. E. Parrish*. Motion to advance for submission on printed briefs granted.

No. 829. The New York Electric Lines Company, plaintiff in error, *v. Empire City Subway Company, Limited*. Motion to advance denied.

No. 963. Thomas J. Lynch, executor, etc., petitioner, *v. The Travelers' Insurance Company*. Petition for a writ of certiorari to

the United States Circuit Court of Appeals for the First Circuit denied.

No. 1050. Elijah Watt Sells, petitioner, *v.* The City of Chicago. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1065. The National Surety Company, petitioner, *v.* The Western Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1075. Jacob Doll & Sons (Incorporated), petitioner, *v.* Giovanni Tomaso Ribetti. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 823. The Belt Line Railway Company, appellant, *v.* The City of Montgomery et al. Motion to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 446. The United States of America, appellant, *v.* The Union Pacific Railroad Company et al. Motion to modify mandate granted, to the extent of extending the time for submitting plan to the court below to the 1st day of July next.

No. 848. The United States, plaintiff in error, *v.* Samuel E. Moist. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the plaintiff in error.

No. 1045. C. M. Summers, petitioner, *v.* The United States. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the respondent.

No. 678. The National Home for Disabled Volunteer Soldiers et al., appellants, *v.* J. E. Parrish. Submitted by Mr. Assistant to the Attorney General Fowler and Mr. Assistant Attorney General Adkins for the appellants, and by Mr. R. E. L. Mountcastle for the appellee.

No. 890. Thomas R. Marshall, Governor, etc., et al., plaintiff in error, *v.* John T. Dye. Motion to advance submitted by Mr. James A. Fowler in behalf of counsel.

No. 803. Leon Cardenas Martinez, plaintiff in error, *v.* The State of Texas et al. Motion to advance submitted by Mr. J. H. Wood, in behalf of counsel for the defendants in error.

No. 1048. John A. Adams, plaintiff in error, *v.* James Russell, Warden, etc., et al. Motion to advance for submission on printed briefs submitted by Mr. Fred A. Baker for the plaintiff in error.

No. 20. Lillian F. Slocum, executrix, etc., petitioner, *v.* New York Life Insurance Company. Motion for leave to intervene and file

petition for rehearing submitted by Mr. Everett P. Wheeler, in behalf of a special committee of the American Bar Association to suggest remedies and formulate proposed laws to prevent delay and unnecessary cost in litigation.

No. 1088. Cornelius A. Davis et al., petitioners, *v.* Smokeless Fuel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Chauncey I. Clark, in behalf of Mr. Charles C. Burlingham for the petitioners, and by Mr. Louis Sturcke for the respondent.

No. 1082. John M. Rhea, 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. Claude A. Swanson and Mr. W. P. Bynum for the petitioner, and by Mr. Assistant Attorney General Harr for the respondent.

No. 1089. H. G. Hastings and H. W. Brown, petitioners, *v.* W. D. Malone. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. S. W. Fisher and Mr. William F. Ramsey for the petitioners, and by Mr. Will G. Barber for the respondent.

No. 1093. Cuno H. Rudolph et al., Commissioners of the District of Columbia, petitioners, *v.* The Lynchburg Investment Corporation et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. James F. Smith and Edward H. Thomas for the petitioners, with leave to Mr. W. C. Sullivan for the respondents to file brief within two days.

No. 1092. William A. Wright, comptroller general of the State of Georgia, petitioner, *v.* Louisville & Nashville Railroad Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John C. Hart, Mr. Thomas S. Felder, and Mr. Samuel H. Sibley for the petitioner.

No. 1051. Riter-Conley Manufacturing Company, petitioner, *v.* Nellie C. Aiken and Nellie C. Aiken, jr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. E. W. Bradford, Mr. William G. Doolittle, and Mr. Henry P. Doolittle for the petitioner.

No. 1047. Detroit United Railway, plaintiff in error, *v.* The City of Detroit. Motion to dismiss or affirm or to advance submitted by Mr. R. I. Lawson and Mr. Alfred Lucking for the defendant in error in support of the motion, and by Mr. John C. Donnelly for the plaintiff in error in opposition thereto, with leave to Mr. Lawson to file an additional brief within 24 hours.

No. 1084. Joseph G. May et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of

Appeals for the Eighth Circuit submitted by Mr. Arthur Peter, in behalf of Mr. P. H. Cullen, Mr. Thomas T. Fauntleroy, and Mr. Shepard Barclay for the petitioners, and by Mr. Assistant Attorney General Harr for the respondent.

No. 919. The Eastern Extension, Australasia and China Telegraph Company (Limited), appellant, *v.* The United States. Motion to advance submitted by Mr. Fulton M. Brylawsky, in behalf of counsel for the appellant.

No. 294. Ernest M. Collins, plaintiff in error, *v.* John W. Danforth Company of Buffalo, New York. In error to the Court of Appeals of the District of Columbia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 305. Ben F. Harrison, secretary of state of the State of Oklahoma, appellant, *v.* St. Louis & San Francisco Railroad Company. Continued per stipulation.

No. 289. Singer Sewing Machine Company of New Jersey, appellant, *v.* James F. Benedict, treasurer of the city and county of Denver et al. Suggestion of retirement from office of James F. Benedict, and election of Allison Stocker as his successor as treasurer of the city and county of Denver, and motion for the substitution of the said Allison Stocker as a party appellee herein granted, on motion of Mr. R. H. Gilmore for the appellant.

No. 289. Singer Sewing Machine Company of New Jersey, appellant, *v.* Allison Stocker, treasurer of the city and county of Denver et al. Argued by Mr. R. H. Gilmore and Mr. Henry A. Prince for the appellant, and by Mr. J. A. Marsh for the appellee.

No. 445. Belle J. Barnes et al., appellants, *v.* J. L. B. Alexander et al. Submitted by Mr. Eugene S. Ives for the appellant, and by Mr. A. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, Mr. J. L. B. Alexander, and Mr. W. M. Seabury for the appellees.

No. 857. St. Louis, San Francisco & Texas Railway Company, plaintiff in error, *v.* Maude Seale et al. Argued by Mr. Cecil H. Smith for the plaintiff in error, and by Mr. J. H. Wood for the defendants in error.

No. 504. Etta L. Sanford et al., appellants, *v.* Santiago Ainsa, admr., etc. Argued by Mr. William C. Prentiss for the appellants, and submitted by Mrs. Sarah H. Sorin for the appellee.

No. 290. Stanley Francis, petitioner, *v.* J. Hector McNeal, trustee in bankruptcy, etc. Argument commenced by Mr. Charles L. Fraley for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, May 6, will be as follows: Nos. 290, 296, 297, 301, 306, 307, 309, 310, 311, and 313.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 6, 1913.

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

Rebecca L. Blaine, of York, Pa.; Fannie I. Peter, of Washington, D. C.; Helen E. Jamison, of Washington, D. C.; Frederick H. Rand, jr., of Miami, Fla.; Raymond J. A. Abbaticchio, of Fairmont, W. Va.; John S. Burchmore, of Washington, D. C.; and Charles P. Macgill, of Galveston, Tex., were admitted to practice.

No. 306. Adams Express Company, plaintiff in error, *v.* Abe Davidson, trading as Davidson & Son. In error to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, per stipulation of counsel, and cause remanded for further proceedings.

No. 307. Adams Express Company, plaintiff in error, *v.* Daisy Wright. In error to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, per stipulation of counsel, and cause remanded for further proceedings.

No. 309. Patrick Collins, plaintiff in error, *v.* The Commonwealth of Kentucky; and

No. 310. Thomas Malone, plaintiff in error, *v.* The Commonwealth of Kentucky. Continued, on motion of Mr. J. M. Collins for the plaintiffs in error.

No. 573. The Boise Artesian Hot and Cold Water Company (Limited), plaintiff in error, *v.* Boise City; and

No. 639. Boise City, plaintiff in error, *v.* The Boise Artesian Hot and Cold Water Company (Limited). Advanced, to be heard with No. 313, as one case, per stipulation of counsel, on motion of Mr. R. H. Johnson for the water company.

No. 290. Stanley Francis, petitioner, *v.* J. Hector McNeal, trustee in bankruptcy, etc. Argument continued by Mr. Charles L. Frailey for the petitioner, by Mr. George Wharton Pepper for the respondent, and concluded by Mr. Charles L. Frailey for the petitioner.

No. 296. Fourche River Lumber Company, plaintiff in error, *v.* Bryant Lumber Company. Argument commenced by Mr. Luther M.

Walter for the plaintiff in error, continued by Mr. Charles C. Reid for the defendant in error, and concluded by Mr. W. E. Hemingway for the plaintiff in error.

No. 297. St. Louis, Iron Mountain & Southern Ry. Co., plaintiff in error, *v.* E. L. Hesterly, administrator, etc. Argued by Mr. W. E. Hemingway for the plaintiff in error, and submitted by Mr. Joseph M. Hill, Mr. James Brizzolara, and Mr. Henry L. Fitzhugh for the defendant in error.

No. 301. Susquehanna Coal Company, appellant, *v.* The Mayor and City Council of the city of South Amboy et al. Argument commenced by Mr. Alan H. Strong for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, May 7, will be as follows: Nos. 301, 311, 313 (and 573 and 639), 314, 316, 318, 320, 323, 324, and 325.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MAY 7, 1913.

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

No. 314. Joseph Patson, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Continued, per stipulation.

No. 318. Henry D. Phillips, appellant, *v.* Walter L. Fisher, Secretary of the Interior. Appeal from the Court of Appeals of the District of Columbia. Dismissed with costs, pursuant to the tenth rule.

No. 320. Fred Robertson and W. J. Ratcliff, plaintiffs in error, *v.* Fred Howard. Submitted by Mr. Charles Blood Smith for the plaintiffs in error, and by Mr. T. F. Garver for the defendant in error.

No. 324. Frank A. Munsey, plaintiff in error, *v.* Wesley Webb, administrator of the estate of Samuel T. Pennington. Continued, per stipulation.

No. 301. Susquehanna Coal Company, appellant, *v.* The Mayor and Council of the City of South Amboy et al. Argument continued by Mr. Alan H. Strong for the appellant, and by Mr. Frederick M. P. Pearse for the appellees, and concluded by Mr. Alan H. Strong for the appellant.

No. 311. The Rubber Tire Wheel Company et al., petitioners, *v.* The Goodyear Tire & Rubber Company. Argued by Mr. Frederick P. Fish for the petitioners, and by Mr. H. A. Toulmin for the respondent.

No. 313. The Boise Artesian Hot & Cold Water Company, Ltd., plaintiff in error, *v.* Boise City;

No. 573. The Boise Artesian Hot & Cold Water Company, Ltd., plaintiff in error, *v.* Boise City; and

No. 639. Boise City, plaintiff in error, *v.* The Boise Artesian Hot & Cold Water Company, Ltd. Argument commenced by Mr. Richard H. Johnson for the water company.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 8, will be as follows: Nos. 313 (and 573 and 639), 316, 323, 325, 326 (and 327), 332, 333, 334, 335, and 336.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 8, 1913.

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

O. D. Batchelor, of New York City, was admitted to practice.

Nos. 326 and 327. Daniel W. Baker, plaintiff in error, *v.* Brainerd H. Warner. Continued, per stipulation.

No. 332. R. H. Downman, plaintiff in error, *v.* State of Texas. Continued, per stipulation.

No. 333. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* Oliver Letot. Continued, on motion of Mr. Evans Browne, in behalf of counsel for the plaintiff in error.

No. 334. Laura Wheeler et al., executors, etc., plaintiffs in error, *v.* William Sohmer, comptroller of the State of New York. Continued, per stipulation.

No. 335. Railroad Commission of Louisiana et al., appellants, *v.* Texas & Pacific Railway Company et al. Submitted by Mr. R. G. Pleasant and Mr. E. Howard McCaleb for the appellants, and by Mr. Charles Payne Fenner for the appellees.

No. 336. James H. Work, appellant, *v.* The United Globe Mines. Continued, per stipulation.

No. 313. The Boise Artesian Hot & Cold Water Company, Limited, plaintiff in error, *v.* Boise City;

No. 573. The Boise Artesian Hot & Cold Water Company, Limited, plaintiff in error, *v.* Boise City; and

No. 639. Boise City, plaintiff in error, *v.* The Boise Artesian Hot & Cold Water Company, Limited. Argument continued by Mr. Richard H. Johnson for the Water Company, and by Mr. Charles C. Cavanah and Mr. Charles F. Reddoch for Boise City, and concluded by Mr. Richard H. Johnson for the Water Company.

No. 316. The District of Columbia, plaintiff in error, *v.* James T. Petty et al. Argued by Mr. Edward H. Thomas for the plaintiff in error, and by Mr. J. J. Darlington for the defendants in error.

No. 323. Farmers & Mechanics Savings Bank of Minneapolis, plaintiff in error, *v.* The State of Minnesota. Argued by Mr. William A. Lancaster for the plaintiff in error, and by Mr. James Robertson and Mr. Lyndon A. Smith for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 9, will be as follows: Nos. 325, 337, 338, 373, 376, 377, 378, 379, 380, and 382.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 9, 1913.

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

T. F. West, of Tallahassee, Fla.; James Ross, of Manila, P. I.; Zach Lamar Cobb, of El Paso, Tex.; Samuel B. King, of Chicago, Ill.; Lawrence Becker, of Hammond, Ind.; Charles W. Farnham, of St. Paul, Minn.; Arthur I. Vorys, of Columbus, Ohio; and Vincent H. Beckman, of Cincinnati, Ohio, were admitted to practice.

No. 337. The Prudential Insurance Company of America, petitioner, *v.* John T. Moore, administrator, etc. Continued, per stipulation.

No. 338. William Rabb, plaintiff in error, *v.* State of Louisiana. Continued.

No. 373. Henry C. Loeb, trustee in bankruptcy of the Block Mercantile Company, appellant, *v.* Germania Savings Bank & Trust Company. Continued.

No. 376. The United States Fidelity & Guaranty Company, plaintiff in error, *v.* The United States for the benefit of Frank P. Bartlett. Continued.

No. 377. St. Louis Gunning Advertising Company, plaintiff in error, *v.* City of St. Louis et al. Continued, per stipulation.

No. 378. A. Webster Richards, plaintiff in error, *v.* Washington Terminal Company. Continued, per stipulation.

No. 379. Elvira Fernandez Blanco et al., appellants, *v.* Jose Antonio Fernandez y Perez et al. Continued.

No. 380. Sturges & Burn Mfg. Co., plaintiff in error, *v.* Arthur Beauchamp. Continued.

No. 382. Clifford G. Ludwig, as trustee in bankruptcy, etc., appellant, *v.* The American Woolen Company of New York et al. Continued.

No. 325. The American National Bank of Nashville, Tenn., plaintiff in error, *v.* A. L. Miller, agent, etc. Argued by Mr. John M. Gaut for the plaintiff in error, and by Mr. Sloss D. Baxter for the defendant 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 12, 1913.

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

C. A. Keller, of San Antonio, Tex.; John G. Romer, of Celina, Ohio; Chester O. Swain, of New York City; Ernest O. Green, of Jefferson City, Mo.; Jesse C. Sheppard, of Doniphan, Mo.; Robert L. Manning, of Manchester, N. H.; Henry D. Buell, of New York City; Harry J. Williams, of Providence, R. I.; Max H. Whitney, of Chicago, Ill.; Robert M. Hughes, jr., of Norfolk, Va.; S. H. King, of Pawhuska, Okla.; and Walter P. Napier, of San Antonio, Tex., were admitted to practice.

No. 179. The Lewis Publishing Company, appellant, *v.* Frank Wyman and James L. Stice. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Missouri. Opinion by Mr. Justice Pitney.

No. 271. Douglas W. Bailey, appellant, *v.* Arthur Sanders. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Idaho. Opinion by Mr. Justice Van Devanter.

No. 152. Consolidated Turnpike Company et al., plaintiffs in error, *v.* Norfolk & Ocean View Railway Company. Petition for rehearing denied. Opinion by Mr. Justice Lurton.

No. 239. Helena Bugajewitz, appellant, *v.* Louis Adams, United States inspector, etc., et al.;

No. 240. Anna Schwartz, appellant, *v.* Louis Adams, United States inspector, etc., et al.; and

No. 241. Lilly Weiner, appellant, *v.* Louis Adams, United States inspector, etc., et al. Appeals from the District Court of the United States for the District of Colorado. Final orders affirmed with costs. Opinion by Mr. Justice Holmes.

No. 265. Norfolk & Western Railway Company, plaintiff in error, *v.* Dixie Tobacco Company. In error to the Supreme Court of Appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 247. John Quincy Adams, plaintiff in error, *v.* The City of Milwaukee et al. In error to the Supreme Court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 530. The Title Guaranty & Surety Company, plaintiff in error, *v.* The United States to the use of Harlan & Hollingsworth. In error to the Circuit Court of the United States for the Middle District of Pennsylvania. Judgment affirmed with costs and interest, and cause remanded to the District Court of the United States for the Middle District of Pennsylvania. Opinion by Mr. Chief Justice White.

The Chief Justice announced the following orders of the court:

No. 803. Leon Cardenas Martinez, plaintiff in error, *v.* The State of Texas et al.;

No. 848. The United States, plaintiff in error, *v.* Samuel E. Moist;

No. 919. The Eastern Extension, Australasia & China Telegraph Company, Limited, appellant, *v.* The United States;

No. 1045. C. M. Summers, petitioner, *v.* The United States; and

No. 890. Thomas R. Marshall, governor, etc., et al., plaintiffs in error, *v.* John T. Dye. Motions to advance granted, and cases assigned for argument on Tuesday, October 14 next, after the cases heretofore assigned for that day.

No. 1048. John A. Adams, plaintiff in error, *v.* James Russell, warden, etc., et al. Motion to advance for submission on printed briefs granted.

No. 1051. Riter-Conley Mfg. Co., petitioner, *v.* Nellie C. Aiken and Nellie C. Aiken, jr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1082. John M. Rhea, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1084. Joseph G. May et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1088. Cornelius A. Davis et al., petitioners, *v.* Smokeless Fuel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1089. H. G. Hastings et al., petitioners, *v.* W. D. Malone. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1092. William A. Wright, comptroller, etc., petitioner, *v.* Louisville & Nashville Railroad Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 1093. Cuno H. Rudolph et al., petitioners, *v.* Lynchburg Investment Corporation et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 1000. Julian Munsuri, appellant, *v.* C. O. Lord, trustee, etc. Appeal from the District Court of the United States for Porto Rico. *Per curiam*: Appeal dismissed for the want of jurisdiction. Motion for a writ of certiorari to complete the record denied.

No. 1000. Julian Munsuri, appellant, *v.* C. O. Lord, trustee, etc. Petition for a writ of certiorari to the District Court of the United States for Porto Rico granted.

No. 1046. The United States, petitioner, *v.* James B. Regan. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the petitioner.

No. 1107. The United States, petitioner, *v.* Lexington Mill & Elevator Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Assistant to the Attorney General Fowler, Mr. Attorney General McReynolds, and Mr. Assistant Attorney General Adkins for the petitioner.

No. 869. Louise Savart, appellant, *v.* Samuel Backus, Commissioner of Immigration, etc. Appeal from the District Court of the United States for the Northern District of California. Dismissed with costs, on motion of Mr. Corry M. Stadden for the appellant, and mandate granted.

Nos. 200 and 201. The Michigan Trust Company, petitioner, *v.* Edward P. Ferry. Mandates stayed until June 1, on motion of Mr. George Sutherland for the respondent.

No. 955. The Mechanics & Metals National Bank of the City of New York, appellant, *v.* Irving L. Ernst et al. Motion to advance submitted by Mr. Meyer Cohen in behalf of counsel for the appellees.

No. —, Original. *Ex parte*: In the matter of Mrs. Wilbur R. Force et al., petitioners. Motion for leave to file a petition for writs of mandamus and certiorari submitted by Mr. S. H. King for the petitioners.

No. 1071. Pacific Creosoting Company, plaintiff in error, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. E. Humphrey, in behalf of Mr. George E. de Steiguer for the petitioner, and by Mr. Assistant Attorney General Adkins for the respondent.

No. 1090. American Street Flushing Machine Company, petitioner, *v.* St. Louis Street Flushing Machine Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Clifton V. Edwards for the petitioner.

No. 1108. Detroit Fire & Marine Insurance Company et al., petitioners, *v.* Federal Insurance Company 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. F. H. Canfield, and Mr. Harvey D. Goulder for the petitioners, and by Mr. H. A. Kelley for the respondents.

No. 724. Clarence W. Barron, plaintiff in error, *v.* John W. McKinnon, shareholders' agent, etc. In error to the United States Circuit Court of Appeals for the First Circuit. Dismissed without costs to either party, per stipulation of counsel, on motion of Mr. Evans Browne, in behalf of counsel.

No. 1104. Union Steamboat Company, petitioner, *v.* The Administrators of the Estate of Walter Chafin, deceased, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Evans Browne, in behalf of Mr. A. B. Browne, Mr. Frank H. Scott, Mr. Edgar A. Bancroft, Mr. John E. MacLeish, and Mr. W. O. Johnson for the petitioner, and by Mr. Samuel B. King for the respondents.

No. 1025. William E. Pearson, petitioner, *v.* William J. Harris. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John M. Gearin for the petitioner.

No. 270. George W. Cureton, plaintiff in error, *v.* The State of Georgia. In error to the Court of Appeals of the State of Georgia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 279. George W. Cureton, plaintiff in error, *v.* The State of Georgia. In error to the Court of Appeals of the State of Georgia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 672. Paris & Great Northern Railroad Company, plaintiff in error, *v.* Mrs. Georgia Boston et al. Motion to dismiss submitted by Mr. Fred B. Rhodes for the defendants in error, in support of the

motion, and by Mr. Edgar Wright and Mr. W. F. Evans for the plaintiff in error in opposition thereto.

No. 1048. John A. Adams, plaintiff in error, *v.* James Russell, warden, etc., et al. Submitted by Mr. Fred A. Baker for the plaintiff in error, and by Mr. Grant Fellows for the defendant in error.

Adjourned until Monday, May 26, at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 26, 1913.

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

H. Monroe Dunham, of Grand Rapids, Mich.; Fred Robertson, of Atwood, Kans.; John Winston Read, of Newport News, Va.; George W. Ramsey, of Washington, D. C.; Gordon R. Broome, of West Palm Beach, Fla.; Samuel J. Katzburg, of New York, N. Y.; Harry L. Duncan, of New York, N. Y.; Webster S. Ruckman, of Washington, D. C.; Thomas B. Pryor, of Fort Smith, Ark.; Henry H. Howard, of Phoenix, Ariz.; James E. Babb, of Lewiston, Idaho; Octave A. Bigoness, of Washington, D. C.; Emmett M. Bagley, of Salt Lake City, Utah; William Bradfield, of Washington, D. C.; Horatio F. Minter, of Roanoke, Va.; Thomas Brady, jr., of Brookhaven, Miss.; Richard J. Higgins, of Kansas City, Kans., and Carl E. Mapes, of Grand Rapids, Mich., were admitted to practice.

No. 191. William H. Dill, plaintiff in error, *v.* William H. Ebey, receiver of the Citizens Bank and Trust Company of Stonewall. In error to the Supreme Court of the State of Oklahoma. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Pitney.

No. 274. Jerome E. Morse, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney.

No. 551. The Citizens National Bank of Roswell et al., appellants, *v.* George A. Davisson et al. Appeal from the Supreme Court of the Territory of New Mexico. Decree affirmed with costs and interest and cause remanded to the Supreme Court of the State of New Mexico. Opinion by Mr. Justice Pitney.

No. 918. The United States, plaintiff in error, *v.* Bob Wright. In Error to the District Court of the United States for the Eastern District of Oklahoma. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 943. The United States, plaintiff in error, *v.* Alfred Shelley. In Error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice Pitney.

No. 211. The Texas & Pacific Railway Company, plaintiff in error, *v. C. C. Prater*. In Error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, interest, and 10 per cent damages, and cause remanded to the District Court of the United States for the Northern District of Texas. Opinion by Mr. Justice Lamar.

No. 190. John C. Mackey *v. Uinta Development Company*. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit. Fourth question certified answered in the affirmative. Opinion by Mr. Justice Lamar.

No. 157. W. W. Degge et al., plaintiffs in error, *v. Frank H. Hitchcock*, as Postmaster General of the United States; and

No. 158. Mytton Maury et al., plaintiffs in error, *v. Frank H. Hitchcock*, as Postmaster General of the United States. In error to the Court of Appeals of the District of Columbia. Judgments affirmed with costs, *nunc pro tunc* as of January 31, 1913. Opinion by Mr. Justice Lamar.

No. 263. First National Bank of Claremore, plaintiff in error, *v. C. M. Keys et al.*

No. 264. First National Bank of Vinita, plaintiff in error, *v. C. M. Keys et al.*

No. 302. Citizens Bank of Pryor Creek, plaintiff in error, *v. C. M. Keys et al.*; and

No. 303. J. C. Hogan, plaintiff in error, *v. C. M. Keys et al.* In error to the Supreme Court of the State of Oklahoma. Judgments affirmed with costs. Opinion by Mr. Justice Lamar.

No. 944. Charles H. Swigart et al., appellants, *v. D. P. Baker*. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree of the United States Circuit Court of Appeals reversed with costs, and the decree of the Circuit Court affirmed, and cause remanded to the District Court of the United States for the Eastern District of Washington. Opinion by Mr. Justice Lamar.

No. 698. Martin Pederson, plaintiff in error, *v. Delaware, Lackawanna & Western Railroad Company*. In error to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Van Devanter. Dissenting: Mr. Justice Lamar, Mr. Justice Holmes, and Mr. Justice Lurton.

No. 857. St. Louis, San Francisco & Texas Railway Company, plaintiff in error, *v. Maude Seale et al.* In error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State

of Texas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this Court, but without prejudice to such rights as a personal representative of the deceased may have. Dissenting: Mr. Justice Lamar.

No. 153. Norfolk & Western Railway Company, plaintiff in error, *v. D. E. Ernest*. In error to the Circuit Court of the United States for the Western District of Virginia. Judgment affirmed with costs and interest and cause remanded to the District Court of the United States for the Western District of Virginia. Opinion by Mr. Justice Van Devanter.

No. 642. The City and County of Denver et al., petitioners, *v. The New York Trust Company et al.*; and

No. 643. City and County of Denver et al., petitioners, *v. The Denver Union Water Company et al.* On writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decrees of the Circuit Court of Appeals and of the Circuit Court reversed with costs and cause remanded to the District Court of the United States for the District of Colorado, with a direction to dismiss both bills on the merits. Opinion by Mr. Justice Van Devanter.

No. 783. The United States, plaintiff in error, *v. The Chandler-Dunbar Water Power Company et al.*;

No. 784. The Chandler-Dunbar Water Power Company, plaintiff in error, *v. The United States*;

No. 785. St. Mary's Power Company, plaintiff in error, *v. The United States*; and

No. 786. Clarence M. Brown, sole receiver, etc., plaintiff in error, *v. The United States*. In error to the District Court of the United States for the Western District of Michigan. Judgment reversed, and cases remanded with directions to enter a judgment in accordance with the opinion of this court. Opinion by Mr. Justice Lurton.

No. 272. The Lewis Blue Point Oyster Cultivation Company, plaintiff in error, *v. J. Marvin Briggs*. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Lurton.

No. 170. Charles Dummer Barry et al., etc., appellants, *v. The United States*. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Lurton.

No. 208. The Chicago, Rock Island & Pacific Railway Company et al., plaintiffs in error, *v. Albert M. Dowell*. In error to the Supreme Court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Lurton.

No. 180. Jean L. Shelton et al., etc., appellants, *v. Frank B. King et al.* Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Lurton.

No. 243. James E. Gorman, appellant, *v.* Charles E. Littlefield, Trustee in Bankruptcy, etc. Appeal from 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 for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Day.

No. 245. Charles E. Barrett, plaintiff in error, *v.* The State of Indiana. In error to the Supreme Court of the State of Indiana. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 501. Big Vein Coal Company of West Virginia, plaintiff in error, *v.* Benjamin H. Read. In error to the Circuit Court of the United States for the Northern District of West Virginia. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Northern District of West Virginia. Opinion by Mr. Justice Day.

No. 951. Bauer & Cie. and The Bauer Chemical Company *v.* James O'Donnell. On a certificate from the Court of Appeals from the District of Columbia. Question certified answered in the negative. Opinion by Mr. Justice Day. Dissenting: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Lurton, and Mr. Justice Van Devanter.

No. 1047. Detroit United Railway, plaintiff in error, *v.* The City of Detroit. In error to the Supreme Court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 283. Roy Brooks, plaintiff in error, *v.* Central Sainte Jeanne. In error to the District Court of the United States for Porto Rico. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 290. Stanley Francis, petitioner, *v.* J. Hector McNeal, Trustee in Bankruptcy, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Holmes.

No. 297. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* E. L. Hesterly, Adm'r, etc. In error to the Supreme Court of the State of Arkansas. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 504. Etta L. Sanford et al., appellants, *v.* Santiago Ainsa, Adm'r, etc. Appeal from the Supreme Court of the Territory of Arizona. Decree affirmed with costs, and cause remanded to the Supreme Court of the State of Arizona. *Opinion by Mr. Justice Holmes.*

No. 257. William Scott Wood et al., plaintiffs in error, *v.* Abram M. Chesborough et al. In error to the Supreme Court of the State

of Mississippi. Dismissed for want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 16, Original. Ex parte in the matter of J. Harry Spencer, petitioner;

No. 17, Original. Ex parte in the matter of Albert L. Scholl, petitioner; and

No. 18, Original. Ex parte in the matter of Frank L. Moyer, petitioner. Rules to show cause discharged, and petitions dismissed. Opinion by Mr. Justice McKenna.

No. 301. Susquehanna Coal Company, appellant, *v.* The Mayor and Council of the City of South Amboy et al. Appeal from the Circuit Court of the United States for the District of New Jersey. Decree affirmed with costs and cause remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice McKenna.

No. 286. The Chicago Dock & Canal Company, plaintiff in error, *v.* Katherine A. Fraley, admx., etc. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 269. The Southern Pacific Railroad Company, appellant, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree of the Circuit Court of Appeals to the extent that it affirms the judgment allowing interest prior to January 28, 1903, modified, and as so modified, affirmed, and cause remanded to the District Court of the United States for the Northern District of California, with instructions to enter a decree conformably to the opinion of this court. Opinion by Mr. Chief Justice White.

No. 1032. William Cramp & Sons Ship & Engine Building Company, petitioner, *v.* International Curtiss Marine Turbine Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted, the record presented with the petition to stand as a return to the writ of certiorari, and the decree of the Circuit Court of Appeals reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice White.

No. 287. The Merchants National Bank of the City of New York et al., appellants, *v.* Lawrence E. Sexton as Trustee in Bankruptcy, etc. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. *Opinion by Mr. Chief Justice White.*

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

No. 955. The Mechanics & Metals National Bank of the City of New York, appellant, *v.* Irving L. Ernst et al. Motion to advance granted, and cause assigned for argument on Tuesday, October 14th next, with cases Nos. 974 and 975.

No. 1046. The United States, petitioner, *v.* James B. Regan. Motion to advance granted, and case assigned for argument on Tuesday, October 14th next, after the cases heretofore assigned for that day.

No. —, Original. Ex parte In the matter of Mrs. Wilbur R. Force et al., petitioners. Motion for leave to file petition for writs of mandamus and certiorari denied.

No. 1107. The United States, petitioner, *v.* Lexington Mill & Elevator Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 949. Eugene Mosier, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1025. William E. Pearson, petitioner, *v.* William J. Harris. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1071. Pacific Creosoting Company, plaintiff in error, *v.* The United States. Petition for a writ of certiorari herein to the United States Circuit of Appeals for the Ninth Circuit denied.

No. 1104. Union Steamboat Company, petitioner, *v.* The Administrators of the Estate of Walter Chafin, deceased, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1108. Detroit Fire & Marine Insurance Company et al., petitioners, *v.* Federal Insurance Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 672. Paris & Great Northern Railroad Company, plaintiff in error, *v.* Mrs. Georgia Boston et al. Ordered that this cause be placed on the summary docket.

The Chief Justice also announced that the court will adjourn to-day until Monday, June 9, when petitions for writs of certiorari and motions will be received. No petitions for writs of certiorari or motions, except motions for admission to practice, will be received after that day. The court will then adjourn until Saturday, June 14, on which day it will adjourn for the term, unless it may be

deemed best for the purposes of the business then already in the hands of the court, under advisement, to fix another and later day of final adjournment.

No. 942. Missouri, Kansas & Texas Railway Company et al., petitioners, *v.* The United States. Motion to advance submitted by Mr. Attorney General McReynolds for the respondent.

No. 1058. The Eastern States Retail Lumber Dealers' Association et al. *v.* The United States. Motion to advance submitted by Mr. Attorney General McReynolds for the appellee.

No. 1137. Houston East & West Texas Railway Company et al., appellants, *v.* The United States; and

No. 1138. The Texas & Pacific Railway Company et al., appellants, *v.* The United States et al. Motions to advance submitted by Mr. Attorney General McReynolds in behalf of counsel for the appellants.

No. 1142. The Kansas City Southern Railway Company, appellant, *v.* The United States et al. Motion to advance submitted by Mr. Attorney General McReynolds for the appellees.

No. 989. Bonita Diaz de Noya, appellant, *v.* Samuel W. Backus, Commissioner of Immigration. Appeal from the District Court of the United States for the Northern District of California. Dismissed with costs, on motion of Mr. Corry M. Stadden for the appellant, and mandate granted.

No. 1101. Arthur Greey, Trustee, etc., appellant, *v.* John E. Dockendorf. Motion to affirm or to place cause on the summary docket submitted by Mr. Jackson H. Ralston, in behalf of Mr. Julius Henry Cohen for the appellee in support of the motion, and by Mr. Daniel P. Hays for the appellant in opposition thereto.

No. 1145. Samuel Gompers et al., petitioners, *v.* The United States. Petitions for a writ of certiorari and for writs of error to the Court of Appeals of the District of Columbia submitted by Mr. Jackson H. Ralston, Mr. F. L. Siddons, Mr. W. E. Richardson, and Mr. Alton B. Parker for the petitioners. Petition for cross writ of certiorari submitted by Mr. J. J. Darlington, Mr. Daniel Davenport, Mr. Clarence R. Wilson, and Mr. James M. Beck, in behalf of the justices of the Supreme Court of the District of Columbia.

No. 1106. Julius Marqusee, petitioner, *v.* Hartford Fire Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick M. Czaki for the petitioner, and by Mr. William M. Ivins for the respondent.

No. 665. William Blackwell *v.* The Southern Pacific Company. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Stricken from the docket on motion of Mr. Edward M. Cleary for William Blackwell.

No. 990. The United States Telephone Company, petitioner, *v.* Central Union Telephone Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. D. J. Cable and Mr. H. M. Daugherty for the petitioner, and by Mr. John H. Doyle and Mr. Murray Seasongood for the respondents.

No. 1103. Mayor and Aldermen of the City of Vicksburg, appellants, *v.* W. A. Henson, Receiver, etc. Motion to advance submitted by Mr. Harry Peyton, in behalf of Mr. T. C. Catchings, Mr. George Anderson, and Mr. O. W. Catchings for the appellants in support of the motion, and by Mr. Hannis Taylor, Mr. J. C. Bryson, and Mr. J. Hirsh for the appellee in opposition thereto.

No. 1111. C. E. Dolbear, petitioner, *v.* The Foreign Mines Development Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Simon Lyon and Mr. R. B. H. Lyon for the petitioner, and by Mr. Charles W. Slack and Mr. Conrad H. Syme for the respondent.

No. 1121. St. Louis Southwestern Railway Company of Texas, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Edward A. Haid and Mr. E. B. Perkins for the petitioner, and by Mr. Attorney General McReynolds and Mr. Assistant to the Attorney General Fowler for the respondent.

No. 1110. Widow W. W. Shipp, petitioner, *v.* The Texas & Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Edmund Burke, in behalf of Mr. Charles Louque, for the petitioner.

No. —, Original. *Ex parte:* In the matter of the City of Louisville, petitioners; and

No. —, Original. *Ex parte* In the matter of A. Englehard & Sons Company, petitioner. Motions for leave to file petitions for writs of mandamus submitted by Mr. Pendleton Beckley and Mr. C. B. Blakey for the petitioners.

No. 1141. The Marion Coal Company, petitioner, *v.* John W. Peale. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Henry H. Glassie for the petitioner.

No. 1122. North German Lloyd, Claimant, etc., petitioner, *v.* The Hamburg American Line et al. Petition for a writ of certiorari to

the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Joseph Larocque for the petitioner, and by Mr. C. C. Bulringham for the respondent.

No. —, Original. Ex parte in the matter of Edward H. Patterson, petitioner. Motion for leave to file a petition for a writ of mandamus submitted by Mr. George Whitefield Betts, jr., for the petitioner.

No. 8, Original. The State of Wyoming, complainant, *v.* The State of Colorado et al. Motion and stipulation for the appointment of commissioners, and as to taking testimony herein, submitted by Mr. Douglas A. Preston for the complainant.

No. 1114. Susan C. Higgins, petitioner, *v.* Hervey E. Eaton, executor, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederic D. McKenney, in behalf of Mr. A. F. Freeman for the petitioner, and by Mr. Edwin H. Risley for the respondent.

No. 9, Original. Ex parte In the matter of America Capo, petitioner. Motion to substitute Hon. Peter J. Hamilton, judge of the United States District Court for Porto Rico, in place of Paul Charlton, as the respondent herein, submitted by Mr. Frederic D. McKenney for the petitioner.

No. 995. The Wyandotte County Gas Company, plaintiff in error, *v.* The State of Kansas ex rel, John Marshall, attorney, etc. Motion to dismiss or affirm or advance submitted by Mr. Richard J. Higgins for the defendant in error in support of the motion, and by Mr. J. W. Dana for the plaintiff in error in opposition thereto.

No. 709. Bluefields Steamship Company, Limited, et al., appellants, *v.* Frederick M. Steele et al. Motion to dismiss or affirm submitted by Mr. Charles L. Frailey, in behalf of Mr. William Lee Hughes, Mr. John G. Johnson, and Mr. Alexander Simpson, jr., for the appellees, in support of them motion, and by Mr. Charles Payne Fenner and Mr. Edgar H. Farrar for the appellants in opposition thereto.

No. 1136. Newport News Shipbuilding & Dry Dock Company, petitioner, *v.* The Steamboat "Saratoga," etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. Samuel Park, Mr. James Emerson Carpenter, and Mr. Henry E. Mattison for the petitioner, and by Mr. C. C. Burlingham for the respondent.

No. 1112. William B. Holden, trustee, etc., petitioner, *v.* J. A. Haring, bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr. Benn M. Corwin for the petitioner.

No. 1096. The Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* The United States et al. Motion to advance submitted by Mr. Evans Browne, in behalf of counsel for the appellant.

No. 853. Grand Trunk Railway Company of Canada et al., appellants, *v.* The Michigan Railroad Commission et al. Motion to advance submitted by Mr. Hal H. Smith and Mr. Grant Fellows for the appellants in support of the motion.

No. 1123. Julius H. Blackburn, petitioner, *v.* Ellsworth C. Irvine, Receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Daniel B. Henderson and Mr. Edwin W. Smith for the petitioner, and by Mr. Thomas Patterson and Mr. M. W. Acheson, jr., for the respondent.

No. 826. Adams Express Company, plaintiff in error, *v.* Chamberlin-Johnson-DuBose Company. In error to the Supreme Court of the State of Georgia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 827. Adams Express Company, plaintiff in error, *v.* Chamberlin-Johnson-DuBose Company. In error to the Supreme Court of the State of Georgia. Dismissed with costs, on motion of counsel for the plaintiff in error.

Adjourned until Monday, June 9, at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 9, 1913.

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

Samuel Ecker, of New York City, N. Y.; L. D. Jennings, of Sumter, S. C.; William Belton Moore, of Muskogee, Okla.; William E. Baird, of St. Louis, Mo.; Henry H. Dinneen, of Baltimore, Md.; Arthur L. Jackson, of Baltimore, Md.; Adrian C. Ellis, jr., of Salt Lake City, Utah; Mahlon E. Wilson, of Salt Lake City, Utah; Edward D. May, of Galveston, Tex.; Arthur Monroe Free, of San Jose, Cal.; Leverett F. Englesby, of Washington, D. C.; Thomas C. Carrigan, of Worcester, Mass.; Frank R. Seaver, of Los Angeles, Cal.; Girvase Green, of New York City, N. Y.; Minor Moore, of Los Angeles, Cal.; Walter Elder, of Monroe, La.; Richard P. Henshall, of San Francisco, Cal.; Harry L. Dearing, of Los Angeles, Cal.; Lee Riddle, of Los Angeles, Cal.; Robert J. Tracewell, of Washington, D. C.; Arthur Van Duren, of Holland, Mich.; Charles H. Burton, of Edwardsville, Ill.; and Adam R. Gard, of Marshall, Ill., were admitted to practice.

976. Fremont Weeks, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Assistant Attorney General Fowler for the defendant in error.

No. 1107. The United States, petitioner, *v.* Lexington Mill & Elevator Company. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the petitioner.

No. 1163. The United States, plaintiff in error, *v.* Eugene Buchanan. Motion to advance submitted by Mr. Assistant to the Attorney General Fowler for the plaintiff in error.

No. 1166. Wilson Coal Company, appellant, *v.* The United States et al.; and

No. 1167. Wilson Coal Company, appellant, *v.* The United States et al. Appeals from the United States Circuit Court of Appeals for the Ninth Circuit. Docketed and dismissed on motion of Mr. Assistant to the Attorney General Fowler for the appellees.

No. 1135. The Farmers' Loan & Trust Company, trustee, petitioner, *v.* Frank W. Blair et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederick Geller, Mr. Hinton E. Spalding, and Mr. Edward H. Blanc for the petitioner, and by Mr. Hal H. Smith for the respondent.

No. 1151. Margaret Alice Throckmorton et al., petitioners, *v.* Samuel T. Ruggles, trustee, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Milton Strasburger, in behalf of Mr. David K. Watson, for the petitioners, and by Mr. Francis B. James for the respondent.

No. 971. Stratton's Independence, Limited, *v.* F. W. Howbert, collector, etc. Motion for leave to file brief herein as amicus curiæ granted, on motion of Mr. C. S. Thomas in that behalf.

No. 1148. Silver King Coalition Mines Company, petitioner, *v.* Silver King Consolidated Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William H. Dickson for the petitioner, and by Mr. Edward B. Critchlow for the respondent.

No. 1134. Laura R. Cramer, petitioner, *v.* Lee M. Hurd, executor, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Arthur A. Birney and Mr. Wharton E. Lester for the petitioner, and by Mr. Richard A. Ford for the respondent.

No. 1032. William Cramp & Sons Ship & Engine Building Company, petitioner, *v.* International Curtis Marine Turbine Company et al. Motion for the immediate issuance of the mandate and as to costs submitted by Mr. L. S. Bacon, in behalf of Mr. Frederick P. Fish and Mr. Richard N. Dyer for the respondents in support of the motion, and by Mr. C. V. Edwards, Mr. James R. Sheffield, and Mr. Samuel Dickson for the petitioner in opposition thereto.

No. 1155. The Star Rubber Company, petitioner, *v.* The Faultless Rubber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George W. Rea for the petitioner.

No. 15. James P. McGovern, plaintiff in error, *v.* The City of New York. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Day.

No. 197. Edmund S. Nash et al., petitioners, *v.* The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed, and cause remanded to

the District Court of the United States for the Southern District of Georgia for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Pitney.

No. 652. The United States of America, plaintiff in error, *v.* Adams Express Company. In error to the District Court of the United States for the Southern District of Ohio. Judgment reversed and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 273. Oscar Wilkinson et al., plaintiffs in error, *v.* Oscar A. M. McKimmie et al. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 316. The District of Columbia, plaintiff in error, *v.* James T. Petty et al. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 261. Lem Woon, plaintiff in error, *v.* The State of Oregon. In error to the Supreme Court of the State of Oregon. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 71. Joseph Parker Camp, appellant, *v.* Kate Willard Boyd et al. Appeal from the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 251. Charles M. Campbell, appellant, *v.* Northwest Eckington Improvement Company et al. Appeal from the Court of Appeals of the District of Columbia. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 325. The American National Bank of Nashville, Tenn., plaintiff in error, *v.* A. L. Miller, agent, etc. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Middle District of Tennessee. Opinion by Mr. Justice Lamar.

No. 249. Chicago, Burlington & Quincy Railroad Company, plaintiff in error, *v.* William H. Hall. In error to the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 899. J. Butler Studley, trustee, etc., appellant, *v.* The Boylston National Bank of Boston. Appeal from the United States Circuit Court of Appeals for the First Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Massachusetts. Opinion by Mr. Justice Lamar.

No. 296. Fourche River Lumber Company, plaintiff in error, *v.* Bryant Lumber Company. In error to the Supreme Court of the State of Arkansas. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 458. Omaha & Council Bluffs Street Railway Company et al., appellants, *v.* The Interstate Commerce Commission et al. Appeal from the United States Commerce Court. Decree reversed, and cause remanded with directions that the decree of the circuit judges be made permanent. Opinion by Justice Lamar.

No. 14. Pennsylvania Railroad Company, plaintiff in error, *v.* International Coal Mining Company. In error to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania, with instructions to reverse the judgment of the Circuit Court with directions to grant a new trial. Opinion by Mr. Justice Lamar. Dissenting: Mr. Justice Pitney.

No. 674. Mitchell Coal & Coke Company, plaintiff in error, *v.* Pennsylvania Railroad Company. In error to the District Court of the United States for the Eastern District of Pennsylvania. Judgment reversed in part and affirmed in part, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Lamar. Dissenting: Mr. Justice Pitney.

No. 207. Morrisdale Coal Company, appellant, *v.* Pennsylvania Railroad Company. From the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Lamar. Dissenting: Mr. Justice Pitney.

No. 289. The Singer Sewing Machine Company of New Jersey, appellant, *v.* Allison Stocker, treasurer of the city and county of Denver, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Colorado. Opinion by Mr. Justice Van Devanter.

No. 558. George W. Bond et al., appellants, *v.* Unknown Heirs of Juan Barela, deceased, et al. Appeal from the Supreme Court of the Territory of New Mexico. Decree affirmed with costs, and cause remanded to the Supreme Court of the State of New Mexico. Opinion by Mr. Justice Van Devanter.

No. 678. The National Home for Disabled Volunteer Soldiers et al., appellants, *v.* J. E. Parrish. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. Decree affirmed with

costs, and cause remanded to the District Court of the United States for the Eastern District of Tennessee. Opinion by Mr. Justice Van Devanter. (The Chief Justice took no part in the consideration or decision of this case.)

No. 736. The United States, appellant, *v.* The Mille Lac Band of Chippewa Indians in the State of Minnesota. Appeal from the Court of Claims. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter. Dissenting: Mr. Justice McKenna and Mr. Justice Day.

No. 291. George T. Simpson et al., appellants, *v.* David C. Shepard. Appeal from the Circuit Court of the United States for the District of Minnesota. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Minnesota with directions to dismiss the bill without prejudice. Opinion by Mr. Justice Hughes. (Mr. Justice McKenna concurs in the result.)

No. 292. George T. Simpson et al., appellants, *v.* Emma B. Kennedy et al., executors, etc., et al. Appeal from the Circuit Court of the United States for the District of Minnesota. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Minnesota with directions to dismiss the bill without prejudice. Opinion by Mr. Justice Hughes. (Mr. Justice McKenna concurs in the result.)

No. 293. George T. Simpson et al., appellants, *v.* William Shillaber. Appeal from the Circuit Court of the United States for the District of Minnesota. Decree modified as indicated in the opinion, and as so modified affirmed with costs, and cause remanded to the District Court of the United States for the District of Minnesota. Opinion by Mr. Justice Hughes. (Mr. Justice McKenna concurs in the result.)

The Chief Justice announced that the court would adjourn until to-morrow for the purpose of announcing further opinions, and would then adjourn until Monday next, on which day it would adjourn for the term.

Adjourned until to-morrow at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JUNE 10, 1913.

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

W. C. Wear, of Hillsboro, Tex., and G. O. Palmer, of Lake City, Fla., were admitted to practice.

No. 232. Paul Charlton, as the next friend of Porter Charlton, appellant, *v.* James J. Kelly, sheriff of Hudson County, State of New Jersey, et al. Appeal from the Circuit Court of the United States for the District of New Jersey. Final order affirmed with costs, and cause remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice Lurton.

No. 246. City of Paducah, Kentucky, appellant, *v.* East Tennessee Telephone Company. Appeal from the Circuit Court of the United States for the Western District of Kentucky. Appeal dismissed as premature, and cause remanded to the District Court of the United States for the Western District of Kentucky for further proceedings. Opinion by Mr. Justice Lurton.

No. 79. National Safe Deposit, Savings & Trust Company of the District of Columbia, plaintiff in error, *v.* William B. Hibbs. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 119. Portland Railway, Light & Power Company, plaintiff in error, *v.* Railroad Commission of Oregon. In error to the Supreme Court of the State of Oregon. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 120. Portland Railway, Light & Power Company, plaintiff in error, *v.* Railroad Commission of Oregon. In error to the Supreme Court of the State of Oregon. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 259. William Stewart Macleod, as sole surviving partner of the partnership of Macleod & Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and cause remanded with directions to enter judgment for the claimant. Opinion by Mr. Justice Day.

No. 741. Continental & Commercial Trust & Savings Bank, appellant, *v.* Chicago Title & Trust Company, trustee in bankruptcy of Earl H. Prince, bankrupt. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Decrees of the Circuit Court of Appeals and of the District Court of the United States for the Northern District of Illinois reversed with costs, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day.

No. 284. The Citizens Telephone Company, appellant, *v.* Oramel B. Fuller, auditor general of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Michigan. Opinion by Mr. Justice McKenna.

No. 285. Citizens Telephone Company of Jackson, appellant, *v.* Oramel B. Fuller, auditor general of the State of Michigan. Appeal from the Circuit Court of the United States for the Western District of Michigan. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Michigan. Opinion by Mr. Justice McKenna.

No. 335. Railroad Commission of Louisiana et al., appellants, *v.* Texas & Pacific Railway Company et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Louisiana. Opinion by Mr. Justice McKenna.

No. 230. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Thomas W. Brown. 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 McKenna.

No. 473. Clara A. Wheeler and Frank S. Lusk, appellants, *v.* City and County of Denver et al. Appeal from the Circuit Court of the United States for the District of Colorado. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Colorado for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day.

No. 1048. John A. Adams, plaintiff in error, *v.* James Russell, warden of State house of correction, etc., et al. In error to the Supreme Court of the State of Michigan. Dismissed for want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 118. The United States, plaintiff in error, *v.* The Baltimore & Ohio Railroad Company. In error to the Circuit Court of the United States for the Northern District of West Virginia. Judgment affirmed, and cause remanded to the District Court of the United States for the Northern District of West Virginia. Opinion by Mr. Chief Justice White. (Mr. Justice Pitney, not being a member of the court when this case was argued, took no part in its decision.)

No. 320. Fred Robertson and W. J. Ratcliff, plaintiffs in error, *v.* C. F. Howard and Fred Howard. 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. Chief Justice White.

No. 541. The St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* Mrs. Cordie McWhirter, administratrix of the estate of Etwall McWhirter, deceased. In error to the Court of Appeals of the State of Kentucky. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White. Dissenting: Mr. Justice Pitney.

No. 818. The Journal of Commerce and Commercial Bulletin, appellant, *v.* Albert S. Burleson, as Postmaster General of the United States, et al.; and

No. 819. Lewis Publishing Company, appellant, *v.* Edward M. Morgan, as postmaster of the United States of America in and for New York City, Borough of Manhattan. Appeals from the District Court of the United States for the Southern District of New York. Decrees affirmed with costs. Opinion by Mr. Chief Justice White.

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

No. 853. Grand Trunk Railway Company of Canada et al., appellants, *v.* Michigan Railroad Commission et al.;

No. 942. Missouri, Kansas & Texas Railway Company et al., petitioners, *v.* The United States;

No. 1058. The Eastern States Retail Lumber Dealers' Association et al., appellants, *v.* The United States;

No. 1096. The Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* The United States;

No. 1103. Mayor and Aldermen of the City of Vicksburg, appellant, *v.* W. A. Henson, receiver, etc.;

No. 1137. Houston East & West Texas Railway Company et al., appellants, *v.* The United States et al.;

No. 1138. The Texas & Pacific Railway Company et al., appellants, *v.* The United States et al.; and

No. 1142. The Kansas City Southern Railway Company, appellant, *v.* The United States et al. Motions to advance granted, and cases assigned for Tuesday, October 14 next, after the cases heretofore assigned for that day.

No. —, Original. *Ex parte*: In the matter of the City of Louisville, petitioner; and

No. —, Original. *Ex parte*: In the matter of A. Englehard & Sons Company, petitioner. Motions for leave to file petitions for writs of mandamus granted, and rules to show cause ordered returnable on Monday, October 13 next.

No. —, Original. *Ex parte*: In the matter of Edward H. Patterson, petitioner. Motion for leave to file petition for a writ of mandamus denied.

No. 8, Original. The State of Wyoming, complainant, *v.* The State of Colorado. Ordered that Clyde N. Watts and Newton Garbutt be appointed commissioners to take the testimony in this cause, and that said testimony be taken in accordance with a stipulation of counsel for the respective parties.

No. 9, Original. *Ex parte*: In the matter of America Capo, petitioner. Motion to substitute Hon. Peter J. Hamilton, United States district judge for Porto Rico, as the respondent in this case, granted.

No. 990. The United States Telephone Company, petitioner, *v.* Central Union Telephone Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1090. American Street Flushing Machine Company, petitioner, *v.* St. Louis Street Flushing Machine Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1106. Julius Marqusee, petitioner, *v.* Hartford Fire Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1111. C. E. Dolbear, petitioner, *v.* The Foreign Mines Development Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1112. William D. Holden, trustee, etc., petitioner, *v.* J. A. Haring, bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1114. Susan C. Higgins, petitioner, *v.* Hervey E. Eaton, executor, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1121. St. Louis Southwestern Railway Company of Texas, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1122. North German Lloyd, claimant, etc., petitioner, *v.* Hamburg-American Lines et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1123. Julius H. Blackburn, petitioner, *v.* Ellsworth C. Irvine, receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1136. Newport News Ship Building & Dry Dock Company, petitioner, *v.* The Steamboat Saratoga, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1141. The Marian Coal Company, petitioner, *v.* John W. Peale. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 995. The Wyandotte County Gas Company, plaintiff in error, *v.* The State of Kansas ex rel. John Marshall, attorney, etc.; and

No. 1101. Arthur Greey, trustee, etc., appellant, *v.* John E. Dockendorff. Ordered that these cases be placed on the summary docket.

No. 1110. Widow W. W. Shipp, petitioner, *v.* The Texas & Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: Petition denied. (Re Tampa Suburban Railroad Co., 168 U. S., 583, 587-588; Texas & Pacific Ry. Co. *v.* Bourman, 212 U. S., 538.)

No. 411. Adolph Suesskind, appellant, *v.* William J. Gaynor, mayor of the city of New York, et al. Appeal from the Circuit Court of the United States for the Southern District of New York. Dismissed, per stipulation, and cause remanded to the District Court of the United States for the Southern District of New York.

No. 509. John V. Dobson et al., plaintiffs in error, *v.* The Virginia-Carolina Chemical Company. In error to the Supreme Court of the State of Tennessee. Dismissed with costs, on authority of the plaintiff in error.

No. 673. W. S. Wright et al., plaintiffs in error, *v.* Merchants' Trust Company, executor, etc. In error to the Supreme Court of the State of California. Dismissed, per stipulation.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 16, 1913.

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

G. C. Ringolsky, of San Francisco, Cal.; I. W. Stewart, of Oxnard, Cal.; William H. Cobb, of San Francisco, Cal.; John L. Stout, of Memphis, Tenn.; Roderick N. Matson, of Cheyenne, Wyo.; T. Blake Kennedy, of Cheyenne, Wyo.; O. K. Reaves, of Bradentown, Fla.; Jefferson P. Chandler, of Los Angeles, Cal.; Claude Weaver, of Oklahoma City, Okla.; Marvin H. Farrington, of Washington, D. C.; Thomas W. Dickey, of New Castle, Pa.; Harry Irwin, of Hilo, Hawaii; and Harry C. Kinne, of Chicago, Ill., were admitted to practice.

No. 13, Original. The State of New Mexico, complainant, *v.* The State of Texas. Stipulation as to filing of pleadings by defendant and as to designation of commissioners to take testimony and as to the manner of taking testimony filed on motion of Mr. T. B. Catron for the complainant, and order entered in compliance therewith.

No. 993. Col. Charles G. Treat, appellant, *v.* Pascual Orozco, sr.; and

No. 994. Col. Charles G. Treat, appellant, *v.* David de la Fuente. Appeals from the District Court of the United States for the Western District of Texas. Dismissed with costs, on motion of counsel for the appellant.

No. 71. Joseph Parker Camp, appellant, *v.* Kate Willard Boyd et al. Leave granted to present a petition for rehearing herein within 60 days, on motion of Mr. William E. Ambrose for the appellant.

No. 736. The United States, appellant, *v.* The Mille Lac Band of Chippewa Indians in the State of Minnesota. Leave granted to present a petition for rehearing herein within 60 days, on motion of Mr. C. C. Calhoun on behalf of counsel for the appellee.

No. 92. Severo Ochoa et al., partners doing business under the firm name and style of J. Ochoa y Hermano, appellants, *v.* Ana Maria Hernandez y Morales et al. Appeal from the District Court of the United States for Porto Rico. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 218. Mary E. Nalle, plaintiff in error, *v.* James F. Oyster et al. In error to the Court of Appeals of the District of Columbia. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 52. The Missouri Pacific Railway Company, plaintiff in error, *v.* J. W. Tucker. 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 Van Devanter.

No. 131. Mary F. Butts, plaintiff in error, *v.* Merchants and Miners Transportation Company. In error to the District Court of the United States for the District of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 754. Old Colony Trust Company, appellant, *v.* The City of Omaha. Appeal from the District Court of the United States for the District of Nebraska. Decree reversed with costs, and cause remanded with a direction to enter a decree against the enforcement of the resolution of 1908 in accordance with the opinion of this court. Opinion by Mr. Justice Van Devanter. (Mr. Justice Holmes did not participate in the decision of this case.)

No. 162. Omaha Electric & Power Company, appellant, *v.* The City of Omaha and Waldemar Michaelson. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter. (Mr. Justice Holmes took no part in the consideration and decision of this case.)

No. 9. John A. Knott et al., Railroad and Warehouse Commissioners, etc., appellants, *v.* Chicago, Burlington & Quincy Railroad Company; and

No. 12. Chicago, Burlington & Quincy Railroad Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 339. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The St. Louis & San Francisco Railroad Company; and

No. 340. The St. Louis & San Francisco Railroad Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 341. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Atchison, Topeka & Santa Fe Railway Company; and

No. 342. The Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 345. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Chicago, Rock Island & Pacific Railway Company; and

No. 346. The Chicago, Rock Island & Pacific Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 349. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Kansas City Southern Railway Company; and

No. 350. The Kansas City Southern Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 357. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Missouri, Kansas & Texas Railway Company; and

No. 358. The Missouri, Kansas & Texas Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al. Appeals from the Circuit Court of the United States for the Western District of Missouri. Decrees reversed at the cost of the railroad companies, and cases remanded to the District Court of the United States for the Western District of Missouri, with directions to dismiss the bills, respectively, without prejudice. Opinion by Mr. Justice Hughes.

No. 351. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The St. Louis & Hannibal Railway Company; and

No. 352. The St. Louis & Hannibal Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 365. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Kansas City, Clinton & Springfield Railway Company; and

No. 366. The Kansas City, Clinton & Springfield Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 367. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Chicago Great Western Railway Company et al.; and

No. 368. The Chicago Great Western Railway Company et al., appellants, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al. Appeals from the Circuit Court of the United States for the Western District of Missouri. Decrees modified as indicated in the opinion of this court, and, as modified, affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Missouri. Opinion by Mr. Justice Hughes.

No. 347. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The St. Louis, Kansas City & Colorado Railroad Company; and

No. 348. The St. Louis, Kansas City & Colorado Railroad Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al. Appeals from the Circuit Court of the United States for the Western District of Missouri. Decree reversed at the cost of the railroad company, and cause remanded to the District Court of the United States for the Western District of Missouri, with directions to dismiss the bill without prejudice. Opinion by Mr. Justice Hughes.

No. 343. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The St. Louis Southwestern Railway Company; and

No. 344. The St. Louis Southwestern Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 353. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Missouri Pacific Railway Company; and

No. 354. The Missouri Pacific Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 355. John A. Knott et al., Railroad and Warehouse Commissioners et al., appellants, *v.* The St. Louis, Iron Mountain & Southern Railway Company; and

No. 356. The St. Louis, Iron Mountain & Southern Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 359. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Quincy, Omaha & Kansas City Railroad Company; and

No. 360. The Quincy, Omaha & Kansas City Railroad Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 361. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Wabash Railroad Company; and

No. 362. The Wabash Railroad Company, appellant, *v.* John A. Knott, et al., Railroad and Warehouse Commissioners, et al.;

No. 363. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The St. Joseph & Grand Island Railway Company; and

No. 364. The St. Joseph & Grand Island Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 369. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Chicago, Milwaukee & St. Paul Railway Company; and

No. 370. The Chicago, Milwaukee & St. Paul Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al.;

No. 371. John A. Knott et al., Railroad and Warehouse Commissioners, et al., appellants, *v.* The Chicago & Alton Railway Company; and

No. 372. The Chicago & Alton Railway Company, appellant, *v.* John A. Knott et al., Railroad and Warehouse Commissioners, et al. Appeals from the Circuit Court of the United States for the Western District of Missouri. Dismissed with costs, and cases remanded to the District Court of the United States for the Western District of Missouri. Opinion by Mr. Justice Hughes.

No. 111. The Chesapeake & Ohio Railway Company, plaintiff in error, *v.* W. G. Conley, Attorney General of the State of West Virginia, et al. In error to the Supreme Court of Appeals of the State of West Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 159. The Oregon Railroad & Navigation Company, appellant, *v.* Thomas K. Campbell et al.; and

No. 428. Southern Pacific Company and Oregon & California Railroad Company, appellants, *v.* Thomas K. Campbell et al. Appeals from the Circuit Court of the United States for the District of Oregon. Decrees affirmed with costs, and cases remanded to the District Court of the United States for the District of Oregon. Opinion by Mr. Justice Hughes.

No. 440. Robert P. Allen et al., Railroad Commissioners of the State of Arkansas, appellants, *v.* The St. Louis, Iron Mountain & Southern Railway Company; and

No. 441. Robert P. Allen et al., Railroad Commissioners of the State of Arkansas, appellants, *v.* The St. Louis Southwestern Railway Company. Appeals from the Circuit Court of the United States for the Eastern District of Arkansas. Decrees reversed with

costs, and cases remanded to the District Court of the United States for the Eastern District of Arkansas, with directions to dismiss the bills, respectively, without prejudice. Opinion by Mr. Justice Hughes.

No. 244. City of Owensbore, appellant, *v.* The Cumberland Telephone & Telegraph Company. Appeal from the Circuit Court of the United States for the Western District of Kentucky. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Kentucky. Opinion by Mr. Justice Lurton. (Dissenting: Mr. Justice Day, Mr. Justice McKenna, Mr. Justice Hughes, and Mr. Justice Pitney.)

No. 573. The Boise Artesian Hot and Cold Water Company, Limited, plaintiff in error, *v.* Boise City; and

No. 639. Boise City, plaintiff in error, *v.* The Boise Artesian Hot and Cold Water Company, Limited. In error to the District Court of the United States for the District of Idaho. Judgment reversed with costs, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Lurton.

No. 313. The Boise Artesian Hot and Cold Water Company, plaintiff in error, *v.* Boise City. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Lurton.

No. 106. The Arizona Copper Company, Limited, appellant, *v.* William Allen Gillespie. Appeal from the Supreme Court of the Territory of Arizona. Decree affirmed with costs, and cause remanded to the Supreme Court of the State of Arizona. Opinion by Mr. Justice Lurton.

No. 14, Original. *Ex parte*: In the matter of American Steel Barrel Company and Elizabeth C. Seaman, petitioners. Rule discharged, and petition for mandamus denied. Opinion by Mr. Justice Lurton.

No. 720. Mattie W. Jackson, widow; William Graham Jackson and Gladys L. Jackson, infants, by Mattie W. Jackson, their next friend, and Ernest H. Jackson, appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice White.

No. 718. Mary E. Hughes, appellant, *v.* The United States; and

No. 719. The United States, appellant, *v.* Mary E. Hughes. Appeals from the Court of Claims. Judgment in No. 718 affirmed, and judgment in No. 719 reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. 571. James L. Bradford, appellant, *v.* The United States. Appeal from the Court of Claims. Per curiam: We permit an application for a rehearing to be filed solely for the purpose of correcting an inadvertent form of expression used in the opinion which it seems it is considered might convey a mistaken impression to the detriment of the appellant. The opinion, in speaking of the conviction of appellant, declared that it was for defrauding the Government of land, while the fact was that the prosecution and conviction was for a conspiracy to defraud the Government of land. The difference—if there be difference—between the two offenses could have had no possible influence upon the reasoning stated in the opinion which rendered it necessary to affirm the judgment. We think, however, a precisely accurate statement of the subject matter to which the conviction related should go upon the record to counteract any semblance of injustice which might otherwise arise. Rehearing denied.

No. 188. C. H. Rexford, petitioner, *v.* The Brunswick-Balke-Clender Company. It is ordered by the court that the mandate heretofore issued in this cause be recalled, and that the decree entered herein on April 14, 1913, in so far as it provides that the petitioner recover costs in this court be, and the same is hereby, vacated and set aside.

It is further ordered that each party pay their own costs in this court.

No. 976. Fremont Weeks, plaintiff in error, *v.* The United States; and

No. 1163. The United States, plaintiff in error, *v.* Eugene Buchanan. Motions to advance and place the cases on the summary docket granted.

No. 1107. The United States, petitioner, *v.* Lexington Mill & Elevator Company. Motion to advance granted, and cause assigned for argument on Tuesday, October 14 next, after the cases already assigned for that day.

No. 1134. Laura R. Cramer, petitioner, *v.* Lee M. Hurd, executor, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1135. The Farmers' Loan & Trust Company, trustee, petitioner, *v.* Frank W. Blair et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1148. Silver King Coalition Mines Company, petitioner, *v.* Silver King Consolidated Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1151. Margaret Alice Throckmorton et al., petitioners, *v.* Samuel T. Ruggles, trustee, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1155. The Star Rubber Company, petitioner, *v.* The Faultless Rubber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1032. William Cramp & Sons' Ship & Engine Building Company, petitioner, *v.* International Curtis Marine Turbine Company et al. Motion that mandate issue at once granted. Motion as to costs denied.

No. 445. Belle J. Barnes et al., appellants, *v.* J. L. B. Alexander et al. Ordered placed on the summary docket.

Order: It is now here ordered by the court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued to the next term.

Adjourned to the time and place appointed by law.

