

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 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.

Robert M. Clarke, of San Buenaventura, Cal.; Don G. Bowker, of San Buenaventura, Cal.; Stephen J. McMahon, of Milwaukee, Wis.; Asher B. Wilson, of Akron, Colo.; Fred Ikeler, of Bloomsburg, Pa.; Erwin L. Regennitter, of Idaho Springs, Colo.; Milton Eugene Cornelius, of Los Angeles, Cal.; Peter O. Knight, of Tampa, Fla.; Emanuel J. Myers, of New York City; Chas. F. Blackstock, of Oxnard, Cal.; George P. Kimmel, of Washington, D. C.; Gordon S. P. Kleeberg, of New York City; George S. Engle, of Washington, D. C.; Richard S. Harvey, of New York City; Frank S. Roby, of Indianapolis, Ind.; Thomas J. Freeman, of New Orleans, La.; George H. Thorne, of Washington, D. C.; J. H. Adriaans, of Washington, D. C.; William Van Dyke, of Detroit, Mich.; Henry A. Cutter, of Nashua, N. H.; John T. Harris, of Harrisonburg, Va.; Lawson E. Lurvey, of Fond du Lac, Wis.; J. G. L. Harvey, of Kansas City, Mo.; Clarence E. Pope, of East St. Louis, Ill.; J. C. South, of Mountain Home, Ark.; Thomas M. Seawell, of Springfield, Mo.; and Christopher W. Ney, of New York City, were admitted to practice.

Mr. Attorney General McReynolds presented Mr. John W. Davis, of West Virginia, as Solicitor General of the United States, and it was ordered that his commission be recorded.

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

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 14, will be as follows: Nos. 481 (and 482 and 483), 423, 395, 257, 275, 459 (and 460 and 446), 457, 466 (and 467), 506 (and 507 and 508), 165, 168, (and 169), 195, 153, 356, 378, 419, 502, 401, 503, 382, 439, 511 (and 515), 539, 546, 567, 568, 571, and 548.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 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.

Richard T. Greene, of New York City; J. Ralston Burgett, of Mobile, Ala.; Bernard Hershkopf, of New York City; Archibald F. Jones, of Coudersport, Pa.; T. E. Fitzgerald, of Daytona, Fla.; Henderson S. Martin, of Marion, Kans.; A. E. Helm, of Topeka, Kans.; Myron Harris, of New York City; Will H. Krause, of Bainbridge, Ga.; Gordon M. Buck, of New York City; Edward F. Wehrle, of Los Angeles, Cal.; and Samuel J. Graham, of Pittsburgh, Pa., were admitted to practice.

No. 548. The United States of America, petitioner, *v.* Lexington Mill & Elevator Company. Motion to reassign submitted by Mr. Solicitor General Davis for the petitioner.

No. 566. The United States, plaintiff in error, *v.* Tom Mosley et al. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 709. The United States, petitioner, *v.* Nipissing Mines Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Davis, Mr. Attorney General McReynolds, and Mr. Assistant Attorney General Harr for the petitioner, and by Mr. George F. Hurd for the respondent.

No. 469. Mary Genevieve Pennell, administratrix, etc., plaintiff in error, *v.* Philadelphia & Reading Railway Company. Motion to advance or to place on the summary docket submitted by Mr. George Demming for the plaintiff in error.

No. 700. Wells, Fargo & Company Express, plaintiff in error, *v.* D. W. Ford. Motion to amend writ of error submitted by Mr. William R. Harr in behalf of Mr. H. M. Garwood for the plaintiff in error.

No. 578. Peter W. Reherd, receiver, etc., petitioner, *v.* The Coal & Iron Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. John T. Harris and Mr. Fred O. Blue for the petitioner, and by Mr. B. M. Ambler for the respondent.

No. 2, Original. The Commonwealth of Virginia, complainant, *v.* The State of West Virginia. Motion to proceed to a final disposition of the cause submitted by Mr. Randolph Harrison, Mr. Samuel W. Williams, Mr. William A. Anderson, Mr. Holmes Conrad, and Mr. Sanford Robertson, for the complainant, in support of the motion, and by Mr. A. A. Lilly, Mr. V. B. Archer, Mr. Charles E. Hogg, and Mr. John H. Holt for the defendant in response thereto.

No. 711. James Sim, petitioner, *v.* William Edenborn; and

No. 712. Thomas P. Alder, petitioner, *v.* William Edenborn. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Theron G. Strong for the petitioners, and by Mr. Martin W. Littleton for the respondent.

No. 698. Francis P. B. Sands, petitioner, *v.* Henrietta S. Anderson. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. F. P. B. Sands pro se, and by Mr. Frank J. Hogan for the respondent.

No. 716. Millard F. Field, petitioner, *v.* Howard B. Colman. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. J. B. Church, in behalf of Mr. Melville Church, for the petitioner, and by Mr. Lincoln B. Smith for the respondent.

No. 734. Cherokee Tanning Extract Company et al., petitioners, *v.* George H. Leonard et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Thomas S. Rollins and Mr. J. H. Merrimon for the petitioners, and by Mr. A. S. Barnard for the respondents.

No. —, Original. Ex parte In the matter of the Assets Collecting Company, petitioner. Motion for leave to file petition for writs of mandamus or certiorari submitted by Mr. Richard S. Harvey and Mr. Ferdinand E. M. Bullowa for the petitioner.

No. 702. Henry Baetz, petitioner, *v.* The Schoenlau-Kuckkuck Trunk Top & Veneer Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Walter F. Rogers, in behalf of Mr. Emil Starek for the petitioner, and by Mr. Charles Howson for the respondent.

No. 719. Riverside Heights Orange Growers Association et al., petitioners, *v.* Fred Stebler. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. N. A. Acker and Mr. J. J. Scrivner for the petitioners, and by Mr. Frederick S. Lyon and Mr. William W. Dodge for the respondent.

No. 11, Original. *Ex parte* In the matter of The City of Louisville, Ky., petitioners; and

No. 12, Original. *Ex parte* In the matter of A. Englehard & Sons Company, petitioner. Returns to rules filed on motion of Mr. Alexander Pope Humphrey for the respondent.

No. 11, Original. *Ex parte* In the matter of The City of Louisville, Ky., petitioner. Leave granted to file certain exhibits on motion of Mr. Pendleton Beckley for the petitioner.

No. 12, Original. *Ex parte* In the matter of A. Englehard & Sons Company, petitioner. Leave granted to file certain exhibits on motion of Mr. C. B. Blakey for the petitioner.

No. 538. City of Louisville, Ky., appellant, *v.* Cumberland Telephone & Telegraph Company. Motion to advance to be heard with Nos. 11 and 12, Original, submitted by Mr. Pendleton Beckley for the appellant.

No. 584. Henry C. King, appellant, *v.* U. B. Buskirk, trustee, et al. Motion to dismiss or affirm submitted by Mr. Frank Cox and Mr. W. R. Lilly for the appellees in support of the motion, and by Mr. Maynard F. Stiles for the appellant in opposition thereto.

No. 401. Thomas R. Marshall, as governor of the State of Indiana, et al., plaintiffs in error, *v.* John T. Dye. Suggestion of death of John T. Dye, the defendant in error herein, and motion to substitute Hugh Dougherty, executor, as defendant in error submitted by Mr. Addison C. Harris for the defendant in error.

Suggestion of the election of Samuel M. Ralston as governor of the State of Indiana, and the appointment of Will H. Thompson and John E. Hollett as members of the State board of election commissioners of the State of Indiana, and motion to substitute them as the parties plaintiffs in error in this cause, submitted by Mr. Frank S. Roby for the plaintiffs in error.

No. 706. Charles A. Davey, 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. Frank S. Roby and Mr. Ward H. Watson for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 611. Stewart Mining Company, plaintiff in error, *v.* Ontario Mining Company et al. Motion to advance submitted by Mr. Charles S. Thomas and Mr. M. S. Gunn for the plaintiff in error.

No. 423. Frank Guinn and J. J. Beale *v.* The United States. Leave granted to Mr. Moorfield Storey to file brief herein as *amicus curiæ* on motion of Mr. Jackson H. Ralston in that behalf.

No. 617. Toledo, St. Louis & Western Railroad Company, petitioner, *v.* Anna Perenchio. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. C. E. Pope and Mr. Clarence Brown for the petitioner, and by Mr. John L. Flannigen for the respondent.

No. 636. Cadillac Motor Car Company, petitioner, *v.* George W. Ray, Judge, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William Van Dyke and Mr. Otto Kirchner for the petitioner, and by Mr. Andrew J. Nellis for the respondent.

No. 644. G. and C. Merriam Company, appellant, *v.* The Syndicate Publishing Company. Petition for a writ of certiorari herein submitted by Mr. William B. Hale for the appellant and petitioner, and by Mr. Hugh A. Bayne for the appellee and respondent.

No. 703. Liberty Bell Gold Mining Company, petitioner, *v.* The Smuggler Union Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Chauncey Hackett in behalf of Mr. Moorfield Storey for the petitioner, and by Mr. Joel F. Vaile and Mr. Henry McAllister, jr., for the respondent.

No. 705. David Allegar, petitioner, *v.* American Car & Foundry Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Chauncey Hackett, in behalf of Mr. Frank W. Hackett and Mr. Paul J. Sherwood, for the petitioner, and by Mr. Fred Ikeler and Mr. Clarence E. Sprout for the respondent.

No. 694. Allen H. Walker, petitioner, *v.* Iowa Central Railway Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Chauncey Hackett, in behalf of Mr. Frank W. Hackett for the petitioner, and by Mr. W. H. Bremner for the respondents.

No. 10, Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Leave to file motion to dismiss herein granted on motion of Mr. Assistant Attorney General West for the defendant.

No. 718. William W. Niles, administrator, etc., petitioner, *v.* The Ludlow Valve Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Hartwell Cabell and Mr. William W. Niles for the petitioner, and by Mr. Samuel Untermyer, Mr. Louis Marshall, and Mr. Abraham Benedict for the respondent.

No. —, Original. Ex parte in the matter of Young, Smythe, Field Company et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. Mortimer C. Rhone for the petitioner.

No. 423. Frank Guinn and J. J. Beale *v.* The United States. Leave granted to file brief as amicus curiæ herein, on motion of Mr. J. H. Adrians in that behalf.

No. 570. Union Pacific Railroad Company, plaintiff in error, *v.* Laramie Stock Yards Company. Submitted pursuant to the twentieth rule by Mr. John W. Lacey and Mr. N. H. Loomis for the plaintiff in error, and by Mr. Roderick N. Matson and Mr. T. Blake Kennedy for the defendant in error.

No. 682. Union Pacific Railroad Company, plaintiff in error, *v.* George A. Snow et al.; and

No. 683. Union Pacific Railroad Company, plaintiff in error, *v.* Martin V. Sides et al. Submitted pursuant to the twentieth rule by Mr. A. A. Hoehling, jr., in behalf of Mr. N. H. Loomis and Mr. C. C. Dorsey for the plaintiff in error, and by Mr. Milton Smith and Mr. Charles R. Brock for the defendants in error.

No. 145. Union Pacific Railroad Company, appellant, *v.* The City of Greeley et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed with costs, on motion of Mr. A. A. Hoehling, jr., for the appellant.

No. 457. Stratton's Independence, Ltd., *v.* F. W. Howbert, collector of internal revenue, etc. Leave granted to Mr. William D. Guthrie to file brief herein as amicus curiæ, on motion of Mr. Charles Henry Butler in that behalf.

No. 535. William A. Wright, comptroller general of the State of Georgia, petitioner, *v.* The Louisville & Nashville Railroad Company et al. Petition for a cross writ of certiorari herein submitted by Mr. Jack J. Spaulding in behalf of Mr. Joseph B. Cummin and Mr. Alex. C. King for the respondents.

No. 1. Morris Canal & Banking Company et al., plaintiffs in error, *v.* David Baird et al. Continued per stipulation of counsel, on motion of Mr. Gilbert Collins for the plaintiffs in error.

No. 31. Northwestern Pacific Railroad Company, plaintiffs in error, *v.* The United States. In error to the District Court of the United States for the Northern District of California. Dismissed on motion of Mr. Evans Browne, in behalf of counsel for the plaintiff in error.

No. 331. Northern Pacific Railway Company, appellant, *v.* King County, Wash., et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed with costs, per stipulation of counsel, on motion of Mr. Evans Browne for the appellant.

No. 590. The Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* The United States. Motion to advance submitted by Mr. Evans Browne, in behalf of counsel for the appellants.

No. 695. Pacific Live Stock Company, petitioner, *v.* Silvies River Irrigation Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Evans Browne, Mr. Edward F. Treadwell, Mr. Wirt Minor, Mr. A. B. Browne, and Mr. Alexander Britton, for the petitioner.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Motion for leave to file stipulation and agreement as to further proceeding herein, submitted by Mr. Thomas S. Felder for the complainant.

The Chief Justice said:

“It is my sad duty to announce to the gentlemen of the bar the death last night of Mr. James H. McKenney, the clerk of this court. He was associated for more than 50 years with the work of the court, and the expression of our sorrow needs no elaboration. As a mark of respect to his memory the court will do no further business to-day, and will adjourn until to-morrow morning.”

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 15, will be as follows: Nos. 481 (and 482, 483, 506, 507, and 508), 423, 395, 257, 275, 459 (and 460 and 446), 457, 165, 466 (and 467), 168 (and 169), 195, 153, 356, 378, 419, 502, 401, 503, 382, 439, 511 (and 550), 539, 546, 567, 568, 571, and 548.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 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.

Randolph Barton, jr., of Baltimore, Md.; Edwin D. Hays, of New York City; Thomas A. Hill, of New York City; Elton A. Gongwer, of Akron, Ohio; William E. Reiley, of Indianapolis, Ind.; Charles W. Appleman, of Indianapolis, Ind.; Lewis H. Freedman, of New York City; and Lelard B. Garretson, of New York City, were admitted to practice.

No. 356. Leon Cardenas Martinez, plaintiff in error, *v.* The State of Texas et al. Leave granted to Mr. Charles F. Wilson to withdraw his appearance as counsel for the plaintiff in error herein.

No. 516. M. V. Kirkpatrick, appellant, *v.* Wyatt A. Harnesberger, trustee, etc. Motion to dismiss submitted by Mr. William H. Fleming for the appellee in support of the motion, and by Mr. Samuel H. Myers for the appellant in opposition thereto.

No. 415. Robert Russell, plaintiff in error, *v.* Charles E. Sebastian. Motion to advance submitted by Mr. William C. Prentiss in behalf of counsel.

No. 125. The Title Guaranty & Surety Company, plaintiff in error, *v.* The United States to the use of The General Electric Company. In error to the United States Circuit Court of Appeals for the Third Circuit. Dismissed per stipulation of counsel.

No. 132. Adams Express Company, plaintiff in error, *v.* Kaskell Solomon et al. In error to the Superior Court of the State of Pennsylvania. Judgment reversed, with costs, per stipulation of counsel, and cause remanded for further proceedings.

No. 428. John McKay, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Minnesota. Dismissed per stipulation of counsel.

No. 429. Rose McKay, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Minnesota. Dismissed per stipulation of counsel.

No. 637. Lucy Grace Musica, plaintiff in error, *v.* The State of Louisiana. In error to the First City Criminal Court of the Parish of Orleans, State of Louisiana. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 638. Louise Musica, plaintiff in error, *v.* The State of Louisiana. In error to the First City Criminal Court of the Parish of Orleans, State of Louisiana. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 195. George H. Beddow, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the Western District of Michigan. Dismissed pursuant to the tenth rule.

No. 356. Leon Cardenas Martinez, plaintiff in error, *v.* The State of Texas et al. Passed temporarily.

No. 548. The United States of America, petitioner, *v.* Lexington Mill & Elevator Company. Passed temporarily, on motion of Mr. Solicitor General Davis for the petitioner.

No. 566. The United States, plaintiff in error, *v.* Tom Mosley et al. Motion to advance granted, and cause assigned for hearing after No. 423.

No. 481. The United States of America et al., appellants, *v.* The Ohio Oil Company;

No. 482. The United States of America et al., appellants, *v.* Standard Oil Company;

No. 483. The United States of America et al., appellants, *v.* The Standard Oil Company of Louisiana;

No. 506. The United States of America et al., appellants, *v.* Prairie Oil & Gas Company;

No. 507. The United States of America et al., appellants, *v.* The Uncle Sam Oil Company; and

No. 508. The United States of America et al., appellants, *v.* Robert D. Benson et al. Six hours allowed for the argument of these cases, on motion of Mr. Solicitor General Davis for The United States. Argument commenced by Mr. Solicitor General Davis for The United States and continued by Mr. John G. Milburn for the appellees in Nos. 481, 482, and 483, and by Mr. W. S. Fitzpatrick for the appellee in No. 506.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 16, will be as follows: Nos. 481 (and 482, 483, 506, 507, and 508), 423, 395, 275, 459 (and 460 and 446), 457, 165, 466 (and 467), 168 (and 169), 195, 153, 378, 419, 502, 401, 503, 382, 439, 511 (and 550), 539, 546, 567, 568, 571, 548, and 257.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 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.

Charles W. Gregg, of New York City, and Dick Rice, of Bentonville, Ark., were admitted to practice.

No. 481. The United States of America et al., appellants, *v.* The Ohio Oil Company;

No. 482. The United States of America et al., appellants, *v.* The Standard Oil Company;

No. 483. The United States of America et al., appellants, *v.* The Standard Oil Company of Louisiana;

No. 506. The United States of America et al., appellants, *v.* Prairie Oil & Gas Company;

No. 507. The United States of America et al., appellants, *v.* The Uncle Sam Oil Company; and

No. 508. The United States of America et al., appellants, *v.* Robert D. Benson et al. Argument continued by Mr. Albert L. Wilson, for the appellee in No. 507, and concluded by Mr. Charles W. Needham, for the Interstate Commerce Commission, and submitted by Mr. W. I. Lewis and Mr. Archibald F. Jones for the appellees in No. 508.

The Chief Justice announced that the court would now adjourn to attend the funeral of the late clerk of the court.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 17, will be as follows: Nos. 423 (and 566), 395, 275, 459 (and 460 and 446), 457, 165, 466 (and 467), 168 (and 169), 153, 378, 419, 502, 401, 503, 382, 439, 511 (and 550), 539, 546, 567, 568, 571, 548, and 257.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 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.

Charles Morris Howard, of Baltimore, Md.; Richard H. Pleasants, of Baltimore, Md.; George E. Gorman, of Chicago, Ill.; and Thomas B. Sullivan, of Carthage, Miss., were admitted to practice.

No. 423. Frank Guinn and J. J. Beal *v.* The United States. Leave granted to file brief of Mr. John H. Burford as amicus curiæ, on motion of Mr. Charles J. Kappler in that behalf.

No. 423. Frank Guinn and J. J. Beal *v.* The United States. One hour and a half allowed each side in the argument, on motion of Mr. Joseph W. Bailey for Guinn and Beal.

Argument commenced by Mr. Joseph W. Bailey for Guinn and Beal, continued by Mr. Solicitor General Davis for the United States, and concluded by Mr. Joseph W. Bailey for Guinn and Beal.

No. 566. The United States, plaintiff in error, *v.* Tom Mosley et al. Submitted by Mr. Solicitor General Davis for the plaintiff in error, and leave granted to counsel for the defendants in error to file brief within 15 days.

No. 395. The United States, plaintiff in error, *v.* John A. Davis et al. Argued by Mr. Assistant Attorney General Knaebel for the plaintiff in error and by Mr. Thomas M. Seawell for the defendants in error.

No. 275. The Delaware, Lackawanna & Western Railroad Co., plaintiff in error, *v.* The United States of America. Argued by Mr. W. S. Jenney for the plaintiff in error and by Mr. Assistant to the Attorney General Todd for the defendant in error.

No. 459. The National City Bank of New York, appellant, *v.* Henry D. Hotchkiss, as trustee, etc., et al.; and

No. 460. Henry D. Hotchkiss, as trustee, etc., et al., appellants, *v.* The National City Bank of New York. Argument commenced by Mr. John A. Garver for the National City Bank of New York.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 20, will be as follows: Nos. 459 (and 460), 446, 457, 165, 466 (and 467), 168 (and 169), 153, 378, 419, 502, 401, 503, 382, 439, 511 (and 550), 539, 546, 567, 568, 571, 548, and 257.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 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.

John L. Stout, of Memphis, Tenn.; McKinney Barton, of Memphis, Tenn.; David L. Podell, of New York City; Ralph Kalish, of St. Louis, Mo.; W. Christy Bryan, of St. Louis, Mo.; Clinton R. Colvin, of Washington, D. C.; Ernest C. Root, of Washington, D. C.; Walter F. Hendricks, of Washington, D. C.; Robert Lee Bartels, of Memphis, Tenn.; Truman Post Young, of St. Louis, Mo.; Clarence D. Laylin, of Columbus, Ohio; and George H. Wright, of Asheville, N. C., were admitted to practice.

No. 493. The Oshiro Nakayama, appellant, *v.* W. R. Mansfield, Immigration Inspector. Motion to place on the summary docket submitted by Mr. Solicitor General Davis for the appellee.

No. 64. H. Clay Pierce, plaintiff in error, *v.* The United States;

No. 65. H. Clay Pierce, plaintiff in error, *v.* The United States;

No. 66. Cornelius K. G. Billings, plaintiff in error, *v.* The United States;

No. 67. Cornelius K. G. Billings, plaintiff in error, *v.* The United States;

No. 623. The United States *v.* H. Clay Pierce;

No. 624. The United States *v.* H. Clay Pierce;

No. 625. The United States *v.* Cornelius K. G. Billings;

No. 626. The United States *v.* Cornelius K. G. Billings;

No. 627. The United States *v.* Roy A. Rainey;

No. 628. The United States *v.* Roy A. Rainey;

No. 629. The United States *v.* James Gordon Bennett;

No. 630. The United States *v.* James Gordon Bennett;

No. 631. The United States *v.* Harriet Goelet; and

No. 632. The United States *v.* Harriet Goelet. Motion to advance submitted by Mr. Solicitor General Davis for The United States.

No. 724. The Pacific Coast Steamship Company, claimant, etc., petitioner, *v.* M. Anderson; and

No. 725. The Pacific Coast Company, claimant, etc., petitioner, *v.* N. Jordan. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George W. Towle for the petitioners, and by Mr. William Denman for the respondents.

No. 756. First National Bank of Dexter, New York, petitioner, *v.* Edmund K. Fox. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Charles L. Frailey, Mr. A. S. Worthington, and Mr. Henry F. Woodard for the petitioner, and by Mr. J. J. Darlington for the respondent.

No. 602. Norfolk & Western Railway Co., petitioner, *v.* Cora E. Hauser, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Theodore W. Reath for the petitioner, and by Mr. Lindsay Patterson for the respondent.

No. 757. Benjamin F. Edwards, petitioner, *v.* Edmund K. Fox. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. W. W. Millan for the petitioner, and by Mr. J. J. Darlington for the respondent.

No. 477. Julian Munsuri, appellant, *v.* C. O. Lord, trustee, etc. Motion to quash writ of certiorari or place on the summary docket submitted by Mr. Charles T. Tittman in behalf of 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.

No. 753. Lumber Underwriters of New York et al., petitioners, *v.* O. C. Rife et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Robert Lee Bartels and Mr. Dent Minor for the petitioners.

No. 492. Wilson Cypress Company, appellant, *v.* Enrique del Pozo y Marcos et al. Motion to dismiss submitted by Mr. W. W. Dewhurst and Mr. Joseph H. Jones for the appellees in support of the motion, and by Mr. John C. Cooper for the appellant in opposition thereto.

No. 17. Marcelina Torres Zayas, appellant and plaintiff in error, *v.* Lothrop, Luce & Company et al. Appearance of the heirs of Pedro Juan Rosaly as parties appellees and defendants in error herein filed and entered on motion of Mr. Horace A. Dodge in behalf of counsel.

No. —. Charles Anderson, petitioner, *v.* William H. Moyer, warden, United States penitentiary at Atlanta, Ga. Motion for leave to file petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit in forma pauperis submitted by Mr. Lamar Hill for the petitioner.

No. 723. Philadelphia, Baltimore & Washington Railroad Co., petitioner, *v.* Southern Transportation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Shirley Carter for the petitioner.

No. 497. St. Paul Fire & Marine Insurance Co., petitioner, *v.* Hachiroyemon Mitsui et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Evans Browne in behalf of Mr. William Denman for the petitioner, and by Mr. Howard S. Harrington for the respondents.

No. 754. Grand Trunk Western Railway Company, petitioner, *v.* Gertrude Gilpin, administratrix, etc. 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. George W. Kretzinger and Mr. George W. Kretzinger, jr., for the petitioner, and by Mr. James C. McShane for the respondent.

No. 715. The City of St. Louis, petitioner, *v.* The Chicago House Wrecking Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Truman P. Young and Mr. William E. Baird for the petitioner.

No. 594. The City of St. Louis, petitioner, *v.* The National Surety Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Truman P. Young and Mr. William E. Baird for the petitioner, and by Mr. William C. Marshall for the respondent.

No. 70. George Welsch, plaintiff in error, *v.* Clement L. Riley, as auditor of Licking County, Ohio, et al. In error to the Supreme Court of the State of Ohio. Dismissed per stipulation, on motion of Mr. Frank Davis, jr., for the defendants in error.

No. 222. John W. Brown, plaintiff in error, *v.* Clement L. V. Holtz, as county treasurer, etc., et al. In error to the Supreme Court of the State of Ohio. Dismissed per stipulation, on motion of Mr. Frank Davis, jr., for the defendants in error.

No. 642. The Ohio River & Western Railway Co., appellant, *v.* Robert M. Dittey et al., as the Tax Commission of Ohio, et al.; and

No. 643. The Marietta, Columbus & Cleveland Railroad Company, appellant, *v.* David S. Creamer, treasurer of the State of Ohio, et al. Motions to advance submitted by Mr. Frank Davis, jr., for the appellees.

No. 748. J. S. Harrison and J. S. Harrison, as administrator of the estate of John Medley, deceased, petitioner, *v.* Elizabeth Foley. Petition for a writ of certiorari to the United States Circuit Court of

Appeals for the Eighth Circuit submitted by Mr. John Spaulding Flannery, Mr. F. D. McKenney, and Mr. W. S. Cowherd for the petitioner, and by Mr. W. F. Guthrie for the respondent.

No. 12. Thomas W. McComb, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Continued, per stipulation, on motion of Mr. John C. Gittings, in behalf of counsel.

No. 761. D. J. McDonald et al., petitioners, *v.* J. W. Pless et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. George H. Wright and Mr. Julius C. Martin for the petitioners, with leave to counsel for the respondent to file brief to-morrow.

No. 27. George A. Luria, appellant, *v.* The United States. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed. Opinion by Mr. Justice Van Devanter.

No. 352. The United States of America, plaintiff in error, *v.* Felipe Sandoval. In error to the District Court of the United States for the District of New Mexico. Judgment reversed, and cause remanded with directions to overrule the demurrer to the indictment and to proceed to the disposition of the case in regular course. Opinion by Mr. Justice Van Devanter.

No. 11. William J. Wood et al., appellants, *v.* Vandalia Railroad Company. Appeal from the Circuit Court of the United States for the District of Indiana. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Indiana with direction to dismiss the bill without prejudice. Opinion by Mr. Justice Hughes.

The Chief Justice announced the following orders of the Court:

No. —, Original. *Ex parte* In the matter of Assets Collecting Company, petitioner. Motion for leave to file petitions for writs of mandamus or certiorari denied.

No. —, Original. *Ex parte* In the matter of Young, Smythe Field Company, petitioner. Motion for leave to file petition for a writ of mandamus denied.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Leave granted to file stipulation, and cause continued to October term, 1916.

No. 700. Wells, Fargo & Company Express, plaintiff in error, *v.* D. W. Ford. Motion to amend writ of error granted.

No. 548. The United States of America, petitioner, *v.* Lexington Mill & Elevator Company. Motion to reassign granted, and case reassigned for argument on the first Monday in January next.

No. 415. Robert Russell, plaintiff in error, *v.* Charles E. Sebastian. Motion to advance granted, and case assigned for argument on the first Monday in January next.

No. 469. Mary Genevieve Pennell, administratrix, etc., plaintiff in error, *v.* Philadelphia & Reading Railway Company. Motion to place on the summary docket granted.

No. 538. The City of Louisville, Kentucky, appellant, *v.* The Comberland Telephone & Telegraph Company. Motion to advance for hearing with cases Nos. 11 and 12, Original, granted.

No. 590. The Atchison, Topeka & Santa Fe Railway Co. et al., appellants. *v.* The United States. Motion to advance granted, and case assigned for argument on the first Monday in December next.

No. 611. Stewart Mining Co., plaintiff in error, *v.* Ontario Mining Company et al. Motion to advance denied.

No. 535. William A. Wright, Comptroller General of the State of Georgia, petitioner, *v.* Louisville & Nashville Railroad Company et al. Petition for a cross writ of certiorari herein granted.

No. 709. The United States, petitioner, *v.* Nipissing Mines Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 711. James Sim, petitioner, *v.* William Edenborn; and

No. 712. Thomas P. Alder, petitioner, *v.* William Edenborn. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 578. Peter W. Reherd, receiver, etc., petitioner, *v.* The Coal & Iron Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 617. Toledo, St. Louis & Western Railroad Company, petitioner, *v.* Anna Perenchio. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 636. Cadillac Motor Car Co., petitioner, *v.* George W. Ray, judge, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 644. G. & C. Merriam Co., appellant, *v.* The Syndicate Publishing Company. Petition for writ of certiorari herein denied.

No. 694. Allen H. Walker, petitioner, *v.* Iowa Central Railway Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 695. Pacific Live Stock Company, petitioner, *v.* Silvie's River Irrigation Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 698. Francis P. B. Sands, petitioner, *v.* Henrietta S. Anderson. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 702. Henry Baetz, petitioner, *v.* Schoenlau-Kuckkuck Trunk Top & Veneer Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 703. Liberty Bell Gold Mining Co., petitioner, *v.* The Smuggler Union Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 705. David Allegar, petitioner, *v.* American Car & Foundry Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 706. Charles A. Davey, 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. 716. Millard F. Field, petitioner, *v.* Howard D. Colman. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 718. William W. Niles, administrator, etc., petitioner, *v.* The Ludlow Valve Mfg. Co. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 719. Riverside Heights Orange Growers' Association et al., petitioners, *v.* Fred Stebler. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 734. Cherokee Canning Extract Company et al., petitioners, *v.* George H. Leonard et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

Order. It is hereby ordered that James D. Maher be appointed clerk of this court in the place of James H. McKenney, deceased, and that he forthwith take the oath of office and give bond conditioned according to law.

The Chief Justice then said:

In entering the order appointing a clerk because of the death of Mr. McKenney, the court is unwilling to let the occasion pass without making some note on its records of the character of the services

rendered by Mr. McKenney to the court and the country for so long a time, and also without expressing for permanent record the sorrow which the members of the court feel at the loss which has been occasioned by the death of Mr. McKenney. Mr. McKenney became connected with the work of the court as far back as 1858, first as a junior clerk, then as acting deputy, then, when the statute authorized it, as the deputy clerk; and finally, in 1880, upon the death of Mr. Middleton, he became clerk of the court. During all that long period of more than 50 years, with diligence, with fidelity, and with honor, he served the court and the country. The consolation at his loss to the court and the country is this: That no one can look over the period of time during which he served and consider the grave subjects with which the court dealt during that time, and with reference to which the clerk was called upon within his sphere of duty to act, and deny that the effect of those services so faithfully rendered redounded to the benefit of the people of the country and to the preservation of our constitutional system of government which remains as the safeguard of every right and the guaranty of the liberties of all. The consolation of those united to him by ties of kindred and personal affection is that they have the heritage of a long, virtuous, and well-spent life which, if contemplated in the light of faith, brings to them the assurance that its rectitude finds place on the minutes of that court of everlasting and infinite power to which all human conduct must come for ultimate judgment; and that that record affords ground for faith to believe that the one whose loss they deplore is gone to his everlasting reward.

No. 160. Manhattan Life Insurance Company of New York et al., plaintiffs in error, *v.* David Cohen, independent executor, etc. Motion to affirm and for damages submitted by Mr. Wilmer S. Hunt for the defendant in error in support of the motion, and by Mr. W. J. Moroney for the plaintiffs in error in opposition thereto.

No. 191. A. Straus, appellant, *v.* W. L. Foxworth. Submitted by Mr. William C. Reid for the appellant, and by Mr. Harry H. McElroy for the appellee, pursuant to the twentieth rule.

No. 459. The National City Bank of New York, appellant, *v.* Henry D. Hotchkiss, as trustee, etc., et al.; and

No. 460. Henry D. Hotchkiss, as trustee, etc., et al., appellants, *v.* The National City Bank of New York. Argument continued by Mr. John A. Garver for The National City Bank of New York, by Mr. Abram I. Elkus for Hotchkiss, as trustee, and concluded by Mr. John A. Garver for The National City Bank of New York.

No. 446. The Mechanics & Metals National Bank of the City of New York et al., appellants, *v.* Irving L. Ernst et al., as trustees,

etc. Argument commenced by Mr. Lewis H. Freedman for the appellant, and continued by Mr. Daniel P. Hayes for the appellees, and concluded by Mr. Lewis H. Freedman for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 21, will be as follows: Nos. 457, 165, 466 (and 467), 168 (and 169), 153, 378, 419, 502, 401, 503, 382, 439, 511 (and 550), 539, 546, 567, 568, 571, and 257.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 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.

Walter C. Owen, of Maiden Rock, Wis.; and James A. Frear, of Hudson, Wis., were admitted to practice.

No. 4. Charles Maibaum, appellant, *v.* The United States. Passed, per stipulation, on motion of Mr. Elijah N. Zoline for the appellant.

No. —. Carl Oliver, plaintiff in error, *v.* The State of Texas. Motion for leave to docket cause and proceed in forma pauperis submitted by Mr. Evans Browne, in behalf of counsel for the plaintiff in error.

No. 575. The Glenwood Light & Water Company, appellant, *v.* The Town of Glenwood Springs. Motion to dismiss or affirm submitted by Mr. John A. Rush for the appellees in support of the motion, and by Mr. William H. Bryant, Mr. George L. Nye, and Mr. William P. Malburn for the appellant in opposition thereto. Petition for a writ of certiorari submitted by Mr. William H. Bryant, Mr. George L. Nye, and Mr. William P. Malburn in support of the petition, and by Mr. John A. Rush in opposition thereto.

No. 457. Stratton's Independence, Ltd., *v.* F. W. Howbert, collector of internal revenue, etc. Argued by Mr. William V. Hodges for Stratton's Independence, Ltd., and by Mr. Assistant Attorney General Graham for Howbert, collector. Leave granted to counsel for the collector to file an additional brief in five days.

No. 165. Albert B. Cameron, petitioner, *v.* The United States. Argued by Mr. Howard S. Gans for the petitioner, and by Mr. Assistant Attorney General Denison for the respondent.

No. 466. The United States, petitioner, *v.* Frederick W. Whitridge, as receiver, etc., et al.; and

No. 467. The United States, petitioner, *v.* Adrian H. Joline et al., as receivers, etc. Argued by Mr. Assistant Attorney General Gra-

ham for the petitioner, by Mr. Joseph H. Choate, jr., for the respondents in No. 466, and by Mr. Arthur H. Masten for the respondent in No. 467.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 22, will be as follows: Nos. 503, 153, 378, 419, 502, 401, 168 (and 169), 382, 439, 511 (and 550), 539, 546, 567, 568, 571, and 257.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 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.

John E. Egan, of Dayton, Ohio; G. Bibb Jacobs, of Nashville, Tenn.; Albert L. Vogl, of Denver, Colo.; and Albert S. Brooks, of Denver, Colo.; were admitted to practice.

No. 503. The United States, petitioner, *v.* James B. Regan. Argued by Mr. Assistant Attorney General Denison for the petitioner, and by Mr. David L. Podell for the respondent.

No. 153. Chino Lee, plaintiff in error, *v.* The United States. Submitted by Mr. Allison D. Gibbs for the plaintiff in error, and by Mr. Assistant Attorney General Denison for the defendant in error.

No. 378. The United States, plaintiff in error, *v.* Samuel E. Moist. Submitted by Mr. Assistant Attorney General Denison for the plaintiff in error, and by Mr. Roy D. Keehn for the defendant in error.

No. 419. The Eastern Extension Australasia & China Telegraph Company, Ltd., appellant, *v.* The United States. Argued by Mr. Louis Marshall for the appellant, and by Mr. Assistant Attorney General Thompson for the appellee.

No. 502. C. M. Summers, petitioner, *v.* The United States. Argument commenced by Mr. Albert Fink for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 23, will be as follows: Nos. 502, 401, 168 (and 169), 382, 439, 511 (and 550), 539, 546, 567, 568, 571, and 257.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 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.

Charles E. Morgan, 3d, of Philadelphia, Pa.; Charles B. Brophy, of New York City; Robert B. Franklin, of Frankfort, Ky.; John H. Perry, of Seattle, Wash.; and Lawrence C. Kingsland, of St. Louis, Mo., were admitted to practice.

No. 502. C. M. Summers, petitioner, *v.* The United States. Argument continued by Mr. Assistant Attorney General Adkins for the respondent and concluded by Mr. Albert Fink for the petitioner.

No. 401. Thomas R. Marshall, as governor of the State of Indiana, et al., plaintiffs in error, *v.* John T. Dye. Argued by Mr. Frank E. Robey and Mr. Dan W. Simms for the plaintiffs in error, and by Mr. Addison C. Harris for the defendant in error.

No. 168. Charles Wilson, alias Charles Willard, plaintiff in error, *v.* The United States; and

No. 169. Catherine Wilson, alias Zoe Willard, plaintiff in error, *v.* The United States. Submitted by Mr. Elijah N. Zoline for the plaintiffs in error, and by Mr. Assistant Attorney General Denison for the defendant in error.

No. 382. Grand Trunk Railway Company of Canada et al., appellants, *v.* Michigan Railroad Commission et al. Argument commenced by Mr. George W. Kretzinger, jr., for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 24, will be as follows: Nos. 382, 439, 511 (and 550), 539, 546, 567, 568, 571, 257, 2, and 3.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 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.

Frank Kenna, of New Haven, Conn.; Edward T. Clark, of Sheridan, Wyo.; and Wylie M. Barrow, of Baton Rouge, La., were admitted to practice.

No. 146. Union Pacific Railroad Co., appellant, *v.* The Denver, Laramie & Northwestern Railway Co. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed with costs, on motion of Mr. A. A. Hoehling, jr., for the appellant.

No. 51. St. Louis Gunning & Advertising Company, plaintiff in error, *v.* City of St. Louis et al. In error to the Supreme Court of the State of Missouri. Dismissed per stipulation.

No. 382. Grand Trunk Railway Co. of Canada et al., appellants, *v.* Michigan Railroad Commission et al. Argument continued by Mr. George W. Kretzinger, jr., for the appellants, by Mr. Hal H. Smith for the appellees, and concluded by Mr. George W. Kretzinger, jr., for the appellants.

No. 439. The Missouri, Kansas & Texas Railway Co. of Texas et al., petitioners, *v.* The United States. Submitted by Mr. Joseph M. Bryson and Mr. Cecil H. Smith for the petitioners, and by Mr. Assistant Attorney General Denison for the respondent.

No. 550. William C. McBride, individually and as president, etc., et al., appellants, *v.* The United States. Advanced to be heard with No. 511, on motion of Mr. Howard Taylor for the appellants.

No. 511. The Eastern States Retail Lumber Dealers' Association et al., appellants, *v.* The United States; and

No. 550. William C. McBride, individually and as president, etc., et al., appellants, *v.* The United States. Four and a quarter hours allowed for the argument of these cases. Argument commenced by Mr. A. B. Cruikshank for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 27, will be as follows: Nos. 511 (and 550), 539, 546, 567 (and 568), 571, 257, 2, 3, 5, and 7.



SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 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.

Noah H. Swayne, 2d, of Philadelphia, Pa.; James E. Gresham, of Wewoka, Okla.; Harvey H. Smith, of Shawnee, Okla.; James E. Trask, of St. Paul, Minn.; Alton M. Cates, of Los Angeles, Cal.; William L. McCormick, of Tacoma, Wash.; A. Orestes Ciccarelli, of Hoboken, N. J.; Frederick J. Stuhr, of Jersey City, N. J.; and Robert C. Bacon, of Brattleboro, Vt., were admitted to practice.

The Chief Justice announced the following orders of the court:

No. ——. Charles Anderson, petitioner, William H. Moyer, warden of the United States Penitentiary at Atlanta, Ga. Motion for leave to file petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit and to proceed in forma pauperis denied.

No. ——. Carl Oliver, plaintiff in error, *v.* The State of Texas. Motion for leave to docket cause and proceed in forma pauperis denied.

No. 493. Yoshiro Nakayama, appellant, *v.* W. R. Mansfield, immigration inspector, etc. Motion to place on the summary docket granted.

Nos. 64 and 65. H. Clay Pierce, plaintiff in error, *v.* The United States;

Nos. 66 and 67. Cornelius K. G. Billings, plaintiff in error, *v.* The United States;

Nos. 73 and 74. Roy A. Rainey, plaintiff in error, *v.* The United States;

Nos. 623 and 624. The United States *v.* H. Clay Pierce;

Nos. 625 and 626. The United States *v.* Cornelius K. G. Billings;

Nos. 627 and 628. The United States *v.* Roy A. Rainey;

Nos. 629 and 630. *The United States v. James Gordon Bennett*; and Nos. 631 and 632. *The United States v. Harriet Goelet*.

Motion to advance granted, and cases assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

No. 642. *The Ohio River & Western Railway Company*, appellant, *v. Robert M. Ditty et al.*, as *The Tax Commission of Ohio et al.*; and

No. 643. *The Marietta, Columbus & Cleveland Railroad Company*, plaintiff in error, *v. David S. Creamer, treasurer, etc., et al.* Motions to advance granted, and cases assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

No. 477. *Julian Munsuri*, appellant, *v. C. O. Lord*, trustee, etc. Motion to quash the writ of certiorari or to place on the summary docket denied.

No. 160. *Manhattan Life Insurance Company of New York et al.*, plaintiffs in error, *v. David Cohen*, independent executor, etc. Motion to affirm and for damages denied.

No. 492. *Wilson Cypress Company*, appellant, *v. Enrique del Pozo y Marcos et al.* Motion to dismiss postponed to the hearing on the merits.

No. 296. *Bluefields Steamship Company, Limited, et al.*, appellants, *v. Frederick M. Steele et al.* Motion to dismiss or affirm postponed to the hearing on the merits.

No. 753. *Lumber Underwriters of New York et al.*, petitioners, *v. O. C. Rife et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 761. *D. J. McDonald et al.*, petitioners, *v. J. W. Pless et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 497. *St. Paul Fire & Marine Insurance Co.*, petitioner, *v. Hachiroyemon Mitsui et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 594. *The City of St. Louis*, petitioner, *v. The National Surety Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 602. *Norfolk & Western Railway Company*, petitioner, *v. Cora E. Hauser*, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 715. *The City of St. Louis*, petitioner, *v. The Chicago House Wrecking Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 723. Philadelphia, Baltimore & Washington Railroad Co., petitioner, *v.* Southern Transportation Co. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 724. The Pacific Coast Steamship Co., Ltd., claimant, etc., petitioner, *v.* M. Anderson; and

No. 725. The Pacific Coast Co., claimant, etc., petitioner, *v.* N. Jordan. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 748. J. S. Harrison et al., petitioners, *v.* Elizabeth Foley. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 754. Grand Trunk Western Railway Company, petitioner, *v.* Gertrude Gilpin, administratrix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 756. First National Bank of Dexter, New York, petitioner, *v.* Edmund K. Fox. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 757. Benjamin F. Edwards, petitioner, *v.* Edmund K. Fox. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 575. The Glenwood Light & Water Co., appellant, *v.* The Town of Glenwood Springs. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: Appeal dismissed. *Press Pub. Co. v. Monroe* (164 U. S., 105, 111-112); *Defiance Water Co. v. Defiance* (191 ib., 184, 191); *Shulthis v. McDougal* (225 ib., 561); *Joplin v. Southwest Missouri Light Co.* (191 U. S., 150, 157); *Knoxville Water Co. v. Knoxville* (200 ib., 22); *Swope v. Leffingwell* (105 U. S., 3-4).

No. 575. The Glenwood Light & Water Company, petitioner, *v.* The Town of Glenwood Springs. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 153. Chino Lee, plaintiff in error, *v.* The United States. In error to the Supreme Court of the Philippine Islands: *Per curiam*: Judgment affirmed. *Mugler v. Kansas* (123 U. S., 623, 659-663); *Holden v. Hardy* (169 U. S., 366); *Louisville & Nashville Railroad Co. v. F. W. Cook Brewing Co.* (223 U. S., 70, 82); *Price v. United States* (165 U. S., 311).

No. 584. Henry C. King, appellant, *v.* U. B. Buskirk, trustee, et al. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. *Per curiam*: Dismissed for the want of jurisdiction.

Fay v. Crozer (217 U. S., 455, 456, and cases cited) ; *Farrell v. O'Brien* (199 U. S., 100) ; *Waters-Pierce Oil Co. v. Texas* (212 U. S., 112, 117-118).

Order. On the application of the clerk, pursuant to section 221 of the judicial code, it is ordered that Henry C. McKenney be, and he is hereby, appointed deputy clerk of this court.

No. 8. Joanna Little, plaintiff in error, *v. J. J. Williams et al.* Leave granted to file suggestion herein on behalf of the United States as *amicus curiæ*, on motion of Mr. Solicitor General Davis for the United States.

No. 82. Chapman & Dewey Lumber Company et al., plaintiffs in error, *v. The Board of Directors St. Francis Levee District.* Leave granted to file suggestion herein on behalf of the United States as *amicus curiæ*, on motion of Mr. Solicitor General Davis for the United States.

No. 520. Pacific Creosoting Company, plaintiff in error, *v. The United States.* Motion to dismiss or affirm submitted by Mr. Solicitor General Davis and Mr. Assistant Attorney General Adkins for the defendant in error in support of the motion, and by Mr. George E. de Steiguer for the plaintiff in error in opposition thereto.

No. 710. The United States, plaintiff in error, *v. Hardaway Young.* Motion to amend writ of error submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 710. The United States, plaintiff in error, *v. Hardaway Young.* Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 727. The United States, plaintiff in error, *v. Willis N. Bird-sall* ;

No. 728. The United States, plaintiff in error, *v. Thomas E. Brents* ; and

No. 729. The United States, plaintiff in error, *v. Everett E. Van Wert.* Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 640. Samuel Gompers et al., plaintiffs in error and appellants, plaintiffs in error, *v. The United States.* Motion to advance submitted by Mr. Jackson H. Ralston for the plaintiffs in error and appellants.

No. 760. Robert C. Bacon et al., Public Service Commission of Vermont, appellants, *v. Rutland Railroad Company.* Motion to advance submitted by Mr. Robert C. Bacon for the appellants.

No. 766. John A. S. Brown et al., petitioners, *v.* Austin B. Fetcher, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Monroe Bulkley, in behalf of Mr. Charles H. Burr for the petitioners, and by Mr. William P. S. Melvin for the respondents.

No. 688. John Roney et al., plaintiffs in error, *v.* H. J. Van Ness. Motion to dismiss submitted by Mr. Theodore A. Bell for the defendant in error in support of the motion.

No. 762. American Bell Telephone Company, petitioner, *v.* Western Union Telegraph Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Charles H. Swan, Mr. John C. Gray, and Mr. Frederick P. Fish for the petitioner, and by Mr. J. H. Benton and Mr. Rush Taggart for the respondent.

No. 423. Frank Guinn and J. J. Beal *v.* The United States. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. W. L. Marbury, in that behalf.

No. 732. Emiel T. Palmenberg et al., petitioners, *v.* W. S. Butler & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. A. R. Serven, in behalf of Mr. Harvey H. Pratt for the petitioners, and by Mr. Charles F. Choate, jr., Mr. Frederick H. Nash, and Mr. Boyd B. Jones for the respondent.

No. 733. Morris Blackstone et al., petitioners, *v.* Everybody's Store, Inc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. A. R. Serven, in behalf of Mr. Harvey H. Pratt for the petitioners, and by Mr. Charles F. Choate, jr., Mr. Frederick H. Nash, and Mr. Boyd B. Jones for the respondent.

No. 622. Hartford Life Insurance Co., Hartford, Conn., plaintiff in error, *v.* Eliza Ibs. Motion to dismiss or affirm and for damages and interest submitted by Mr. Frederick S. Tyler, in behalf of Mr. C. D. O'Brien for the defendant in error in support of the motion, and by Mr. James C. Jones for the plaintiff in error in opposition thereto.

No. 764. Ellen Connelley, administratrix, etc., petitioner, *v.* Pennsylvania Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit, submitted by Mr. Frederick S. Tyler in behalf of Mr. Francis Rawle for the petitioner.

No. 2. Juan M. Ceballos and John M. Fiske *v.* Anderson C. Wilson. Passed, per stipulation of counsel, on motion of Mr. Evans Browne in their behalf.

No. 306. Emilia Alzua et al., plaintiffs in error, *v.* E. Finley Johnson. Motion to affirm submitted by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Britton, and Mr. W. A. Kincaid for the defendant in error in support of the motion, and by Mr. Henry W. Van Dyke, Mr. Charles A. Douglas, and Mr. H. H. Obear for the plaintiffs in error in opposition thereto.

No. 221. William S. Lovell, as trustee in bankruptcy, etc., plaintiff in error, *v.* Henry Hentz & Company et al. Motion to dismiss or affirm submitted by Mr. Phelan Beale for the defendants in error in support of the motion, and by Mr. Walker Percy for the plaintiff in error in opposition thereto.

No. 413. John Zeller, plaintiff in error, *v.* The State of New Jersey. Motion to dismiss or affirm submitted by Mr. Robert H. McCarter, Mr. Edmund Wilson, and Mr. Pierre P. Garven for the defendant in error in support of the motion, and by Mr. Marshall Van Winkle and Mr. Gilbert Collins for the plaintiff in error in opposition thereto.

No. 113. James Talcott, appellant, *v.* Alfred E. Ommen, as trustee, etc.; and

No. 114. Alfred E. Ommen, as trustee, etc., appellant, *v.* James Talcott. Appeals from the United States Circuit Court of Appeals for the Second Circuit. Dismissed without costs to either party, per stipulation of counsel.

No. 511. The Eastern States Retail Lumber Dealers Association et al., appellants, *v.* The United States; and

No. 550. William C. McBride, individually and as president, etc., et al., appellants, *v.* The United States. Argument continued by Mr. A. B. Cruikshank for the appellants in No. 511, and by Mr. Assistant to the Attorney General Todd for The United States, and concluded by Mr. Howard Taylor for the appellants in No. 550.

No. 539. The Atchison, Topeka & Santa Fe Railway Co. et al., appellants, *v.* The United States et al. Four hours allowed for argument, on motion of Mr. Robert Dunlap for the appellants. Argument commenced by Mr. Robert Dunlap for the appellants, and continued by Mr. Blackburn Esterline for The United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 28, will be as follows: Nos. 539, 546, 567 (and 568), 571, 257, 3, 5, 7, 8, and 9 (and 10).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 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.

J. O. Henson, of Martinsburg, W. Va., was admitted to practice.

No. 539. The Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* The United States et al. Argument continued by Mr. Blackburn Esterline for The United States, by Mr. William E. Lamb for the intervenors, by Mr. P. J. Farrell for the Interstate Commerce Commission, and concluded by Mr. C. W. Durbrow for the appellants.

No. 546. Mayor and Aldermen of the City of Vicksburg, appellants, *v.* W. A. Henson, receiver, etc., et al. Argued by Mr. Edgar H. Farrar for the appellees, and submitted by Mr. T. C. Catchings, Mr. O. W. Catchings, and Mr. George Anderson for the appellants.

No. 567. Houston East & West Texas Railway Company et al., appellants, *v.* The United States et al.; and

No. 568. The Texas & Pacific Railway Company et al., appellants, *v.* The United States et al. Argument commenced by Mr. H. M. Garwood for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 29, will be as follows: Nos. 567 (and 568), 571, 257, 3, 5, 7, 8, 9 (and 10), 13, and 14.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 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. 736. Ruth Kramer, petitioner, *v.* E. W. Kramer. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. O. Bacon for the petitioner, and by Mr. Edgar Watkins for the respondent.

No. 567. Houston East & West Texas Railway Company et al., appellants, *v.* The United States et al.; and

No. 568. The Texas & Pacific Railway Company et al., appellants, *v.* The United States et al. Argument continued by Mr. H. M. Garwood for the appellants, and by Mr. R. G. Pleasant and Mr. Luther M. Walter for the intervenors, by Mr. Assistant Attorney General Denison for the United States, by Mr. P. J. Farrell for the Interstate Commerce Commission, and concluded by Mr. H. M. Garwood for the appellants.

No. 571. The Kansas City Southern Railway Company, appellant, *v.* The United States et al. Argument commenced by Mr. Samuel Untermyer for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 30, will be as follows: Nos. 571, 257, 3, 5, 7, 8, 9 (and 10), 13, 14, and 15.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 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.

Edwin W. Senior, of Salt Lake City, Utah; Howard C. Hopson, of Madison, Wis.; and Archibald Palmer, of New York City, were admitted to practice.

No. 15. The People of Porto Rico, appellant, *v.* Pierre Emanuel, Baron de Laurens d'Oiselay. Passed on account of sickness of counsel for the appellee, on motion of Mr. Felix Frankfurter for the appellant.

No. 571. The Kansas City Southern Railway Company, appellant, *v.* The United States et al. Argument continued by Mr. Samuel Untermyer for the appellant, by Mr. Charles W. Needham for the Interstate Commerce Commission, by Mr. Assistant Attorney General Denison for the United States, and concluded by Mr. Samuel Untermyer for the appellant.

No. 257. The United States, petitioner, *v.* Twenty-five Packages of Panama Hats, etc. Argued by Mr. Assistant Attorney General Adkins for the petitioner, and by Mr. Albert H. Washburn for the respondent.

No. 3. The Mayor and Aldermen of the City of Vicksburg, appellants, *v.* Vicksburg Water Works Company. Submitted by Mr. T. C. Catchings, Mr. O. W. Catchings, and Mr. George Anderson for the appellants, and by Mr. Joseph Hirsh and Mr. J. C. Bryson for the appellee.

No. 5. Luciano Chavez et al., appellants, *v.* Eloisa Luna de Bergere et al. Submitted by Mr. A. B. Renahan for the appellants, and by Mr. T. B. Catron for the appellees.

No. 7. Annie Lapina, petitioner, *v.* William Williams, Commissioner of Immigration. Passed temporarily, on motion of Mr. William Hawkins for the petitioner.

No. 8. Joanna Little, plaintiff in error, *v.* J. J. Williams et al. Submitted by Mr. Henry Craft for the plaintiff in error. No counsel appeared for the defendants in error.

No. 9. New Louisville Jockey Club et al., plaintiffs in error, *v.* The City of Oakdale et al.; and

No. 10. Lennox Land Company, plaintiff in error, *v.* City of Oakdale et al. Submitted by Mr. W. H. Field and Mr. Bernard Flexner for the plaintiffs in error, with leave to counsel for the defendants in error to file brief on or before November 5.

No. 13. George E. Tinker, plaintiff in error, *v.* Midland Valley Mercantile Company. Submitted by Mr. Charles H. Merillat for the plaintiff in error. No appearance for the defendant in error.

No. 14. Otto Monson, plaintiff in error, *v.* S. J. Simonson. Submitted by Mr. Moses E. Clapp, in behalf of Mr. M. D. Munn for the plaintiff in error, with leave to file brief within 10 days. No appearance for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 31, will be as follows: Nos. 16 (and 421), 17, 20, 28 (and 158), 32, 33, 34, 35 (and 36), 38, and 40.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 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.

Francis C. McMillin, of New York City, and Cleves Kinkead, of Louisville, Ky., were admitted to practice.

No. 16. The Detroit United Railway, plaintiff in error, *v.* The People of the State of Michigan; and

No. 421. The Detroit United Railway, plaintiff in error, *v.* The City of Detroit. Continued per stipulation of counsel.

No. 32. The Singer Manufacturing Company, appellant, *v.* Wirt Adams, State revenue agent of Mississippi, et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs, on joint motion of counsel for both parties.

No. 17. Marcelina Torres Zayas, appellant and plaintiff in error, *v.* Lothrop, Luce & Company et al. Argued by Mr. C. M. Boerman for the appellant and plaintiff in error, and by Mr. Malcolm Donald for the appellees and defendants in error.

No. 20. Frances A. Miedreich, plaintiff in error, *v.* Constanze Lauenstein. Argued by Mr. L. T. Michener for the defendant in error, and submitted by Mr. George K. Denton for the plaintiff in error.

No. 28. The Pullman Company, appellant, *v.* W. V. Knott, comptroller of the State of Florida; and

No. 158. The Pullman Company, appellant, *v.* W. V. Knott, as comptroller of the State of Florida, et al. Argument commenced by Mr. Frank B. Kellogg for the appellant, and continued by Mr. T. F. West for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 3, will be as follows: Nos. 28 (and 158), 33, 34, 35 (and 36), 38, 40, 41 (and 42), 43, 44, and 45.



SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 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 W. Aitken, of San Francisco, Cal.; Tom Williams, of Siloam Springs, Ark.; John W. Price, of Bristol, Va.; Henry M. Wise, of New York City; John C. Davant, of Brooksville, Fla.; and Charles Harwood Morris, of Frankfort, Ky., were admitted to practice.

No. 30. Baltic Mining Co., plaintiff in error, *v.* Commonwealth of Massachusetts. In error to the Supreme Judicial Court of the State of Massachusetts; and

No. 353. S. S. White Dental Mfg. Co., plaintiff in error, *v.* Commonwealth of Massachusetts. In error to the Supreme Judicial Court of the State of Massachusetts. Judgments affirmed with costs. Opinion by Mr. Justice Day. Dissenting: Mr. Chief Justice White, Mr. Justice Van Devanter, and Mr. Justice Pitney.

No. 459. The National City Bank of New York, appellant, *v.* Henry D. Hotchkiss, as trustee, etc., et al.; and

No. 460. Henry D. Hotchkiss, as trustee, etc., et al., appellants, *v.* The National City Bank of New York. Appeals from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed, each party to pay their own costs, and case remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Holmes.

No. 446. The Mechanics & Metals National Bank of the city of New York, appellant, *v.* Irving L. Ernst et al., as trustee, 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. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 516. *M. V. Kirkpatrick, appellant, v. Wyatt A. Harnesberger, trustee, etc.* Appeal from the District Court of the United States for the Southern District of Georgia. Per curiam: Dismissed for the want of jurisdiction. *Merritt v. Bowdoin College* (169 U. S., 551, 556).

No. 539. *The Atchison, Topeka & Santa Fe Ry. Co. et al., appellants, v. The United States et al.* Appeal from the United States Commerce Court. Per curiam: Decree affirmed on the authority of *Illinois Central Railroad Company v. Interstate Commerce Commission* (206 U. S., 454), and cases cited; *Chicago, Rock Island & Pacific Ry. Co. v. Interstate Commerce Commission* (218 U. S., 88, 110); *Proctor & Gamble Co. v. United States* (225 U. S., 282, 297-298); *Interstate Commerce Commission v. Louisville & Nashville R. R. Co.* (227 U. S., 88, 91).

No. 688. *John Roney et al., plaintiffs in error, v. H. J. Van Ness.* In error to the Supreme Court of the State of California. Per curiam: Dismissed for the want of jurisdiction. Revised Statutes, section 1008; *Allen v. Southern Pacific R. R. Co.* (173 U. S., 479, 484); *Aspen Min. & Smelting Co. v. Billings* (150 U. S., 31, 36); *Scarborough v. Pargoud* (108 U. S., 567).

No. 520. *Pacific Creosoting Co., plaintiff in error, v. The United States.* In error to the United States Circuit Court of Appeals for the Ninth Circuit. Per curiam: Dismissed for the want of jurisdiction. *Anglo-Californian Bank v. United States* (175 U. S., 37); *Macfadden v. United States* (213 U. S., 288, 294).

No. 413. *John Zeller, plaintiff in error v. The State of New Jersey.* In error to the Court of Errors and Appeals of the State of New Jersey. Per curiam: Dismissed for the want of jurisdiction. *Hurtado v. California* (110 U. S., 516); *Maxwell v. Dow* (176 U. S., 581, 584); *Twining v. New Jersey* (211 U. S., 78); *Farrell v. O'Brien* (199 U. S., 89, 100).

No. 221. *William S. Lovell, as trustee in bankruptcy, etc., plaintiff in error, v. Henry Hentz & Company et al.* In error to the United States Circuit Court of Appeals for the Fifth Circuit. Per curiam: Dismissed for the want of jurisdiction. *Lovell v. Newman* (227 U. S., 412).

No. 710. *The United States, plaintiff in error, v. Hardaway Young.* Motion to amend writ of error granted.

No. 640. *Samuel Gompers et al., plaintiffs in error and appellants, v. The United States.* Motion to advance granted, and case assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

No. 710. The United States, plaintiff in error, *v.* Hardaway Young. Motion to advance granted, and case assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

No. 727. The United States, plaintiff in error, *v.* Willis N. Bird-sall;

No. 728. The United States, plaintiff in error, *v.* Thomas E. Brents; and

No. 729. The United States, plaintiff in error, *v.* Everett E. Van Wert. Motion to advance granted, and cases assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

No. 760. Robert C. Bacon et al., Public Service Commission of Vermont, appellants, *v.* Rutland Railroad Company. Motion to advance granted, and case assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

No. 622. Hartford Life Insurance Co., Hartford, Conn., plaintiff in error, *v.* Eliza Ibs. Motion to dismiss or affirm and for damages and interest postponed to the hearing on the merits.

No. 764. Ellen Connolly, administratrix, etc., petitioner, *v.* Pennsylvania Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted, and case placed on the summary docket.

No. 766. John A. S. Brown et al., etc., petitioners, *v.* Austin B. Fletcher, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 732. Emiel T. Palmenberg et al., petitioners, *v.* W. S. Butler & Company; and

No. 733. Morris Blackstone et al., petitioners, *v.* Everybody's Store, incorporated, et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 736. Ruth Kramer, petitioner, *v.* E. W. Kramer. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

Order. It is ordered by the court that the cases heretofore placed on the summary docket, viz: Nos. 272, 472, 544, 461, 589, 109, 469, 493, and 764, be, and they are hereby, assigned for argument on Monday, December 1 next, after the case heretofore assigned for that day.

No. 585. Belva A. Lockwood, petitioner, *v.* Frank M. Rucker, administrator, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Isaac R. Hitt and Mr. Richard P. Evans for the petitioner.

No. 770. The Carborundum Company, petitioner, *v.* The Electric Smelting & Aluminum Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Philander C. Knox for the petitioner, and by Mr. Francis C. McMillin for the respondent.

No. 3, Original. The People of the State of New York, complainants, *v.* The State of New Jersey et al. Leave granted to file the report of the commissioner and the testimony and exhibits herein, on motion of Mr. Frederick S. Tyler, in behalf of the commissioner.

No. 768. City Water Company of Chillicothe, petitioner, *v.* The City of Chillicothe. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Morgan M. Mann, Mr. James H. Harkless, and Mr. Clifford Histed for the petitioner, and by Mr. Joseph J. Russell for the respondent.

No. 35. Patrick Collins, plaintiff in error, *v.* The Commonwealth of Kentucky; and

No. 36. Thomas Malone, plaintiff in error, *v.* The Commonwealth of Kentucky. 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. Charles H. Morris for the defendant in error.

No. 769. Annie F. Craig, administratrix, etc., petitioner, *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. Chauncey Hackett and Mr. Frank W. Hackett for the petitioner and by Mr. Holmes Conrad and Mr. Leigh Robinson for the respondent.

No. 54. Sturges & Burns Mfg. Co., plaintiff in error, *v.* Arthur Beauchamp. Submitted pursuant to the twentieth rule by Mr. A. W. Bulkley and Mr. C. E. More for the plaintiff in error and by Mr. George E. Gorman for the defendant in error.

No. 641. John R. Buchser, appellant, *v.* Annie Buchser et al., etc. Submitted pursuant to the twentieth rule by Mr. F. M. Dudley and Mr. W. E. Cullen for the appellant and by Mr. Frank T. Post and Mr. B. B. Adams for the appellees.

No. 43. R. H. Downman, plaintiff in error, *v.* The State of Texas. Submitted by Mr. Robert L. Batts for the plaintiff in error and by Mr. B. F. Looney for the defendant in error.

No. 28. The Pullman Company, appellant, *v.* W. V. Knott, comptroller of the State of Florida; and

No. 158. The Pullman Company, appellant, *v.* W. V. Knott, comptroller of the State of Florida, et al. Argument continued by Mr. T. F. West for the appellees and concluded by Mr. Frank P. Kellogg for the appellant.

No. 33. The Ætna Life Insurance Company, petitioner, *v.* John T. Moore, administrator, etc. Argument commenced by Mr. A. L. Miller for the petitioner, continued by Mr. Jesse Harris and Mr. Minter Wimberly for the respondent, and concluded by Mr. A. L. Miller for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 4, will be as follows: Nos. 34, 38, 40, 41 (and 42), 44, 45, 46, 47, 48, and 49.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 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.

John C. Bell, of Philadelphia, Pa., and Eugene B. Strassburger, of Pittsburgh, Pa., were admitted to practice.

No. 750. *The United States v. The Midwest Oil Company*. Motion to advance and to bring up the whole record submitted by Mr. Solicitor General Davis for The United States.

No. 49. Henry C. Loeb, trustee in bankruptcy of the Block Mercantile Company, appellant, *v. Germania Savings Bank & Trust Company*. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. Dismissed with costs, pursuant to the tenth rule.

No. 34. Ben F. Harrison, secretary of state of the State of Oklahoma, appellant, *v. St. Louis & San Francisco Railroad Company*. Submitted by Mr. Charles West for the appellant, and by Mr. W. F. Evans and Mr. E. T. Miller for the appellee.

No. 38. Joseph Patsone, plaintiff in error, *v. The Commonwealth of Pennsylvania*. Argument commenced by Mr. Marcel A. Viti for the plaintiff in error, continued by Mr. John C. Bell and Mr. William M. Hargest for the defendant in error, and concluded by Mr. Marcel A. Viti for the plaintiff in error.

No. 40. Frank A. Munsey, plaintiff in error, *v. Wesley Webb*, administrator, etc. Argument commenced by Mr. Charles A. Douglas for the plaintiff in error and continued by Mr. Arthur Peter for the defendant in error and by Mr. John W. Price for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 5, will be as follows: Nos. 40, 41 (and 42), 44, 45, 46, 47, 48, 50, 52, and 53.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 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.

Chester W. Whitmore, of Ottumwa, Iowa, was admitted to practice.

No. 53. Elvira Fernandez Blanco et al., appellants, *v.* Jose Antonio Fernandez y Perez et al. Appeal from the District Court of the United States for Porto Rico. Dismissed with costs, pursuant to the tenth rule.

No. 40. Frank A. Munsey, plaintiff in error, *v.* Wesley Webb, administrator, etc. Argument concluded by Mr. John W. Price for the plaintiff in error.

Nos. 41 and 42. Daniel W. Baker, plaintiff in error, *v.* Brainerd H. Warner. Argument commenced by Mr. Frank J. Hogan for the plaintiff in error, continued by Mr. W. C. Sullivan and Mr. J. J. Darlington for the defendant in error, and concluded by Mr. Henry E. Davis for the plaintiff in error.

No. 44. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* Oliver Letot. Submitted by Mr. J. M. Bryson for the plaintiff in error. No counsel appeared for the defendant in error.

No. 45. Laura Wheeler et al., executors, etc., plaintiffs in error, *v.* William 'Sohmer, comptroller of the State of New York. Argument commenced by Mr. Charles P. Howland for the plaintiffs in error and continued by Mr. William Law Stout for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 6, will be as follows: Nos. 45, 46, 47, 48, 50, 52, 55, 56, 57, and 58 (and 59 and 60).



SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 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.

Henry B. Hammond, of New York City, was admitted to practice.

No. 387. Lena Dupuis, 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 and mandate granted, on motion of counsel for the appellant.

No. 45. Laura Wheeler et al., executors, etc., plaintiffs in error, *v.* William Sohmer, comptroller of the State of New York. Argument concluded by Mr. William Law Stout for the defendant in error.

No. 46. James H. Work, appellant *v.* The United Globe Mines. Argued by Mr. A. L. Pincoffs for the appellant and Mrs. Sarah H. Sorin for the appellee.

No. 47. The Prudential Insurance Company of America, petitioner, *v.* John T. Moore, administrator, etc. Argued by Mr. E. R. Black for the petitioner and by Mr. Minter Wimberly for the respondent.

No. 48. William Rabb, plaintiff in error, *v.* The State of Louisiana. Submitted with leave to counsel to file briefs within 10 days.

No. 50. The United States Fidelity and Guaranty Company, plaintiff in error, *v.* The United States, for the benefit of Frank P. Bartlett. Argument commenced by Mr. E. J. Myers for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 7, will be as follows: Nos. 50, 52, 55, 56, 57 (58, 59, and 60), 61, 62, 63, and 68.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 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.

Joseph M. Levenson, of Boston, Mass.; Edward H. S. Martin, of Chicago, Ill.; Walter Drew, of Madison, Wis.; and Daniel M. Kelly, of Helena, Mont., were admitted to practice.

No. 50. The United States Fidelity & Guaranty Company, plaintiff in error, *v.* The United States for the benefit of Frank P. Bartlett. Argument continued by Mr. E. J. Myers for the plaintiff in error, by Mr. Edward W. Norris and Mr. Horace L. Cheyney for the defendant in error, and concluded by Mr. E. J. Myers for the plaintiff in error.

No. 52. A. Webster Richards, plaintiff in error, *v.* Washington Terminal Company. Argued by Mr. Hugh H. Obear for the plaintiff in error and by Mr. John W. Yerkes for the defendant in error.

No. 55. Clifford G. Ludwig, trustee, etc., appellant, *v.* The American Woolen Company of New York et al. Argument commenced by Mr. Abram I. Elkus for the appellant.

Adjournd until ~~tomorrow~~ ^{Monday next} at 12 o'clock.

The day call for Monday, November 10, will be as follows: Nos. 55, 56, 57, 58 (and 59 and 60), 61, 62, 63, 68, 69, and 71 (and 72).



SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 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.

Nelda Jaeger, of Tacoma, Wash.; Thomas H. Calvert, of Raleigh, N. C.; George W. Tehan, of Springfield, Ohio; Charles McClair, of Schenectady, N. Y.; Robert C. Brickell, of Huntsville, Ala.; Howard McCormick, of Annapolis, Md.; and Cary C. Moody, of Indianola, Miss., were admitted to practice.

No. 466. The United States, petitioner, *v.* Frederick W. Whitridge, as receiver, etc., et al.; and

No. 467. The United States, petitioner, *v.* Adrian H. Joline et al., as receivers, etc. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decrees affirmed, and cases remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Pitney.

No. 29. The Clement National Bank, plaintiff in error, *v.* The State of Vermont. In error to the Supreme Court of the State of Vermont. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 306. Emelia Alzua et al., plaintiffs in error, *v.* E. Finley Johnson. In error to the Supreme Court of the Philippine Islands. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 439. Missouri, Kansas & Texas Railway Company of Texas, petitioner, *v.* The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Eastern District of Texas. Opinion by Mr. Justice Holmes.

No. 502. C. M. Summers, petitioner, *v.* The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment reversed, and cause remanded to the District Court of the United States for the District of Alaska, Division No. 1, with directions to sustain the demurrer to the indictment. Opinion by Mr. Justice McKenna.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* The State of West Virginia. Case assigned for final hearing on the 13th day of April next, at the head of the call for that day. Opinion by Mr. Chief Justice White.

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

No. 44. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* Oliver Letot. In error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas. Per curiam: Dismissed for want of jurisdiction on the authority of Missouri, Kansas & Texas Railway Company *v.* May, 194 U. S., 267.

No. 750. The United States *v.* The Midwest Oil Company. Motion that entire record and cause be sent up granted. Motion to advance granted, and case assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

No. 762. American Bell Telephone Company, petitioner, *v.* Western Union Telegraph Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 585. Belva A. Lockwood, petitioner, *v.* Frank M. Rucker, administrator, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 768. City Water Company of Chillicothe, petitioner, *v.* The City of Chillicothe. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 769. Annie F. Craig, administratrix, etc., petitioner, *v.* Emily E. Parish, executrix, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 770. The Carborundum Company, petitioner, *v.* The Electric Smelting & Aluminum Company. 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 next, the 17th instant, to Monday, December 1, next.

No. 251. George W. Radford, plaintiff in error, *v.* Mary D. Myers, executrix, etc. Motion to place the case on the summary docket submitted by Mr. Thomas A. E. Weadock for the plaintiff in error.

No. 399. John T. Hendrick, plaintiff in error, *v.* The State of Maryland. Motion to advance submitted by Mr. Jackson H. Ralston for the plaintiff in error.

No. 618. Street & Smith, a copartnership, etc., appellants, *v.* The Atlas Manufacturing Company et al. Petition for a writ of certiorari herein submitted by Mr. Hugh K. Wagner for the appellants in support of the petition, and by Mr. James Love Hopkins for the appellees in opposition thereto. Motion to dismiss or affirm submitted by Mr. James Love Hopkins for the appellees in support of the motion, and by Mr. Hugh K. Wagner for the appellant in opposition thereto.

No. 75. Mound City Company, appellant, *v.* Robert H. Castleman et al. Continued on motion of Mr. Hugh K. Wagner in behalf of counsel for the appellant.

No. 779. The Illinois Central Railroad Company, petitioner, *v.* Union Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Dent Minor, Mr. Charles N. Burch, and Mr. Blewett Lee for the petitioners.

No. 720. Samuel B. Archer et al., petitioners, *v.* Imperial Machine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel B. Archer, pro se, and by Mr. Ernest Wilkinson for the respondent.

No. 423. Frank Guinn and J. J. Beal *v.* The United States. Leave granted to Mr. Joseph W. Bailey to file brief herein for Guinn and Beal.

No. 81. William S. Tevis et al., plaintiffs in error, *v.* Jepp Ryan et al. In error to the Supreme Court of the Territory of Arizona. Dismissed with costs, on motion of Mr. Evans Browne, in behalf of counsel for the plaintiffs in error, and cause remanded to the Supreme Court of the State of Arizona.

No. 123. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* The Starr Grain & Lumber Company. In error to the Supreme Court of the State of Kansas. Dismissed with costs, on motion of Mr. Evans Browne, in behalf of counsel for the plaintiff in error.

No. 436. C. F. Easton, receiver, etc., plaintiff in error, *v.* The Chicago Hotel Company et al. Motion to dismiss submitted by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Britton, and Mr. Charles W. Dorr for the defendants in error in support of the motion, and by Mr. Stephen A. Keenan for the plaintiff in error in opposition thereto.

No. 264. Booth Fisheries Company, plaintiff in error, *v.* The People of the State of Illinois; and

No. 265. Booth Fisheries Company, plaintiff in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the

State of Illinois. Dismissed with costs on motion of counsel for the plaintiff in error.

No. 55. Clifford G. Ludvigh, as trustee, etc., appellant, *v.* The American Woolen Company of New York et al. Argument continued by Mr. Abram I. Elkus for the appellant, by Mr. Daniel P. Hays for the appellees, and concluded by Mr. Abram I. Elkus for the appellant.

No. 11, Original. *Ex parte*: In the matter of the city of Louisville, petitioner;

No. 12, Original. *Ex parte*: In the matter of A. Englehard & Sons Company, petitioner; and

No. 538. City of Louisville, Kentucky, appellant, *v.* Cumberland Telephone & Telegraph Company. Argument commenced by Mr. Pendleton Beckley for the petitioner in No. 11, Original, and the appellant in No. 538, and continued by Mr. Clayton B. Blakey for the petitioner in No. 12, Original, by Mr. Alexander P. Humphrey and Mr. W. L. Granbery for the respondents and appellee, and concluded by Mr. Clayton B. Blakey for the petitioner in No. 12, Original.

No. 8. *Ex parte*: In the matter of America Capo, petitioner. Argument commenced by Mr. Frederic D. McKenney for the petitioner and continued by Mr. Charles Hartzell for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 11, will be as follows: Nos. 56, 57, 58 (and 59 and 60), 61, 62, 63, 68, 69, 71 (and 72), and 78.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 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.

William F. Columbus, of Washington, D. C.; Edwin Van Cise, of Denver, Colo.; R. H. Willey, of Monterey, Cal.; Benjamin Ory, of New Orleans, La.; Robert A. Brannigan, of New York City; and William H. Murray, of Tishomingo, Okla., were admitted to practice.

No. 458. The Singer Sewing Machine Company, appellant, *v.* Robert C. Brickell, Attorney General, et al. Motion to advance submitted by Mr. Robert C. Brickell for the appellees.

No. 595. The State of Alabama, plaintiff in error, *v.* Sudie Schmidt. Motion to advance submitted by Mr. Robert C. Brickell for the plaintiff in error.

No. 8, Original. *Ex parte*: In the matter of Americo Capo, petitioner. Argument continued by Mr. Charles Hartzell for the respondent, and concluded by Mr. Frederic D. McKenney for the petitioner.

No. 56. New York Life Insurance Company, plaintiff in error, *v.* Deer Lodge County. Argument commenced by Mr. James H. McIntosh for the plaintiff in error, continued by Mr. D. M. Kelley for the defendant in error, and concluded by Mr. Roscoe Pound for the plaintiff in error.

No. 57. Northern Pacific Railway Company, plaintiff in error, *v.* Joseph A. Houston. Submitted by Mr. C. W. Bunn for the plaintiff in error. No counsel appeared for the defendant in error.

No. 58. Charles E. Myers and A. Claude Kalmey, plaintiffs in error, *v.* John B. Anderson;

No. 59. Charles E. Myers and A. Claude Kalmey, plaintiffs in error, *v.* William Howard; and

No. 60. Charles E. Myers and A. Claude Kalmey, plaintiffs in error, *v.* Robert Brown. Argument commenced by Mr. William L. Marbury for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 12, will be as follows: Nos. 58 (and 59 and 60), 61, 62, 63, 68, 69, 71 (and 72), 76, 77, and 78.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 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.

Ridgely P. Melvin, of Annapolis, Md.; and Norman T. Mason, Deadwood, S. Dak.; were admitted to practice.

Nos. 71 and 72. The Rio Grande Western Railway Company, plaintiff in error, *v.* Thomas B. Stringham and Ella Stringham, his wife, et al. Continued per stipulations of counsel.

No. 80. The Western Union Telegraph Company, appellant, *v.* M. E. Trapp, as auditor of the State of Oklahoma et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed with costs per stipulation of counsel.

No. 78. Carondelet Canal and Navigation Company, plaintiff in error, *v.* The State of Louisiana. Passed per stipulation of counsel.

No. 58. Charles E. Myers and A. Claude Kalmey, plaintiffs in error, *v.* John B. Anderson;

No. 59. Charles E. Myers and A. Claude Kalmey, plaintiffs in error, *v.* William Howard; and

No. 60. Charles E. Myers and A. Claude Kalmey, plaintiffs in error, *v.* Robert Brown. Argument continued by Mr. William L. Marbury for the plaintiffs in error, by Mr. Edgar H. Gans for the defendants in error, and concluded by Mr. Ridgely P. Melvin for the plaintiffs in error.

No. 61. Phoenix Railway Company, plaintiff in error, *v.* Lee H. Landis, administrator, etc. Argued by Mr. Charles Cowles Tucker for the plaintiff in error, and by Mr. J. M. Jamison for the defendant in error.

No. 62. Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Mrs. Annie E. Brewer. Argument commenced by Mr. Benjamin Ory for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 13, will be as follows: Nos. 62, 63, 68, 69, 76, 77, 79, 82, 83 (and 84, 85, and 86), and 87.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 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.

William Carroll Latimer, of Atlanta, Ga., was admitted to practice.

No. 143. The United States of America ex relatione Grand Rapids Timber Company, plaintiff in error, *v.* Walter L. Fisher, Secretary of the Interior, 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. 82. Chapman and Dewey Lumber Company et al., plaintiffs in error, *v.* The Board of Directors St. Francis Levee District. Passed, per stipulation of counsel.

No. 62. Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Mrs. Annie E. Brewer. Argument continued by Mr. M. M. Lemann for the defendant in error, and concluded by Mr. Benjamin Ory for the plaintiff in error.

No. 63. Thomas M. Kener, administrator, etc., plaintiff in error, *v.* La Grange Mills. Argued by Mr. Louis Marshall for the defendant in error, and submitted by Mr. D. W. Rountree and Mr. Clifford L. Anderson for the plaintiff in error.

No. 68. Gila Valley-Globe & Northern Railway Company et al., plaintiffs in error, *v.* John Hall. Submitted by Mr. Eugene S. Ives for the plaintiffs in error, and by Mr. Edward H. Thomas for the defendant in error.

No. 69. Ada E. H. Van Syckel, in her own right, et al., appellants, *v.* Juan Jose Arsuaga et al., partners, etc., et al. Argued by Mr. N. B. K. Pettingill for the appellants, and by Mr. Charles F. Carusi for the appellees.

No. 76. Frank F. Graham and The Title Guaranty & Surety Company, plaintiffs in error, *v.* The United States of America. Argument commenced by Mr. Charles F. Harley for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 14, will be as follows: Nos. 76, 77, 79, 83 (and 84, 85, and 86), 87, 88, 89, 90, 91, and 92.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 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, and Mr. Justice Lamar.

George H. Crandell. of Spokane, Wash., and A. L. Harbison. of Vincennes. Ind., were admitted to practice.

No. 555. The United States, plaintiff in error. *v.* Paul Beatty et al. Motion to advance submitted by Mr. E. Hilton Jackson for the defendants in error.

No. 88. Creamery Package Manufacturing Company, plaintiff in error, *v.* The State of Minnesota. In error to the Supreme Court of the State of Minnesota. Dismissed with costs, pursuant to the tenth rule.

No. 89. The Territory of Arizona at the relation, etc., of J. M. Gaines, tax collector. appellant, *v.* The Copper Queen Consolidated Mining Company. Passed temporarily. on motion of Mr. William C. Prentiss for the appellant.

No. 90. Fred J. Bliss, petitioner, *v.* The Washoe Copper Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed with costs, pursuant to the tenth rule.

No. 91. A. Emerson Cross, administrator, etc., et al., plaintiffs in error, *v.* Gray's Harbor Boom Company. In error to the Supreme Court of the State of Washington. Dismissed with costs, pursuant to the tenth rule.

No. 92. Frank B. Craig, plaintiff in error, *v.* William P. Jarrett. sheriff. etc. Passed temporarily. on motion of Mr. Evans Browne for the plaintiff in error.

No. 76. Frank F. Graham et al., plaintiffs in error, *v.* The United States. Argument continued by Mr. Charles F. Harley for the plaintiff in error, by Mr. Solicitor General Davis for the defendants in error, and concluded by Mr. George R. Gaither for the plaintiffs in error.

No. 77. Joseph Swift, plaintiff in error, *v.* Donald A. McPherson. Argued by Mr. Edwin Van Cise for the plaintiff in error and by Mr. Norman T. Mason for the defendant in error.

No. 79. The United States of America *ex relatione* A. Goldberg, plaintiff in error, *v.* Josephus Daniels, Secretary of the Navy. Argued by Mr. Albert N. Eastman and Mr. Charles Poe for the plaintiff in error and Mr. Morgan H. Beach for the defendant in error.

Adjourned until Monday next at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 17, 1913.

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

W. E. Baker, of Elkins, W. Va.: John J. M. Kelly, of Chicago, Ill.: and Henry B. Gayley, of New York City, were admitted to practice.

No. 191. A. Straus, appellant, *v.* W. L. Foxworth. 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. 40. Frank A. Munsey, plaintiff in error, *v.* Wesley Webb, administrator of the estate of Samuel T. Pennington. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 641. John R. Buchser, appellant, *v.* Annie Buchser et al., etc. 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 Holmes.

The Chief Justice announced the following orders of the court:

No. 251. George W. Radford, plaintiff in error, *v.* Mary D. Myers, executrix, etc. Motion to place on the summary docket granted.

No. 458. The Singer Sewing Machine Company, appellant, *v.* Robert C. Brickell, attorney general, etc., et al. Motion to advance granted, and cause assigned for argument on the first Monday of January next, after the cases already assigned for that day.

No. 595. The State of Alabama, plaintiff in error, *v.* Studie Schmidt. Motion to advance granted, and cause assigned for argument on the first Monday of January next, after the cases already assigned for that day.

No. 555. The United States of America, plaintiff in error *v.* Paul Beatty et al. Motion to advance granted, and cause assigned for argument on the first Monday of January next, after the cases already assigned for that day.

No. 399. John T. Hendrick, plaintiff in error, *v.* The State of Maryland. Motion to advance denied.

No. 436. C. F. Easton, receiver; etc., plaintiff in error *v.* The Chicago Hotel Company et al. In error to the District Court of the United States for the Western District of Washington. Per curiam: Dismissed for want of jurisdiction on the authority of United States *v.* Congress Construction Co. (222 U. S., 199), Fore River Ship Co. *v.* Hogg (219 U. S., 195), Louisville Trust Co. *v.* Knott (191 U. S., 225), Smith *v.* McKay (161 U. S., 355).

No. 720. Samuel B. Archer et al., petitioners, *v.* Imperial Machine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 779. The Illinois Central Railroad Company, petitioner, *v.* The Union Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 618. Street & Smith, a copartnership, etc., appellants, *v.* The Atlas Manufacturing Company et al. Petition for a writ of certiorari herein denied.

No. 8, Original. Ex parte: In the matter of America Capo, petitioner. On petition for writ of mandamus. Per curiam: The rule to show cause hitherto allowed is discharged and the petition for the allowance of the writ of mandamus is dismissed, and the prayer for the writ consequently denied. Ex parte Harding (219 U. S., 363).

No. 9. New Louisville Jockey Club et al., plaintiffs in error, *v.* The City of Oakdale et al.; and

No. 10. Lennox Land Company, plaintiff in error, *v.* City of Oakdale et al. In error to the Court of Appeals of the State of Kentucky. Per curiam: Dismissed for want of jurisdiction. Mount Pleasant *v.* Beckwith (100 U. S., 531), Kelly *v.* Pittsburgh (104 U. S., 80), Castello *v.* McConnico (168 U. S., 674).

No. 707. Sam B. Perrin, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Assistant to the Attorney General Todd for the defendant in error.

No. 689. William P. Healy and The Healy Box Corporation, appellants, *v.* The Sea Gull Specialty Company. Motion to advance under the thirty-second rule, submitted by Mr. Henry B. Gayley for the appellant, in support of the motion, and by Mr. Randolph Barton, jr., for the appellee, in opposition thereto.

No. 764. Ellen Connelley, administratrix, etc., petitioner, *v.* The Pennsylvania Railroad Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed with costs, upon confession of error, on motion of Mr. Frederic D. McKenney for the respondent.

No. —, Original. *Ex parte*: In the matter of Banco Territorial y Agricola de Puerto Rico and The Banco Commercial de Puerto Rico, trustees, petitioners. Motion for leave to file petition for writ of certiorari submitted by Mr. Frederic D. McKenney for the petitioner.

No. 561. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v.* Jean Baptiste Chaumet:

No. 558. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v.* Pierre de Bearn;

No. 559. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error. *v.* Francois de Bearn; and

No. 560. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v.* Odon de Bearn. Motion to dismiss or affirm and for damages submitted by Mr. J. Kemp Bartlett and Mr. Edgar Allen Poe for the defendants in error, in support of the motion, and by Mr. Maurice Leon for the plaintiff in error, in opposition thereto.

No. 88. The Creamery Package Manufacturing Co., plaintiff in error. *v.* The State of Minnesota. Mandate granted, on motion of Mr. Frederick S. Tyler, in behalf of counsel.

No. 689. William P. Healy and the Healy Box Corporation, appellants, *v.* Sea Gull Specialty Company. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mr. Randolph Barton, jr., for the appellee in support of the motion, and by Mr. Henry B. Gayley for the appellants in opposition thereto.

No. 332. Jacob Glos et al., plaintiffs in error, *v.* William L. O'Connell, county treasurer, etc., et al. Motion to dismiss submitted by Mr. George Gillette for the defendants in error, in support of the motion, and by Jacob Glos et al., pro se, in opposition thereto.

Adjourned until Monday, December 1, at 12 o'clock.

The day call for Monday, December 1, will be as follows: Nos. 590, 272, 472, 544, 461, 589, 109, 469, 493, and 251.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 1, 1913.

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

Charles A. Shurtleff, of San Francisco, Cal.; Theodore B. Richter, of New York City; J. Fred Gilster, of Chester, Ill.; William Clarke Mason, of Philadelphia, Pa.; Guy Marchand, of Cleveland, Ohio; Ernest D. Martin, of Marshall, Mo.; Joseph M. Raines, of Fairfield, Cal.; Hiram Barney, of New York City; R. S. Wimberly, of Macon, Ga.; Benjamin G. Paskus, of New York City; and Sidney T. Miller, of Detroit, Mich., were admitted to practice.

No. 6. 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. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 26. The United States Fidelity & Guaranty Company of Baltimore, Md., plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 457. Stratton's Independence, Ltd., *v.* F. W. Howbert, collector of internal revenue, etc. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit. First and second questions answered in the affirmative. Third question answered in the negative. Opinion by Mr. Justice Pitney. Dissenting as to the answer to the third question: Mr. Chief Justice White, Mr. Justice McKenna, and Mr. Justice Holmes.

No. 571. The Kansas City Southern Railway Company, appellant, *v.* The United States et al. Appeal from the United States Commerce Court. Decree affirmed. Opinion by Mr. Justice Pitney.

No. 43. R. H. Downman, plaintiff in error, *v.* The State of Texas. In error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 257. The United States, petitioner, *v.* Twenty-five Packages of Panama Hats, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed 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 Lamar.

No. 275. The Delaware, Lackawanna & Western Railroad Company, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of New York. Judgment affirmed. Opinion by Mr. Justice Lamar.

No. 8. Joanna Little, plaintiff in error, *v.* J. J. Williams et al. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 14. Otto Monson, plaintiff in error, *v.* S. J. Simonson. In error to the Supreme Court of the State of South Dakota. Judgment reversed with costs and cause remanded, but without prejudice to the power of the Supreme Court of the State of South Dakota to proceed to a determination of the questions which were left open by its opinion. Opinion by Mr. Justice Van Devanter.

No. 618. Street & Smith, a copartnership, etc., appellant, *v.* The Atlas Manufacturing Company. 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.

No. 54. Sturges & Burn Manufacturing Company, plaintiff in error, *v.* Arthur Beauchamp. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 419. The Eastern Extension, Australasia & China Telegraph Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed and cause remanded with instructions to take further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 23. Louisville & Nashville Railroad Company, appellant, *v.* Green Garrett et al., as the Railroad Commission of Kentucky. Appeal from the Circuit Court of the United States for the Eastern District of Kentucky. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Kentucky. Opinion by Mr. Justice Hughes.

No. 19. Isidor Straus et al., composing the firm of R. H. Macy & Company, plaintiffs in error, *v.* American Publishers Association et al. In error to the Supreme Court of the State of New York.

Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 546. Mayor and Aldermen of the City of Vicksburg, appellants, *v.* W. A. Henson, receiver, etc., et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Southern District of Mississippi for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 401. Thomas R. Marshall, as governor of the State of Indiana, et al., plaintiffs in error, *v.* John T. Dye. In error to the Supreme Court of the State of Indiana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 50. The United States Fidelity & Guaranty Company, plaintiff in error, *v.* The United States for the benefit of Frank P. Bartlett. In error to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Day.

No. 62. Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Mrs. Annie E. Brewer. In error to the Supreme Court of the State of Louisiana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 63. Thomas M. Kener, administrator of Edwin Kener, deceased, plaintiff in error, *v.* La Grange Mills. In error to the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 79. The United States of America ex rel. A. Goldberg, plaintiff in error, *v.* Josephus Daniels, Secretary of the Navy. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 570. Union Pacific Railroad Company, plaintiff in error, *v.* Laramie Stock Yards Company. In error to the District Court of the United States for the District of Wyoming. Judgment reversed with costs and cause remanded with directions to sustain the demurrer to the answer. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Hughes. (Mr. Justice Holmes, Mr. Justice Lurton, and Mr. Justice Pitney took no part in the decision of this case.)

No. 682. Union Pacific Railroad Co., plaintiff in error, *v.* George A. Snow et al. In error to the Supreme Court of the State of Colorado. Judgment reversed with costs, and cause remanded for further

proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Hughes. (Mr. Justice Holmes and Mr. Justice Pitney took no part in the decision of this case.)

No. 683. Union Pacific Railroad Company, plaintiff in error, *v.* Martin V. Sides and Walter W. Scherrer. In error to the Supreme Court of the State of Colorado. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Hughes. (Mr. Justice Holmes and Mr. Justice Pitney took no part in the decision of this case.)

No. 385. The United States et al., appellants, *v.* The Baltimore & Ohio Railroad Company et al. Appeal from the United States Commerce Court. Decree affirmed. Opinion by Mr. Justice Lurton. (Announced by Mr. Chief Justice White.)

No. 395. The United States, plaintiff in error, *v.* John A. Davis et al. In error to the District Court of the United States for the Western District of Missouri. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 17. Marcelina Torres Zayas, appellant and plaintiff in error, *v.* Lothrop, Luce & Company et al. Appeal from and in error to the Supreme Court of Porto Rico. Writ of error dismissed and decree affirmed with costs. Opinion by Mr. Chief Justice White.

No. 57. Northern Pacific Railway Company, plaintiff in error, *v.* Joseph A. Houston. 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 in the Wass case (219 U. S., 426) and the action now taken in applying the decision in that case. Opinion by Mr. Chief Justice White.

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

No. 3. The Mayor and Aldermen of the City of Vicksburg, appellants, *v.* Vicksburg Water Works Company. Appeal from the Circuit Court of the United States for the Southern District of Mississippi. Per curiam: Dismissed for the want of jurisdiction, upon the authority of *Bayard v. Lombard* (9 How., 530), *Payne v. Niles* (26 How., 219), *Indiana v. Liverpool, London & G. Ins. Co.* (109 U. S., 168), and cause remanded to the District Court of the United States for the Southern District of Mississippi.

No. 332. Jacob Glos et al., plaintiffs in error, *v.* William L. O'Connell, county treasurer, etc., et al. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for the want of jurisdiction, on the authority of *Jacob Glos et al. v. The City of Chicago, etc.* (226 U. S., 599), and authorities there cited.

No. 48. William Rabb, plaintiff in error, *v.* The State of Louisiana. In error to the Criminal District Court for the Parish of Orleans, State of Louisiana. Per curiam: Affirmed, with costs, upon the authority of *Foppiano v. Speed* (199 U. S., 501).

No. —, Original. Ex parte In the matter of Banco Territorial y Agricola de Puerto Rico and the Banco Commercial de Puerto Rico, trustees, petitioners. Motion for leave to file petition for writ of certiorari denied.

No. 689. William P. Healy and the Healy Box Corporation, appellants, *v.* Sea Gull Specialty Company. Motion to advance under the thirty-second rule denied without prejudice to a submission on printed briefs, if the parties so agree.

No. 689. William P. Healy and the Healy Box Corporation, appellants, *v.* The Sea Gull Specialty Company. Motion for a writ of certiorari upon suggestion of diminution of the record denied.

No. 707. Sam B. Perrin, plaintiff in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

No. 722. The United States, plaintiff in error, *v.* John H. Carter. Motion to dismiss submitted by Mr. Francis B. Carter and Mr. W. A. Blount for the defendant in error in support of the motion, and by Mr. Solicitor General Davis for the plaintiff in error in opposition thereto.

No. . Clarence B. Wood et al., plaintiffs in error, *v.* The United States. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Motion to docket and dismiss submitted by Mr. Solicitor General Davis for the defendant in error.

No. 561. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v.* Jean Baptiste Chaumet;

No. 558. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v.* Pierre de Bearn;

No. 559. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v.* Francois de Bearn; and

No. 560. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v.* Odon de Bearn. Leave granted to file additional papers in opposition to the motion to dismiss heretofore submitted, on motion of Mr. Maurice Leon for the plaintiff in error.

No. 389. Martha Young, administratrix, etc., plaintiff in error, *v.* Central Railroad Company of New Jersey. Motion to advance submitted by Mr. V. B. Edwards for the plaintiff in error.

No. 99. James A. Kinder, trustee, plaintiff in error, *v.* Edward Scharff et al. Death of James A. Kinder suggested, and appearance of Edgar N. Collins, his successor as trustee, as the plaintiff in error in this cause, filed and entered on motion of Mr. Hannis Taylor for the plaintiff in error.

No. 793. The Allen & Wheeler Company, appellant, *v.* Hanover Star Milling Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. J. Fred Gilster, Mr. Lindorf O. Whitnel, and Mr. Edward Everett Longen for the appellant in support of the petition.

No. 739. The Roman Catholic Church of St. Anthony of Padua, Jersey City, N. J., appellant, *v.* The Pennsylvania Railroad Company. Motion to dismiss submitted by Mr. Frederic D. McKenney and Mr. James B. Vredenburgh for the appellee in support of the motion, and by Mr. Marshall Van Winkle for the appellant in opposition thereto. Petition for a writ of certiorari submitted by Mr. Marshall Van Winkle for the appellant in support of the petition, and by Mr. James B. Vredenburgh and Mr. Frederic D. McKenney for the appellee in opposition thereto. Motion to advance submitted by Mr. Marshall Van Winkle for the appellant.

No. 760. Robert C. Bacon et al., Public Service Commission of Vermont, appellant, *v.* Rutland Railroad Company. Motion to dismiss submitted by Mr. E. W. Lawrence for the appellee in support of the motion, and by Mr. Frederic D. McKenney and Mr. Herbert G. Barber for the appellants in opposition thereto.

No. 792. Stephen Canavan, appellant, *v.* Jesus Romero, sheriff, etc. Motion to advance submitted by Mr. W. B. Jaynes in behalf of counsel for the appellant.

No. 450. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* C. E. Robinson; and

No. 451. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* H. F. Moore et al. Motions to dismiss or affirm submitted by Mr. Frederick S. Tyler, in behalf of Mr. Hal H. Smith for the defendants in error in support of the motions, and by Mr. S. T. Bledsoe for the plaintiff in error in opposition thereto.

No. 784. John Barton Miller, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John E. Laskey and Mr. Henry E. Davis for the petitioner, and by Mr. Solicitor General Davis and Mr. Clarence R. Wilson for the respondent.

No. 783. Sara Gye, widow of John Gye, petitioner, *v.* The Hamburg Americanische Packetsahrt Aktiem Geselshafft. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by H. Garland Dupre, Miss I. M. Moyers, and Mr. Charles F. Consaul for the petitioner.

No. 780. Elizabeth S. Rutland, petitioner, *v.* St. Louis & San Francisco Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John K. Graves, in behalf of Mr. Caruthers Ewing for the petitioner.

No. 409. Joseph F. Guffey et al., petitioners, *v.* James A. Smith et al.; and

No. 410. Joseph F. Guffey et al., petitioners, *v.* Susannah Smith et al. Motion to advance submitted by Mr. Joseph W. Bailey for the petitioner.

No. 7. Annie Lapina, petitioner, *v.* William Williams, Commissioner of Immigration. Submitted by Mr. William Hawkens for the petitioner, and by Mr. Assistant Attorney General Denison for the respondent.

No. 493. Yoshiro Nakayama, appellant, *v.* W. R. Mansfield, immigration inspector, etc. Appeal from the District Court of the United States for the District of Colorado. Dismissed with costs, pursuant to the tenth rule.

No. 588. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* James A. Miller. Motion to affirm and for damages submitted by Mr. L. D. Jennings for the defendant in error in support of the motion, and by Mr. Frederic D. McKenney and Mr. P. A. Willcox for the plaintiff in error in opposition thereto.

No. 109. Belle J. Barnes et al., appellants, *v.* J. L. B. Alexander et al. Submitted by Mr. Eugene S. Ives for the appellants, and by Mr. J. L. B. Alexander, Mr. W. M. Seabury, Mr. Aldis B. Browne, Mr. Alexander Britton, and Mr. Evans Browne, for the appellees.

Mr. Sidney T. Miller presented the resolutions of the Association of the Bar of the City of Detroit upon the death of the late Mr. Justice Brown, and it was ordered that they be placed upon the files of the court.

No. 590. The Atchison, Topeka & Santa Fe Railway Company et al., appellants, v. The United States et al. Argument commenced by Mr. Gardiner Lathrop for the appellant, and continued by Mr. Blackburn Esterline for the United States, and by Mr. William E. Lamb for the Arlington Heights Fruit Exchange.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 2, will be as follows: Nos. 590, 272, 472, 544, 461, 589, 469, 251, 83 (and 84, 85, and 86), and 87.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 2, 1913.

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

J. T. Coston, of Osceola, Ark.; Arthur McGuirk, of New Orleans, La.; William A. Porteous, of New Orleans, La.; Arthur Black, of Boston, Mass.; William E. Black, of Milwaukee, Wis.; and Samuel E. Naugle, of Sterling, Colo., were admitted to practice.

No. 97. The Interstate Commerce Commission et al., appellants, *v.* Southern Pacific Company et al., and

No. 98. The Interstate Commerce Commission et al., appellants, *v.* The Atchison, Topeka & Santa Fe Railway Co. et al., passed, to be restored under the provisions of section 9, rule 26, on motion of Mr. Solicitor General Davis for the United States.

No. 279. Edmund Burke *v.* The Southern Pacific Railroad Company et al., and

No. 280. J. I. Lamprecht and F. M. Aiken, as trustees, *v.* Southern Pacific Railroad Co. et al. Leave granted to file a supplemental memorandum on behalf of the United States, on motion of Mr. Solicitor General Davis for the United States. Leave granted to file reply thereto on behalf of the Southern Pacific Railroad Co. et al., on motion of Mr. A. A. Hoehling, jr., in their behalf. Leave granted to file a reply on behalf of the intervenors, on motion of Mr. T. J. Butler in their behalf.

No. 590. The Atchison, Topeka & Santa Fe Railway Co. et al., appellants, *v.* The United States et al. Argument continued by Mr. William E. Lamb for the Arlington Heights Fruit Exchange, by Mr. P. J. Farrell for the Interstate Commerce Commission, and concluded by Mr. F. H. Wood for the appellants.

No. 272. Harris and Great Northern Railroad Company, plaintiff in error, *v.* Mrs. Georgia Boston et al. Argued by Mr. Edgar Wright for the plaintiff in error, and submitted by Mr. Fred B. Rhodes for the defendant in error.

No. 472. The Wyandotte County Gas Company, plaintiff in error, *v.* The State of Kansas, on the relation of John Marshall, attorney, etc. Argued by Mr. J. W. Dana for the plaintiff in error, and by Mr. Richard J. Higgins for the defendant in error.

No. 544. Arthur Greey, as trustee, etc., appellant, *v.* John E. Dockendorff. Argued by Mr. Benjamin G. Paskus for the appellant, and by Mr. Julius Henry Cohen for the appellee.

No. 461. Freemont Weeks, plaintiff in error, *v.* The United States. Argument commenced by Mr. Martin J. O'Donnell for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 3, will be as follows: Nos. 461, 589, 469, 251, 83 (and 84, 85, and 86), 87, 93, 94, 95, and 96.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 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.

Xenophon O. Pindall, of Little Rock, Ark.; J. A. Tillotson, of Nowata, Okla.; and Ollie N. Killough, of Wynne, Ark., were admitted to practice.

No. 95. Mary B. Herbert, plaintiff in error, *v.* S. R. Wagg et al. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs pursuant to the tenth rule.

No. 96. John H. Jones, plaintiff in error, *v.* David Mould, judge, etc., et al. In error to the Supreme Court of the State of Iowa. Dismissed with costs pursuant to the tenth rule.

No. 461. Fremont Weeks, plaintiff in error, *v.* The United States. Argument concluded by Mr. Martin J. O'Donnell for the plaintiff in error, and cause submitted by Mr. Solicitor General Davis and by Mr. Assistant Attorney General Denison for the defendant in error.

No. 589. The United States, plaintiff in error, *v.* Eugene Buchanan. Argued by Mr. Assistant Attorney General Knaebel for the plaintiff in error and by Mr. S. E. Naugle for the defendant in error.

No. 469. Mary Genevieve Pennell, administratrix, etc., plaintiff in error, *v.* Philadelphia & Reading Railway Company. Argued by Mr. George Demming for the plaintiff in error and by Mr. William Clarke Mason for the defendant in error.

No. 251. George W. Radford, plaintiff in error, *v.* Mary D. Myers, executrix, etc. Submitted by Mr. Thomas A. E. Weadock for the plaintiff in error. No counsel appeared for the defendant in error.

No. 83. William M. Barrett, as president of the Adams Express Company, etc., appellant, *v.* The City of New York et al.;

No. 84. The City of New York et al., appellants, *v.* William M. Barrett, as president of the Adams Express Company, etc.;

No. 85. Edward T. Platt, as treasurer of the United States Express Company, etc., appellant, *v.* The City of New York et al.; and

No. 86. The City of New York et al., appellants, *v.* Edward T. Platt, as treasurer of the United States Express Company, etc. Argument commenced by Mr. William D. Guthrie for Barrett, president, etc., and continued by Mr. Terence Farley for the City of New York et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 4, will be as follows: Nos. 83 (and 84, 85, and 86), 87, 93, 94, 99, 100, 101, 102, 103, and 104.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 4, 1913.

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

William C. Price, of Wilkes-Barre, Pa; Charles F. Krone, of St. Louis, Mo.; Frank A. Larish, of Chicago, Ill.: Benjamin R. Jones, of Wilkes-Barre, Pa.; Frederick N. Wier, of Lowell, Mass.; and John Jacob Rogers, of Lowell, Mass., were admitted to practice.

No. 101. Selover, Bates & Company, plaintiff in error, *v.* Ole A. Finnes. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs per stipulation of counsel.

No. 102. The Plymouth Coal Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania et al. Passed temporarily on motion of William M. Hargest for the defendants in error.

No. 83. William M. Barrett, as president of the Adams Express Company, etc., appellant, *v.* The City of New York et al.;

No. 84. The City of New York et al., appellants, *v.* William M. Barrett, as president of the Adams Express Company, etc.;

No. 85. Edward T. Platt, as treasurer of the United States Express Company. etc.. appellant, *v.* The City of New York et al.;

and

No. 86. The City of New York et al., appellants, *v.* Edward T. Platt, as treasurer of the United States Express Company, etc. Argument continued by Mr. Terence Farley for the City of New York et al. and concluded by Mr. Walker D. Hines for Platt, president, etc.

No. 87. The Bank of Arizona et al., plaintiffs in error, *v.* The Thomas Haverty Company. Submitted by Mr. Walter Bennett for the plaintiff in error and by Mr. A. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, Mr. J. L. B. Alexander, and Mr. George D. Christy for the defendant in error.

No. 93. J. W. Springstead et al., plaintiffs in error, *v.* Crawfordsville State Bank. Submitted by Mr. J. C. Davant for the plaintiffs in error and by Mr. Peter O. Knight and Mr. C. Fred Thompson for the defendant in error.

No. 94. Joe Darsey, plaintiff in error, *v.* The State of Georgia. Argument commenced by Mr. John Randolph Cooper for the plaintiff in error. The Court declined to hear further argument.

No. 99. Edgar N. Collins, trustee, plaintiff in error, *v.* Edward Scharff et al. Argument commenced by Mr. Hannis Taylor for the plaintiff in error, continued by Mr. Charles A. McCoy for the defendants in error, and by Mr. A. P. Pujo for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 5, will be as follows: Nos. 99, 100, 103, 104, 105, 106, 107, 108, 110, and 111.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 5, 1913.

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

John Craig Shelby, of Lexington, Ky.; Howard Arthur Hanson, of Seattle, Wash.; Alfred Le Roy Becker, of Buffalo, N. Y.; James A. Bent, of Elkins, W. Va.; and Russell H. Allen, of Elkins, W. Va., were admitted to practice.

No. 106. Fred E. Earnhart, plaintiff in error, *v.* John B. Switzler. In error to the Supreme Court of the State of Oregon. Dismissed with costs, pursuant to the tenth rule.

No. 110. Quentin Garrett, by William C. Garrett, his next friend, plaintiff in error, *v.* American Baptist Home Mission Society et al. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, pursuant to the tenth rule.

No. 99. Edgar N. Collins, trustee, plaintiff in error, *v.* Edward Scharff et al. Argument concluded by Mr. A. P. Pujó for the plaintiff in error.

No. 100. Chesapeake & Ohio Railway Company, plaintiff in error, *v.* L. B. Cockrell, as administrator, etc. Argument commenced by Mr. John T. Shelby for the plaintiff in error, continued by Mr. Edward S. Jouett for the defendant in error, and concluded by Mr. John T. Shelby for the plaintiff in error.

No. 103. John E. Heavner et al., plaintiffs in error, *v.* The City of Elkins. Argument commenced by Mr. James A. Bent for the plaintiffs in error, and continued by Mr. R. H. Allen for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 8, will be as follows: Nos. 103, 104, 105, 107, 108, 111, 112, 115 (and 116), 117, and 118.



SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 8, 1913.

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

Milton T. U'Ren, of San Francisco, Cal.; H. F. Roleson, of Marianna, Ark.; Heath Sutherland, of Hartford, Conn.; Barnette E. Moses, of Memphis, Tenn.; John H. Zabel, of Washington, D. C.; John S. Dean, of Topeka, Kans.; and Louis Bartlett, of San Francisco, Cal., were admitted to practice.

No. 5. Luciano Chavez et al., appellants, *v.* Eloisa Luna de Bergere 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. 76. Frank F. Graham and The Title Guaranty & Surety Company, plaintiffs in error, *v.* The United States of America. In error 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 Maryland. Opinion by Mr. Justice Holmes. (Mr. Chief Justice White took no part in the consideration or decision of this case.)

No. 382. Grand Trunk Railway Company of Canada et al., appellants, *v.* Michigan Railroad Commission et al. Appeal from the District Court of the United States for the Eastern District of Michigan. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 94. Joe Darsey, plaintiff in error, *v.* The State of Georgia. In error to the Supreme Court of the State of Georgia. Per curiam: Dismissed for the want of jurisdiction. (*Heike v. U. S.*, 217 U. S., 423.)

No. 588. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* James A. Miller. In error to the Supreme Court of the State of

South Carolina. Per curiam: Judgment affirmed with costs, on authority of *Chicago, Burlington & Quincy R. R. Co. v. McGuire* (219 U. S., 541).

No. 558. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v. Pierre de Bearn*;

No. 559. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v. Francois de Bearn*;

No. 560. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v. Odon de Bearn*; and

No. 561. Louis Elie Joseph Henry de Galard de Bearn, etc., plaintiff in error, *v. Jean Baptiste Chaumet*. In error to the Court of Appeals of the State of Maryland. Per curiam: Dismissed for the want of jurisdiction. (*Eustis v. Bowles*, 150 U. S., 361; *Wood v. Chesborough*, 228 U. S., 672; *Adams v. Russell*, 229 U. S., 358, and authorities there cited; 2, *Hamblin v. Western Land Co.*, 147 U. S., 531; *Deming v. Carlisle Packing Co.*, 226 U. S., 102; see *De Bearn v. De Bearn*, 225 U. S., 695.)

No. —. Clarence B. Wood, plaintiff in error, *v. The United States*. Motion to docket and dismiss denied.

No. 389. Martha Young, administratrix, etc., plaintiff in error, *v. Central Railroad Company of New Jersey*;

No. 450. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v. C. E. Robinson*; and

No. 451. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v. H. F. Moore et al.* Ordered that these cases be placed on the summary docket.

No. 792. Stephen Canavan, appellant, *v. Jesus Romero, sheriff, etc.*;

No. 409. Joseph F. Guffey et al., petitioners, *v. James A. Smith et al.*; and

No. 410. James F. Guffey et al., petitioners, *v. Susannah Smith et al.* Motion to advance denied.

No. 760. Robert C. Bacon et al., Public Service Commission of Vermont, appellants, *v. Rutland Railroad Company*. Motion to dismiss postponed to the hearing on the merits.

No. 780. Elizabeth S. Rutland, petitioner, *v. St. Louis & San Francisco Railroad Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 783. Sara Gye, widow of John Gye, petitioner, *v. The Hamburg Americanische Packetsahrt Aktiem Gesellschaft*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 784. John Barton Miller, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 793. The Allen & Wheeler Company, appellant, *v.* Hanover Star Milling Company. Petition for a writ of certiorari herein granted.

No. 502. C. M. Summers, petitioner, *v.* The United States. Motion to modify the judgment submitted by Mr. Solicitor General Davis for the respondent in support of the motion, and by Mr. Albert Fink, Mr. Lewis P. Shackelford, Mr. Aldis B. Browne, Mr. Alexander Britton, Mr. Evans Browne, and Mr. Kurnel R. Babbitt for the petitioner in opposition thereto.

No. 639. George G. Henry, appellant, *v.* William Henkel, United States marshal, etc. Motion to advance submitted by Mr. Solicitor General Davis for the appellee.

No. 787. The United States, plaintiff in error, *v.* Sam Pelican et al. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 808. Herman C. H. Herold, collector, petitioner, *v.* Mutual Benefit Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Davis for the petitioner, and by Mr. John O. H. Pitney and Mr. John R. Harden for the respondent.

No. 634. Margaret H. Williamson *v.* Katherine Osenton. Motion to dismiss or place on the summary docket submitted by Mr. R. G. Linn for Katherine Osenton.

No. 354. The Holden Land & Live Stock Company et al., plaintiffs in error, *v.* Interstate Trading Company et al. Motion to dismiss submitted by Mr. John S. Dean and Mr. T. F. Doran for the defendants in error in support of the motion, and by Mr. Charles Blood Smith and Mr. E. P. Garnett for the plaintiffs in error in opposition thereto.

No. ——. Original. *Ex parte:* In the matter of Adolph Griminger, petitioner. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. George F. Curtis for the petitioner.

No. 798. The Oceanic Steam Navigation Company, etc., *v.* W. J. Mellor et al. Motion to advance submitted by Mr. Charles Burlingham for the Oceanic Steam Navigation Company. Motion to advance submitted by Mr. George Whitefield Betts, jr., for Mellor and Anderson.

No. 111. E. P. McCabe et al., appellants, *v.* Atchison, Topeka & Santa Fe Railway Company. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. William Harrison for the appellants.

No. 175. Le Roy Fibre Company *v.* Chicago, Milwaukee & St. Paul Railway Company. Motion to bring up the whole record and cause submitted by Mr. Joseph D. Sullivan, in behalf of counsel for the railway company.

No. 691. Seaboard Air Line Railway, plaintiff in error, *v.* James T. Horton. Motions to dismiss or affirm or place on the summary docket submitted by Mr. William C. Douglass for the defendant in error in support of the motions, and by Mr. H. A. Herbert, Mr. Benjamin Micou, and Mr. Richard P. Whiteley for the plaintiff in error in opposition thereto.

No. 117. Kapiolani Estate (Limited) plaintiff in error, *v.* The Territory of Hawaii, by Marston Campbell, Commissioner of Public Lands. In error to the Supreme Court of the Territory of Hawaii. Dismissed with costs pursuant to the tenth rule.

No. 103. John E. Heavner et al., plaintiffs in error, *v.* The City of Elkins. Argument continued by Mr. R. H. Allen for the defendant in error, and concluded by Mr. James A. Bent for the plaintiff in error.

No. 104. George N. Pierce Company, plaintiff in error, *v.* Wells, Fargo & Company. Argued by Mr. Alfred Le Roy Becker for the plaintiff in error, and by Mr. Charles W. Pierson for the defendant in error.

No. 105. Hagon John, guardian, etc., plaintiff in error, *v.* Lewis Paullin et al. Argument commenced by Mr. Edward F. Colladay for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 9, will be as follows: Nos. 105, 107, 108, 118, 115 (and 116), 112, 119, 120, 121, and 122.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 9, 1913.

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

Philip I. Schick, of New York City, and Francis A. Garrecht, of Walla Walla, Wash., were admitted to practice.

No. 119. Mary F. Rainey, as administratrix, etc., *v.* W. R. Grace & Company. Submitted by Mr. W. H. Gorham for Rainey, administratrix. No appearance for Grace & Company.

No. 105. Hagon John, guardian, etc., plaintiff in error, *v.* John B. Switzler. Argument concluded by Mr. Edward F. Colladay for the plaintiff in error, and submitted by Mr. W. T. Sprowls for the defendant in error.

No. 107. Seattle, Renton & Southern Railway Company, plaintiff in error, *v.* The State of Washington ex rel. A. G. Linhoff. Argued by Mr. Howard A. Hanson for the defendant in error, and submitted by Mr. James A. Kerr for the plaintiff in error.

No. 108. William P. Trimble et al., plaintiffs in error, *v.* The City of Seattle. Argued by Mr. Howard A. Hanson for the defendant in error, and submitted by Mr. C. W. Corliss for the plaintiffs in error.

No. 118. The United States of America, plaintiff in error and appellant, *v.* The Antikamnia Chemical Company. Argued by Mr. Solicitor General Davis for the plaintiff in error and appellant, and by Mr. D. W. Baker for the defendant in error and appellee.

No. 116. Isaac N. Boarts, trustee, etc., appellant, *v.* J. M. Selden & Company. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Dismissed with costs, pursuant to the tenth rule.

No. 115. Joseph A. Taney, trustee, etc., appellant, *v.* Penn National Bank of Reading. Argument commenced by Mr. Joseph Hill Brinton for the appellant, and continued by Mr. A. Leo Weil and Mr. Lawrence Maxwell for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 10, will be as follows: Nos. 115, 112, 120, 121, 122, 124, 126, 127, 128, and 129.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 10, 1913.

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

George B. Cole, of Seattle, Wash.; Thomas Bates, of Chicago, Ill.; Jerre P. O'Meara, of Tulsa, Okla.; and D. C. Humphrey, of Goldsboro, N. C., were admitted to practice.

No. 128. Joseph Pronovost, plaintiff in error, *v.* The United States. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. William Wallace, jr., for the defendant in error.

No 124. Peter J. O'Reilly, plaintiff in error, *v.* Dora F. Noxon, as administratrix, etc. In error to the Supreme Court of the State of Colorado. Dismissed with costs pursuant to the tenth rule.

No. 126. Washington Dredging and Improvement Company, plaintiff in error, *v.* The State of Washington et al. Twenty days' time granted in which to print transcript of record, on motion of Mr. W. F. Hays, for the plaintiff in error.

No. 129. Theodore Swensen, plaintiff in error, *v.* The People of the State of Michigan. In error to the Supreme Court of the State of Michigan. Dismissed with costs pursuant to the tenth rule.

No. 115. Joseph A. Taney, trustee, etc., appellant, *v.* The Penn National Bank of Reading. Argument continued by Mr. Lawrence Maxwell and Mr. Philip S. Zieber for the appellee, and concluded by Mr. Joseph Hill Brinton for the appellant.

No. 112. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* City of Goldsboro, N. C. Argued by Mr. Frederic D. McKenney for the plaintiff in error, and by Mr. Robert W. Winston for the defendant in error.

No. 120. German Alliance Insurance Company, appellant, *v.* Ike Lewis, as Superintendent of Insurance of the State of Kansas. Argued by Mr. Thomas Bates and Mr. John G. Johnson for the appellant, and by Mr. John S. Dawson for the appellee.

No. 121. Boston & Maine Railroad Company, plaintiff in error, *v.* Katharine Hooker. Argument commenced by Mr. Frederick N. Wier for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 11, will be as follows: Nos. 121, 122, 127, 82, 130, 131, 133, 134, 135, and 138.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 11, 1913.

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

James F. Tevlin, of San Francisco, Cal.; Noah W. Cooper, of Nashville, Tenn.; and William V. Stuart, of Lafayette, Ind., were admitted to practice.

No. 131. Louis F. Swift et al., appellants, *v.* Luman T. Hoy, United States marshal in and for the Northern District of Illinois. Appeal from the Circuit Court of the United States for the Northern District of Illinois. Dismissed, without costs to either party, and cause remanded to the District Court of the United States for the Northern District of Illinois.

No. 121. Boston & Maine Railroad Company, plaintiff in error, *v.* Katharine Hooker. Argument continued by Mr. Frederick N. Wier, for the plaintiff in error, by Mr. Samuel Williston for the defendant in error, and concluded by Mr. Frederick N. Wier for the plaintiff in error.

No. 122. Robert P. Ross et al., plaintiffs in error, *v.* James Day. Argued by Mr. Kenneth S. Murchison for the plaintiffs in error, and by Mr. Jerre P. O'Meara for the defendant in error.

No. 127. Washington Dredging & Improvement Company, plaintiff in error, *v.* The State of Washington et al. Argument commenced by Mr. W. F. Hays for the plaintiff in error, and continued by Mr. Alfred Battle for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 12, will be as follows: Nos. 127, 82, 130, 133, 134, 135, 138, 139, 140, and 141 (and 142).



SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 12, 1913.

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

Patrick J. Lucey, of Streator, Ill., and Elroy N. Clark, of Denver, Colo., were admitted to practice.

No. —. Original. Ex parte: In the matter of Adolph Grimsinger, petitioner. Leave granted to file a brief in opposition to the motion for leave to file a petition for a writ of habeas corpus, on motion of Mr. Assistant Attorney General Wallace for the United States.

No. 139. Julio O. Abril, plaintiff in error, *v.* Sucrierie Centrale Coloso, a corporation. In error to the District Court of the United States for Porto Rico. Dismissed with costs, pursuant to the tenth rule.

No. 127. Washington Dredging and Improvement Company, plaintiff in error, *v.* The State of Washington et al. Argument continued by Mr. Alfred Battle and Mr. George B. Cole for the defendants in error, and concluded by Mr. W. F. Hays for the plaintiff in error.

No. 82. Chapman & Dewey Lumber Company et al., plaintiffs in error, *v.* The Board of Directors St. Francis Levee District. Argued by Mr. Henry D. Ashley for the plaintiffs in error, and by Mr. Samuel Adams for the defendant in error.

No. 130. Rafael Martinez Nadal, plaintiff in error, *v.* David W. May. Submitted by Mr. N. B. K. Pettingill and Mr. F. L. Cornwell for the plaintiff in error. No counsel appeared for the defendant in error.

No. 133. Harry I. Mulcrevy et al., plaintiffs in error, *v.* City and County of San Francisco. Argument commenced by Mr. James F. Tevin for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 15, will be as follows: Nos. 133, 134, 135, 138, 140, 141 (and 142), 144, 147, 148, and 149.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 15, 1913.

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

Frank G. Turner, of Jersey City, N. J.; E. E. Coovert, of Portland, Oreg.; Thomas Edward Hayden, of San Francisco, Cal.; Thomas Howe, of New York City; H. O. Caster, of Oberlin, Kans.; J. W. Kehoe, of Pensacola, Fla.; Emmett Wilson, of Pensacola, Fla.; William T. Rutherford, of Jefferson City, Mo.; Thomas J. Higgs, of Kansas City, Mo.; Philip J. McKenna, of Chicago, Ill.; and Luke E. Hart, of St. Louis, Mo., were admitted to practice.

No. 289. Amory Eliot, administrator of Mary R. Peabody, deceased, et al., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Hughes.

No. 55. Clifford G. Ludvigh, as trustee in bankruptcy, etc., appellant, *v.* The American Woolen Company of New York 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. Justice Day.

No. 99. Edgar N. Collins, trustee, plaintiff in error, *v.* Edward Scharff et al. In error to the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. (Mr. Justice Pitney concurs in the result.)

No. 544. Arthur Greey, as trustee in bankruptcy of Schwab-Kepner Company, bankrupt, appellant, *v.* John E. Dockendorff. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice Holmes.

No. 56. New York Life Insurance Company, plaintiff in error, *v.* Deer Lodge County. In error to the Supreme Court of the State of Montana. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Hughes and Mr. Justice Van Devanter.

No. 722. The United States, plaintiff in error, *v.* John H. Carter. In error to the District Court of the United States for the Western District of North Carolina. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

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

No. 272. Paris & Great Northern Railroad Company, plaintiff in error, *v.* Mrs. Georgia Boston et al. In error to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas. Judgment affirmed with costs and interest by an equally divided court.

No. 127. Washington Dredging & Improvement Company, plaintiff in error, *v.* The State of Washington, E. V. Bussell, et al. In error to the Supreme Court of the State of Washington. Per curiam: Dismissed for want of jurisdiction. 1. *Eustice v. Bowles* (150 U. S., 361), *Preston v. Chicago* (226 U. S., 447, 450), *Kood v. Chesborough* (228 U. S., 672, 677). 2. *Deming v. Carlisle Packing Co.* (226 U. S., 102), *Standard Oil Company of Indiana v. Missouri* (224 U. S., 271, 287).

No. 103. John E. Heavner et al., plaintiffs in error, *v.* The City of Elkins. In error to the Supreme Court of Appeals of the State of West Virginia. Per curiam: Judgment affirmed with costs. *Schaefer v. Werling* (188 U. S., 516), *Detroit v. Parker* (181 U. S., 399, etc.).

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

No. 639. George G. Henry, appellant, *v.* William Henkel, United States marshal, etc.;

No. 787. The United States, plaintiff in error, *v.* Sam Pelican et al.; and

No. 798. The Oceanic Steam Navigation Company, Limited, etc., *v.* W. J. Mellor et al. Motions to advance granted, and cases assigned for argument on the first Monday in January next, after the cases heretofore assigned for that day.

No. 502. C. M. Summers, petitioner, *v.* The United States. Motion to modify judgment denied.

No. 354. The Holden Land & Live Stock Company et al., plaintiffs in error, *v.* Interstate Trading Company et al.;

No. 634. Margaret H. Williamson *v.* Katherine Osenton; and

No. 691. Seaboard Air Line Railway, plaintiff in error, *v.* James T. Horton. Ordered that these cases be placed on the summary docket.

No. 175. *Le Roy Fibre Company v. Chicago, Milwaukee & St. Paul Railway Company*. Motion for writ of certiorari to bring up the entire record and cause denied without prejudice.

No. 808. *Herman C. H. Herold, collector, petitioner, v. The Mutual Benefit Life Insurance Company*. Petition for 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 22d instant, to Monday, January 5, 1914.

No. 172. *Minidoka & Southwestern Railroad Company et al., appellants, v. The United States*. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Solicitor General Davis for the appellee.

No. 356. *Leon Cardenas Martinez, plaintiff in error, v. The State of Texas et al.* Motion to dismiss submitted by Mr. Joe T. Robinson, in behalf of Mr. B. F. Looney for the defendants in error, in support of the motion.

No. —, Original. *Ex parte*: In the matter of Jonas Jones, petitioner. Motion for leave to file petition for writ of habeas corpus submitted by Mr. Claude Weaver for the petitioner.

No. 166. *International Harvester Company of America, plaintiff in error, v. The State of Missouri*, on the information of its attorney general. Motion to dismiss submitted by Mr. John T. Barker for the defendant in error in support of the motion, with leave to counsel for both sides to file briefs hereafter, and cause passed per stipulation of counsel.

No. 118. *The United States of America, plaintiff in error and appellant, v. The Antikamnia Chemical Company*. Leave granted to file an additional brief for the defendant in error and appellee, on motion of Mr. D. W. Baker for the defendant in error and appellee.

No. 447. *The State of Wisconsin, upon the relation of Harry W. Bolens, plaintiff in error, v. James A. Frear, secretary of state, et al.* Motions to dismiss submitted by Mr. E. C. Brandenburg, in behalf of Mr. W. C. Owen, Mr. George G. Greene, and Mr. J. E. Dodge, for the defendants in error in support of the motions, and by Mr. Paul D. Carpenter for the plaintiff in error in opposition thereto.

No. 813. *Hamilton-Brown Shoe Company, petitioner, v. The Wolf Brothers & Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Henry S. Priest, Mr. Morton Jourdan, and Mr. Luke E. Hart for the petitioner, and by Mr. Lawrence Maxwell, Mr. Percy Werner, and Mr. Simeon M. Johnson for the respondent.

No. 179. The People of the State of Illinois ex rel. Charles S. Deneen, governor, et al., plaintiffs in error, *v.* The Economy Light & Power Company. Suggestion of expiration of term of office of Charles S. Deneen as governor, and William H. Stead as attorney general, and motion to substitute Edward F. Dunne, governor, and Patrick J. Lucey, attorney general, as parties plaintiffs in error herein submitted by Mr. Horace K. Tenney for the plaintiffs in error.

Motion to dismiss or affirm submitted by Mr. Frank H. Scott, Mr. Gilbert E. Porter, and Mr. Edgar A. Bancroft for the defendant in error, in support of the motion, and by Mr. Merritt Starr, Mr. Horace Kent Tenney, Mr. Elijah N. Zoline, Mr. John S. Miller, and Mr. George Packard for the plaintiffs in error in opposition thereto.

No. 377. Frank J. Willoughby et al., plaintiffs in error, *v.* The City of Chicago. Motion to dismiss submitted by Mr. William H. Sexton and Mr. Philip J. McKenna for the defendant in error, in support of the motion, and by Mr. Charles R. Holden for the plaintiffs in error, in opposition thereto.

No. 582. Alexander C. M. Pennington, appellant, *v.* the United States. Submitted, pursuant to the twentieth rule, by Mr. George A. King, Mr. William B. King, and Mr. William E. Harvey for the appellant, and by Mr. Assistant Attorney General Thompson for the appellee.

No. 445. James C. Yancey, appellant, *v.* The United States. Appeal from the District Court of the United States for the Southern District of California. Dismissed, on motion of counsel for the appellant.

No. 261. Grand Lodge Knights of Pythias, North America, etc., et al., plaintiffs in error, *v.* Supreme Lodge Knights of Pythias et al. In error to the Supreme Court of the State of Tennessee. Judgment reversed with costs, on confession of error by defendants in error, and cause remanded for further proceedings.

No. 147. The United States Trust Company of the District of Columbia, ancillary administrator, etc., appellant, *v.* The National Savings & Trust Company of the District of Columbia, administrator, etc. Appeal from the Court of Appeals of the District of Columbia. Dismissed with costs, pursuant to the tenth rule.

No. 149. F. O. Norris et al., trustees, etc., appellants, *v.* J. E. Johnson et al. Passed, to be restored to the call pursuant to section 9, rule 26, on account of sickness of counsel.

No. 133. Harry I. Mulcrevy et al., plaintiffs in error, *v.* City and County of San Francisco. Argument continued by Mr. James F. Tevlin for the plaintiffs in error, and concluded by Mr. J. F. English for the defendant in error.

No. 134. Piza Hermanos, s. en c., appellants, *v.* Ricardo A. Gandia Caldentey. Submitted by Mr. Frederic R. Coudert and Mr. Paul Fuller for the appellants, and by Mr. Charles F. Carusi for the appellee.

No. 135. Missouri Pacific Railway Company, plaintiff in error, *v.* F. D. Larabee et al. Argument commenced by Mr. D. P. Waggener for the plaintiff in error, and continued by Mr. Charles Blood Smith for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 16, will be as follows: Nos. 135, 138, 140, 141 (and 142), 144, 148, 150, 151, 152, and 154.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 16, 1913.

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

Fred B. Morrill, of Spokane, Wash., and Newton Hance Lassiter, of Fort Worth, Tex., were admitted to practice.

No. 152. Samuel W. Curriden, appellant, *v.* Frank L. Middleton et al. Passed, to be restored to the call pursuant to section 9, rule 26, on account of sickness of counsel, on motion of Mr. William F. Columbus, in behalf of counsel for the appellant.

No. 135. Missouri Pacific Railway Company, plaintiff in error, *v.* F. D. Larabee et al. Argument continued by Mr. Charles Blood Smith and Mr. Joseph G. Waters for the defendants in error, and concluded by Mr. B. P. Waggener for the plaintiff in error.

No. 138. National Safe Deposit Company, plaintiff in error *v.* William H. Stead, attorney general of the State of Illinois, et al. Argued by Mr. George Packard and Mr. John S. Miller for the plaintiff in error, and by Mr. Patrick J. Lucey for the defendants in error.

No. 140. The Baer Brothers Mercantile Company, plaintiff in error, *v.* The Denver & Rio Grande Railroad Company. Argument commenced by Mr. William B. Harrison for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 17, will be as follows: Nos. 140, 141 (and 142), 144, 148, 150, 151 154, 155, 156, and 157.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 17, 1913.

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

Mark W. Brown, of Asheville, N. C.; George S. Bradshaw, of Greensboro, N. C.; George H. Warren, of Manchester, N. H.; Charles Stuart Canfield, of Bridgeport, Conn.; and Will E. Orgain, of Beaumont, Tex., were admitted to practice.

No. 155. Alexander R. Magruder et al., appellants, *v.* Samuel A. Drury et al., trustees. Passed on account of sickness of counsel, to be restored to the call pursuant to section 9, rule 26.

No. 140. The Baer Brothers Mercantile Company, plaintiff in error, *v.* The Denver & Rio Grande Railroad Company. Argument continued by Mr. William B. Harrison for the plaintiff in error, and by Mr. E. N. Clark for the defendant in error, and concluded by Mr. William B. Harrison for the plaintiff in error.

No. 141. William Seim et al. *v.* James D. Hurd et al.; and

No. 142. The Woodward Company *v.* James D. Hurd et al. Argued by Mr. C. K. Offield for Seim and Reissing and Woodward Company, and by Mr. Walter E. Ward for Hurd et al.

No. 144. North Carolina Railroad Company, plaintiff in error, *v.* James A. Zachary, administrator, etc. Argument commenced by Mr. John K. Graves for the plaintiff in error, and continued by Mr. Thomas H. Calvert for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 18, will be as follows: Nos. 144, 148, 150, 151, 154, 156, 157, 159, 160, and 161.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 18, 1913.

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

Seward Davis, of New York City, was admitted to practice.

No. 144. North Carolina Railroad Company, plaintiff in error, *v.* James A. Zachary, administrator, etc. Argument continued by Mr. Thomas H. Calvert for the defendant in error, and concluded by Mr. John K. Graves for the plaintiff in error.

No. 148. Nathaniel W. Hobbs, trustee, appellant, *v.* Head & Dowst Company. Argument commenced by Mr. Henry F. Hollis for the appellant, continued by Mr. George H. Warren and Mr. Robert L. Manning for the appellees, and by Mr. Henry F. Hollis for the appellant.

Adjourned until to-morrow at 12 o'clock.

Day call for Friday, December 19, will be as follows, Nos. 148, 150, 151, 154, 156, 157, 159, 160, 161, and 164.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 19, 1913.

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

William Furst, of Minneapolis, Minn.; Henry Horner, of Chicago, Ill.; Henry L. Wolfe, jr., of Chattanooga, Tenn.; Lawrence Y. Sherman, of Springfield, Ill.; E. H. Benson, of Colby, Kans.; William Cullen Burns, of Chicago, Ill.; Clyde I. Webster, of Detroit, Mich.; and Frederic R. De Young, of Chicago, Ill., were admitted to practice.

No. —, Original. Ex parte: In the matter of Jonas Jones, petitioner. Leave granted to file brief in opposition to motion for leave to file petition for writ of habeas corpus herein on motion of Mr. Solicitor General Davis for the United States.

No. 148. Nathaniel W. Hobbs, trustee, appellant, *v.* Head & Dowst Company. Argument concluded by Henry F. Hollis for the appellant.

No. 150. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* City of Minneapolis. Argued by Mr. F. W. Root for the plaintiff in error and by Mr. C. J. Rockwood for the defendant in error.

No. 157. Edwin L. Gauthier, plaintiff in error, *v.* Peter Morrison et al. Argued by Mr. Fred B. Morrill for the plaintiff in error and by Mr. Reese H. Voorhees for the defendants in error.

Adjourned until Monday next at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 22, 1913.

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

Sylvester L. McLaurin, of Washington, D. C.; Edward R. Harvey, of Washington, D. C.; and Joseph N. Ulman, of Baltimore, Md., were admitted to practice.

Nos. 41 and 42. Daniel W. Baker, plaintiff in error, *v.* Brainard H. Warner. In error to the Court of Appeals of the District of Columbia. Judgment reversed with costs, and cause remanded with directions to remand the case to the Supreme Court of the District of Columbia with directions to grant a new trial and for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 105. Hagon John, guardian of Oscar and Annie Loman, minors, plaintiff in error, *v.* Lewis Paullin et al. In error to the Supreme Court of the State of Oklahoma. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 61. Phoenix Railway Company, plaintiff in error, *v.* Lee H. Landis, administrator of the estate of George W. Sanders, deceased. In error to the Supreme Court of the Territory of Arizona. Judgment affirmed with costs and interest, and cause remanded to the Supreme Court of the State of Arizona. Opinion by Mr. Justice Hughes.

No. 28. The Pullman Company, appellant, *v.* W. V. Knott, comptroller of the State of Florida; and

No. 158. The Pullman Company, appellant, *v.* W. V. Knott, comptroller of the State of Florida, and J. C. Lunning, as treasurer of the State of Florida. Appeals from the Circuit Court of the United States for the Northern District of Florida. Order of substitution made at the former term vacated and appeals dismissed with costs, and cases remanded to the District Court of the United States for the Northern District of Florida. Opinion by Mr. Justice Day.

No. 107. Seattle, Renton & Southern Railway Company, plaintiff in error, *v.* The State of Washington ex rel. A. G. Linhoff. In error to the Supreme Court of the State of Washington. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 33. The Aetna Life Insurance Company, petitioner, *v.* John T. Moore, administrator of John A. Salgue, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Southern District of Georgia for a new trial. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Pitney.

No. 47. The Prudential Insurance Company of America, petitioner, *v.* John T. Moore, administrator of John Andrew Salgue, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Southern District of Georgia for a new trial. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Pitney.

No. 93. J. W. Springstead et al., plaintiffs in error, *v.* Crawfordsville State Bank. In error to the Circuit Court of the United States for the Southern District of Florida. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Southern District of Florida, with direction to allow plaintiff to amend by alleging the citizenship of the original parties to the paper within such time as the court shall think proper, and upon failure to do so to dismiss for want of jurisdiction. Opinion by Mr. Chief Justice White.

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

No. 3, Original. The People of the State of New York, complainant, *v.* State of New Jersey and Passaic Valley Sewerage Commission. Ordered that the sum of \$5,000 be allowed to James D. Maher, Esq., as compensation for services rendered by him as commissioner herein, one-half of said amount to be paid by the complainant and one-half by the defendant, said sum to be taxed as part of the costs.

No. —, Original. *Ex parte*: In the matter of Jonas Jones, petitioner. Motion for leave to file petition for writ of habeas corpus denied.

No. 179. The People of the State of Illinois ex rel. Charles S. Deneen, governor, et al., plaintiffs in error, *v.* The Economy Light & Power Company. Motion to substitute Edward F. Dunne, governor, and Patrick J. Lucey, attorney general, as the parties plaintiffs in error herein granted.

No. 179. The People of the State of Illinois ex rel. Edward F. Dunne, governor, et al., plaintiffs in error, *v.* The Economy Light & Power Company. Motion to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 377. Frank J. Willoughby et al., plaintiffs in error, *v.* The City of Chicago. Motion to dismiss postponed to the hearing of the cause on its merits.

No. 813. Hamilton-Brown Shoe Company, petitioner, *v.* The Wolf Brothers & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 605. Malinda Thurston, administratrix, etc., appellant, *v.* The United States et al. Submitted pursuant to the twentieth rule by Mr. Harry Peyton, Mr. F. Sprigg Perry, and Mr. J. Wharton Clark for the appellant, and by Mr. Assistant Attorney General Thompson for the appellees.

No. 800. Clarence B. Wood, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Davis for the defendant in error.

No. 179. The People of the State of Illinois, ex rel. Edward F. Dunne, governor, et al., plaintiffs in error, *v.* The Economy Light & Power Company. Passed, to be restored to the call under the provisions of section 9, rule 26, per stipulation of counsel, and on motion of Mr. Harry A. Parkin for the plaintiffs in error.

No. 807. The City of New York, petitioner, *v.* William Sage, jr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. Louis C. White for the petitioner, and by Mr. Edward A. Alexander for the respondent.

No. —, Original. James M. Cockins, petitioner, *v.* Adelaide Miller Blick and Horace J. Miller. Petition for a writ of error, submitted by Samuel S. Mehard and Mr. Harvey A. Miller for the petitioner, and by Mr. John S. Ferguson and Mr. Joseph N. Ulman for the respondent.

No. 795. Charles S. Intermeala, etc., petitioner, *v.* David Perkins. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, submitted by Mr. Walter S. Penfield for the petitioner, and by Mr. Charles E. Shepard for the respondent.

No. 816. Annie Myers, petitioner, *v.* Pittsburgh Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit, submitted by Mr. Edward C. Goodwin for the petitioner, and by Mr. Charles Marshall Johnston for the respondent.

No. 680. Fred W. Lake and H. H. Snow, plaintiffs in error, *v.* Mary A. Bonyng and W. A. Bonyng; and

No. 681. Fred W. Lake et al., plaintiffs in error, *v.* The Superior Court of the State of California in and for the county of Kern. Motions to dismiss or affirm, submitted by Mr. Evans Browne in behalf of Mr. W. J. Hunsaker, Mr. E. W. Britt, Mr. Frank H. Short, and Mr. D. S. Erving for the defendants in error in support of the motions, and by Mr. James F. Peck and Mr. Charles C. Boynton for the plaintiffs in error in opposition thereto.

No. 806. Louis W. Prenica, etc., et al., plaintiffs in error, *v.* May Bulger. Motion to amend writ of error herein, submitted by Mr. William C. Prentiss for the plaintiffs in error in support of the motion.

No. 740. Hanover Star Milling Company, petitioner, *v.* D. D. Metcalf. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, submitted by Mr. John K. Graves in behalf of Mr. Henry Fitts for the petitioner, and by Mr. E. E. Longan and Mr. J. F. Gilster for the respondent.

No. 449. Parker-Washington Company, plaintiff in error, *v.* Harold Cramer, a minor, etc. Motion to dismiss or affirm and for damages, submitted by Mr. Michael F. Gallagher for the defendant in error in support of the motion, and by Mr. Shepard Barclay and Mr. Henry R. Rathbone for the plaintiff in error in opposition thereto.

No. 615. New Orleans & Northeastern Railroad Company et al., plaintiffs in error, *v.* National Rice Milling Company. Motion to dismiss or affirm, submitted by Mr. Gustave Lemle for the defendant in error in support of the motion, and by Mr. John K. Graves and Mr. J. Blanc Monroe for the plaintiffs in error in opposition thereto.

Adjourned until Monday, January 5, 1914, at 12 o'clock.

The day call for Monday, January 5, 1914, will be as follows: Nos. 548, 415, 64 (and 65, 66, 67, 73, 74, 623, 624, 625, 626, 627, 628, 629, 630, 631, and 632), 642 (and 643), 640, 710, 727 (and 728 and 729), 760, 750, 458, 595, 555, 707, 639, 787, and 798.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 5, 1914.

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

Nathan B. Williams, of Fayetteville, Ark.; Henry E. Kahn, of Houston, Tex.; Robert J. King, of Zanesville, Ohio; Nathaniel Barratt Smithers, of Dover, Del.; Bruce S. Elliott, of St. Louis, Mo.; James A. Donohoe, of O'Neill, Nebr.; John W. Kemp, of Los Angeles, Cal.; Albert Lee Stephens, of Los Angeles, Cal.; and Ray E. Nimmo, of Los Angeles, Cal., were admitted to practice.

No. 7. Annie Lapina, petitioner, *v.* William Williams, Commissioner of Immigration. 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 Pitney.

No. 68. Gila Valley, Globe & Northern Railway et al., plaintiffs in error, *v.* John Hall. In error to the Supreme Court of the Territory of Arizona. Judgment affirmed with costs and interest and cause remanded to the Supreme Court of the State of Arizona. Opinion by Mr. Justice Pitney.

No. 87. The Bank of Arizona et al., plaintiffs in error, *v.* Thomas Haverty Company. In error to the Supreme Court of the Territory of Arizona. Judgment affirmed with costs and interest. Opinion by Mr. Justice Pitney.

No. 122. Robert B. Ross and Fannie D. Ross, plaintiffs in error, *v.* James Day. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 589. The United States, plaintiff in error, *v.* Eugene Buchanan. In error to the District Court of the United States for the District of Colorado. Judgment affirmed. Opinion by Mr. Justice Lamar.

No. 138. National Safe Deposit Company, plaintiff in error, *v.* William H. Stead, Attorney General, et al. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 77. Joseph Swift, plaintiff in error. *v.* Donald A. McPherson. In error to the Supreme Court of the State of South Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 503. The United States, petitioner, *v.* James B. Regan. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed and cause remanded to the District Court of the United States for the Southern District of New York with a direction for a new trial. Opinion by Mr. Justice Van Devanter.

No. 18. Truman R. Hawley, plaintiff in error. *v.* The City of Malden. In error to the Superior Court of the State of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 83. William M. Barrett, as president of the Adams Express Company, etc., appellant, *v.* The City of New York et al.; and

No. 84. The City of New York et al., appellants, *v.* William M. Barrett, as president of the Adams Express Company, etc. Appeals from the Circuit Court of the United States for the Southern District of New York. Decree reversed with costs and case remanded to the District Court of the United States for the Southern District of New York with direction to enter a decree in favor of the complainant in conformity with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 85. Edward T. Platt, as treasurer of the United States Express Company, etc., appellant, *v.* The City of New York et al.; and

No. 86. The City of New York et al., appellants, *v.* Edward T. Platt, as treasurer of the United States Express Company, etc. Appeals from the Circuit Court of the United States for the Southern District of New York. Decree reversed with costs and case remanded to the District Court of the United States for the Southern District of New York with direction to enter a decree in favor of the complainant in conformity with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 119. Mary F. Rainey, as administratrix, etc., *v.* W. R. Grace & Company. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Questions certified answered in the affirmative. Opinion by Mr. Justice Day.

No. 165. Albert B. Cameron, petitioner, *v.* The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings. Opinion by Mr. Justice Day.

No. 251. George W. Radford, plaintiff in error, *v.* Mary D. Myers, executrix, etc. In error to the Supreme Court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 13. George E. Tinker, plaintiff in error, *v.* Midland Valley Mercantile Company. In error to the Supreme Court of the State of Oklahoma. Judgment reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 108. William P. Trimble et al., plaintiffs in error, *v.* The City of Seattle. In error to the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 134. Piza Hermanos, S. en C., appellant, *v.* Ricardo A. Gandia Caldentey. In error to the Supreme Court of Porto Rico. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 148. Nathaniel W. Hobbs, trustee, appellant, *v.* Head & Dowst Company. 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 New Hampshire. Opinion by Mr. Justice Holmes.

No. 378. The United States, plaintiff in error, *v.* Samuel E. Moist. In error to the District Court of the United States for the Northern District of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 11, Original. Ex parte: In the matter of the City of Louisville, Kentucky, petitioner. Rule to show cause discharged and petition for writ of mandamus denied. Opinion by Mr. Justice McKenna.

No. 12, Original. Ex parte: In the matter of A. Englehard & Sons Company, petitioner. Rule to show cause discharged and petition for writ of mandamus denied. Opinion by Mr. Justice McKenna.

No. 538: City of Louisville, appellant, *v.* Cumberland Telephone & Telegraph Company. Appeal from the District Court of the United States for the Western District of Kentucky. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 469. Mary Genevieve Pennell, administratrix, etc., plaintiff in error, *v.* Philadelphia & Reading Railway 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 Eastern District of Pennsylvania. Opinion by Mr. Justice McKenna.

No. 118. The United States of America, plaintiff in error and appellant, *v.* The Antikamnia Chemical Company. In error to and appeal from the Court of Appeals of the District of Columbia. Decree reversed, and cause remanded with direction to reverse the decree of the Supreme Court of the District of Columbia and remand the cause to that court with direction to overrule the exceptions to the libel. Opinion by Mr. Justice McKenna.

No. 133. Harry I. Mulcrevy et al., plaintiffs in error, *v.* City and County of San Francisco. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 69. Ada E. H. Van Syckel, etc., et al., appellants, *v.* Juan Jose Arsuaga et al., partners, etc. Appeal from the District Court of the United States for Porto Rico. Decree affirmed with costs. Opinion by Mr. Chief Justice White.

No. 582. Alexander C. M. Pennington, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice White.

No. 447. The State of Wisconsin ex rel. Harry W. Bolens, plaintiff in error, *v.* James A. Frear, Secretary of State of the State of Wisconsin, et al. In error to the Supreme Court of the State of Wisconsin. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 472. The Wyandotte County Gas Company, plaintiff in error, *v.* The State of Kansas ex rel. John Marshall, attorney, etc. In error to the Supreme Court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 46. James H. Work, appellant, *v.* The United Globe Mines. 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. Chief Justice White.

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

No. 449. Parker-Washington Company, plaintiff in error, *v.* Harold Cramer, a minor, etc. In error to the District Court of the United States for the Northern District of Illinois. Per curiam: Dismissed for want of jurisdiction. Union Trust Company of St. Louis *v.* Westhus (228 U. S., 519).

No. —, Original. James M. Cockins, petitioner, *v.* Adelaide Miller Blick and Horace J. Miller. Petition for a writ of error denied.

No. 806. Louis W. Prenica et al., plaintiffs in error, *v.* May Bulger. Motion to amend the writ of error granted.

No. 800. Clarence B. Wood, plaintiff in error, *v.* The United States. Motion to advance granted, and case assigned for argument on Tuesday, February 24 next.

No. 615. New Orleans & Northeastern Railroad Company et al., plaintiffs in error, *v.* National Rice Milling Company. Motion to dismiss or affirm denied, and case ordered to be placed on the summary docket.

No. 740. Hanover Star Milling Company, petitioner, *v.* D. D. Metcalf. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 807. The City of New York, petitioner, *v.* William Sage, jr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 816. Annie Myers, petitioner, *v.* Pittsburgh Coal Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted, and the case ordered to be placed on the summary docket.

No. 795. Charles S. Intermela, etc., petitioner, *v.* David Perkins. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 555. The United States of America, plaintiff in error, *v.* Paul Beatty et al. Petition for a writ of certiorari herein submitted by Mr. Solicitor General Davis in support of the petition.

No. 639. George G. Henry, appellant, *v.* William Henkel, United States marshal, etc. Reassigned for argument on Tuesday, February 24 next, after the case already assigned for that day, on motion of Mr. Solicitor General Davis for the appellee.

No. 829. The United States et al., appellants, *v.* Louisiana & Pacific Railway Company et al.;

No. 830. Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* Louisiana & Pacific Railway Company et al.;

No. 831. The United States et al., appellants, *v.* Woodward & Louisiana Central Railway Company et al.;

No. 832. The Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* Woodward & Louisiana Central Railway Company et al.;

No. 833. The United States et al., appellants, *v.* Mansfield Railway & Transportation Company et al.;

No. 834. The Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* Mansfield Railway & Transportation Company et al.;

No. 835. The United States et al., appellants, *v.* Victoria, Fisher & Western Railroad Company et al.;

No. 836. The United States et al., appellants, *v.* Victoria, Fisher & Western Railroad Company et al.; and

No. 837. The United States et al., appellants, *v.* Butler County Railroad Company. Motion to advance submitted by Mr. Solicitor General Davis for the United States.

No. 425. Grand Trunk Western Railway Company, plaintiff in error, *v.* George Lindsay. Motion for order to the clerk to print record submitted by Mr. George E. Gorman, in behalf of Mr. James C. McShane for the defendant in error in support of the motion, and by Mr. George W. Kretzinger, jr., for the plaintiffs in error in opposition thereto.

No. 823. Anthony Farrugia, plaintiff in error, *v.* Philadelphia & Reading Railway. Motion to advance submitted by Mr. George Demming for the plaintiff in error.

No. 126. Washington Dredging & Improvement Company, plaintiff in error, *v.* The State of Washington et al. Assigned for argument on Tuesday, February 24, after the cases already assigned for that day, on motion of Mr. Hannis Taylor for the plaintiff in error.

No. 798. The Oceanic Steam Navigation Company, etc., *v.* W. J. Mellor et al. Leave to file brief herein as *amicus curiæ* granted, on motion of Mr. A. Gordon Murray for certain interested parties.

No. 798. The Oceanic Steam Navigation Company, etc., *v.* W. J. Mellor et al. Petition for a writ of certiorari to bring up the whole record and cause submitted by Mr. G. Thomas Dunlop in behalf of Mr. George Whitefield Betts, jr., for Mellor et al.

No. 820. Jehel Rosen, petitioner, *v.* William Williams, Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Evans Browne, in behalf of Mr. William S. Bennet for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 548. The United States of America, petitioner, *v.* Lexington Mill & Elevator Company. Leave to file brief herein as *amicus curiæ* granted, on motion of Mr. Henry P. Blair, in behalf of Mr. R. S. Rounds for certain interested parties.

No. 846. Town of Aurora, petitioner, *v.* Martha L. Gates; and

No. 847. Town of Aurora, petitioner, *v.* Robert P. Wilder. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William A. Bryans for the petitioner, and by Mr. E. P. Costigan for the respondents.

No. 798. The Oceanic Steam Navigation Company, etc., *v.* W. J. Mellor et al. Leave to file brief herein as *amicus curiæ* granted, on motion of Mr. A. B. Duvall in behalf of Mr. Howard S. Harrington for certain interested parties.

No. 791. Providence-Washington Insurance Company, petitioner, *v.* Harvey Granger and Charles E. Lewis. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the

Second Circuit submitted by Mr. A. B. Duvall in behalf of Mr. Howard S. Harrington for the petitioner, and by Mr. Nelson Zabriskie for the respondents.

No. 679. Charles Carlesi alias Charles Carlese, plaintiff in error, *v.* The People of the State of New York. Motion to advance submitted by Mr. Frederick S. Tyler, in behalf of counsel for the plaintiff in error.

No. 696. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Ivolue B. West. Motion to dismiss or affirm submitted by Mr. Frederick S. Tyler in behalf of Mr. Thomas D. O'Brien and Mr. Benjamin Martin, jr., for the defendant in error in support of the motion, and by Mr. Joseph M. Bryson and Mr. C. L. Jackson for the plaintiffs in error in opposition thereto.

No. 776. Star Chronicle Publishing Company, plaintiff in error, *v.* The United Press Association. Motion to dismiss or affirm and for damages submitted by Mr. Campbell Cummings for the defendant in error in support of the motion, and by Mr. Shepard Barclay for the plaintiff in error in opposition thereto. Petition for a writ of certiorari herein submitted by Mr. Shepard Barclay in support of the petition.

No. 587. Thomas C. Perkins et al., plaintiffs in error, *v.* Arthur C. Coffin et al. In error to the Supreme Court of Errors of the State of Connecticut. Dismissed, per stipulation of counsel.

No. 778. W. A. Gaines & Company, appellant, *v.* The Turner-Looker Company. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. Dismissed with costs, on motion of counsel for the appellant.

No. 548. The United States of America, petitioner, *v.* Lexington Mill & Elevator Company. Argued by Mr. Attorney General McReynolds for the petitioner, and by Mr. Edward P. Smith and Mr. Bruce S. Elliott for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 6, will be as follows: Nos. 415, 64 (and 65, 66, 67, 73, 74, 623, 624, 625, 626, 627, 628, 629, 630, 631, and 632), 642 (and 643), 640, 710, 727 (and 728 and 729), 760, 750, 458, 595, 555, 707, 787, and 798.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 6, 1914.

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

Israel H. Perskin, of New York City, was admitted to practice.

No. 188. The Denver & Rio Grande Railroad Company, appellant, *v.* The Arizona & Colorado Railroad Company of New Mexico. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. T. B. Catron for the appellee.

No. 473. Great Northern Railway Company, plaintiff in error, *v.* Gertrude O'Connor. Submitted pursuant to the twentieth rule by Mr. E. C. Lindley for the plaintiff in error, and by Mr. C. D. O'Brien for the defendant in error.

No. 797. J. W. Cain, plaintiff in error, *v.* Commercial Publishing Company. Submitted pursuant to the twentieth rule by Mr. Marcus Green for the plaintiff in error, and by Mr. Lovick P. Miles for the defendant in error.

No. 415. Robert Russell, plaintiff in error, *v.* Charles E. Sebastian. Leave to file brief herein as amicus curiæ prepared by Mr. Charles S. Wheeler and Mr. John F. Bowie in behalf of certain interested parties granted, on motion of Mr. Garrett W. McEnerney in their behalf.

No. 415. Robert Russell, plaintiff in error, *v.* Charles E. Sebastian. Argument commenced by Mr. Garrett W. McEnerney for the plaintiff in error, continued by Mr. Ray E. Nimmo and Mr. Albert Lee Stephens for the defendant in error, and concluded by Mr. Oscar A. Trippet for the plaintiff in error. Leave granted to counsel for the defendant in error to file an additional brief within four days.

Nos. 64, 65, 66, 67, 73, 74, 623, 624, 625, 626, 627, 628, 629, 630, 631, and 632. The Foreign-Built Yacht Tax Cases. Argument commenced by Mr. William D. Guthrie for the yacht owners.

Adjourned until to-morrow at 12 o'clock.

Day call for Wednesday, January 7, 1914, will be as follows: Nos. 64 (and 65, 66, 73, 74, 623, 624, 625, 626, 627, 628, 629, 630, 631, and 632), 642 (and 643), 640, 710, 727 (and 728 and 729), 760, 750, 458, 595, 555, 707, 787, and 798.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 7, 1914.

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

John R. Tyson, of Montgomery, Ala., and J. E. Booth, of Provo, Utah, were admitted to practice.

No. 477. Julian Munsuri, appellant, *v.* C. O. Lord, trustee, etc. On writ of certiorari to the District Court of the United States for Porto Rico. Dismissed without costs to either party per stipulation.

No. 750. The United States *v.* The Midwest Oil Company et al. Leave to file brief herein as *amicus curiæ* granted on motion of Mr. Evans Browne for certain interested parties.

No. 798. The Oceanic Steam Navigation Company *v.* William J. Mellor et al. Petition for a writ of certiorari to bring up the entire record denied.

No. 555. The United States of America, plaintiff in error, *v.* Paul Beatty et al. Further consideration of the petition for a writ of certiorari postponed to the hearing of the cause on its merits.

Nos. 631 and 632. The United States *v.* Harriet Goelet. Death of Harriet Goelet suggested, and the appearance of Robert Walton Goelet, as sole executor under the last will and testament of the said Harriet Goelet, deceased, as a party in said cases, filed and entered on motion of Mr. William D. Guthrie for said executor.

Nos. 64, 65, 66, 67, 73, 74, 623, 624, 625, 626, 627, 628, 629, 630, 631, and 632. The Foreign-built Yacht Tax Cases. Argument continued by Mr. William D. Guthrie and Mr. C. Andrade, jr., for the yacht owners, by Mr. Assistant Attorney General Adkins for the United States, and concluded by Mr. William D. Guthrie for the yacht owners.

No. 642. The Ohio River & Western Railway Company, appellant, *v.* Robert M. Dittey et al., as The Tax Commission of Ohio et al.; and

No. 643. The Marietta, Columbus & Cleveland Railroad Company, appellant, *v.* David S. Creamer, treasurer of the State of Ohio, et al.

Argued by Mr. Robert J. King and Mr. F. A. Durban for the appellants, and by Mr. Frank Davis, jr., and Mr. Clarence D. Laylin for the appellees.

No. 640. Samuel Gompers et al., plaintiffs in error and appellants, *v.* The United States. Argument commenced by Mr. Alton B. Parker for the plaintiffs in error and appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 8, will be as follows: Nos. 640, 710, 727 (and 728 and 729), 760, 750, 458, 595, 555, 707, 787, and 798.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 8, 1914.

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

Gertrude R. Keegan, of Binghamton, N. Y., was admitted to practice.

No. 640. Samuel Gompers et al., plaintiffs in error and appellants, *v.* The United States. Argument continued by Mr. Alton B. Parker and Mr. Jackson H. Ralston for the plaintiffs in error and appellants and by Mr. J. J. Darlington and Mr. Daniel Davenport for the defendant in error and appellee and concluded by Mr. Alton B. Parker for the plaintiffs in error and appellants.

No. 710. The United States, plaintiff in error, *v.* Hardaway Young. Submitted by Mr. Solicitor General Davis for the plaintiff in error. No appearance for the defendant in error.

No. 728. The United States, plaintiff in error, *v.* Thomas E. Brents; and

No. 729. The United States, plaintiff in error, *v.* Evert E. Van Wert. Submitted by Mr. Solicitor General Davis for the plaintiff in error. No appearance for the defendants in error.

No. 727. The United States, plaintiff in error, *v.* Willis N. Birdsall. Argument commenced by Mr. Charles W. Mullen for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 9, will be as follows: Nos. 727, 760, 750, 458, 595, 555, 707, 787, 798, and 4.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 9, 1914.

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

Clifford L. Newman, of Paterson, N. J.; Frederick W. Van Blarcom, of Paterson, N. J.; Frederick J. Lobell, of Chicago, Ill.; Frank G. Curtis, of Jamestown, N. Y.; and Ralph C. Powell, of Pittsburgh, Pa., were admitted to practice.

No. 727. The United States, plaintiff in error, *v.* Willis N. Birdsell. Argument concluded by Mr. Charles W. Mullen for the defendant in error and submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 760. Robert C. Bacon et al., Public Service Commission of Vermont, appellants, *v.* Rutland Railroad Company. Argued by Mr. Frederic D. McKenney for the appellants and by Mr. E. S. Lawrence for the appellee.

No. 750. The United States *v.* The Midwest Oil Company. Argument commenced by Mr. Assistant Attorney General Knaebel for The United States and continued by Mr. Joel F. Vaile for The Midwest Oil Company et al.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 12, will be as follows: Nos. 750, 458, 595, 555, 707, 787, 798, 4, 97 (and 98), and 102.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 12, 1914.

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

William G. Porter, of Aberdeen, S. Dak.; James F. Green, of St. Louis, Mo.; and E. G. Meriwether, of Alton, Ill., were admitted to practice.

No. 109. Belle J. Barnes et al., appellants, *v.* J. L. B. Alexander et al. Appeal from the Supreme Court of the Territory of Arizona. Decree affirmed with costs and interest and cause remanded to the Supreme Court of the State of Arizona. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 425. Grand Trunk Western Railway Company, plaintiff in error, *v.* George Lindsay;

No. 679. Charles Carlesi, alias Charles Carlese, plaintiff in error, *v.* The People of the State of New York;

No. 823. Anthony Farrugia, plaintiff in error, *v.* The Philadelphia & Reading Railway Company; and

No. 696. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Ivolue B. West. Advanced and placed on the summary docket.

No. 829. The United States et al., appellants, *v.* Louisiana & Pacific Railway Company et al.;

No. 830. Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* Louisiana & Pacific Railway Company et al.;

No. 831. The United States et al., appellants, *v.* Woodward & Louisiana Central Railway Company et al.;

No. 832. The Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* Woodward & Louisiana Central Railway Company et al.;

No. 833. The United States et al., appellants, *v.* Mansfield Railway & Transportation Company et al.;

No. 834. The Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* Mansfield Railway & Transportation Company et al.;

No. 835. *The United States et al., appellants, v. Victoria, Fisher & Western Railroad Company et al.*;

No. 836. *Atchison, Topeka & Santa Fe Railway Company et al., appellants, v. Victoria, Fisher & Western Railroad Company et al.*; and

No. 837. *The United States et al., appellants, v. Butler County Railroad Company.* Motion to advance granted and cases assigned for argument on Tuesday, February 24th next, after the cases heretofore assigned for that day.

No. 776. *Star Chronicle Publishing Company, plaintiff in error, v. The United Press Associations.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 791. *Providence Washington Insurance Company, petitioner, v. Harvey Granger and Charles E. Lewis.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 820. *Jeheil Rosen, petitioner, v. William Williams, Commissioner of Immigration.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 846. *Town of Aurora, petitioner, v. Martha L. Gates*; and

No. 847. *Town of Aurora, petitioner, v. Robert P. Wilder.* Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 776. *Star Chronicle Publishing Company, plaintiff in error, v. United Press Associations.* In error to the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: Dismissed for want of jurisdiction. *Omaha Railroad Company v. Omaha* (230 U. S., 123); *Shulthis v. McDougal* (225 U. S., 561); *Chicago Junction Railway Company v. King* (222 U. S., 223); *In re Metropolitan Railway receivership* (208 U. S., 109).

No. 356. *Leon Cardenas Martinez, plaintiff in error, v. The State of Texas.* In error to the Court of Criminal Appeals for the State of Texas. *Per curiam*: Dismissed for want of jurisdiction. *Ex parte Siebold* (100 U. S., 371, 375); *Ex parte Crouch* (112 U. S., 178); *Andrews v. Swartz* (156 U. S., 272); *Barrington v. Missouri* (205 U. S., 483); *Leeper v. Texas* (139 U. S., 462); *Fullerton v. Texas* (196 U. S., 192); *McCorquodale v. Texas* (211 U. S., 432).

No. 177. *George E. Bowling et al., appellants, v. The United States of America.* Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Solicitor General Davis for the appellee.

No. 529. Union Lime Company, plaintiff in error, *v.* The Chicago & Northwestern Railway Company et al. Motion to dismiss or affirm submitted by Mr. E. C. Brandenburg in behalf of Mr. L. E. Lurvey for the defendants in error in support of the motion, and by Mr. George Lines and Mr. Willet M. Spooner for the plaintiff in error in opposition thereto.

No. 840. The steamship "George W. Elder," etc., et al., claimants, petitioners, *v.* The Port of Portland. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Arthur A. Birney for the petitioners.

No. 798. The Oceanic Steam Navigation Company, Limited, etc., *v.* W. J. Mellor and Harry Anderson. Leave to file brief herein as amicus curiae on behalf of Louise Robins, administratrix, et al., granted, on motion of Mr. Richard P. Whitely in that behalf.

No. 149. F. O. Norris et al., trustees, etc., appellants, *v.* J. E. Johnson et al. Motion to dismiss submitted by Mr. Henry F. Ring for the appellees in support of the motion, and by Mr. Thomas M. Kennerly for the appellants in opposition thereto.

No. 648. The Minneapolis & St. Louis Railroad Company, plaintiff in error, *v.* O. S. Burho. Motion to dismiss or affirm submitted by Mr. N. M. Thygeson for the defendant in error in support of the motion, and by Mr. W. H. Bremner for the plaintiff in error in opposition thereto.

No. 750. The United States *v.* The Midwest Oil Company et al. Argument continued by Mr. Joel F. Vaile for The Midwest Oil Company et al., and concluded by Mr. Solicitor General Davis for the United States.

No. 458. The Singer Sewing Machine Company, appellant, *v.* Robert C. Brickell, Attorney General, etc., et al. Argument commenced by Mr. John R. Tyson for the appellant, continued by Mr. Robert C. Brickell for the appellees, and concluded by Mr. Henry Axtell Prince for the appellant.

No. 595. The State of Alabama, plaintiff in error, *v.* Sudie Schmidt. Argued by Mr. Robert C. Brickell for the plaintiff in error, and by Mr. J. K. Dixon for the defendant in error.

No. 555. The United States of America, plaintiff in error, *v.* Paul Beatty et al. Argument commenced by Mr. Solicitor General Davis for the plaintiff in error, and continued by Mr. E. Hilton Jackson and Mr. D. C. O'Flaherty for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 13, will be as follows: Nos. 555, 707, 787, 798, 4, 97 (and 98), 102, 128, 151, and 154.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 13, 1914.

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

William H. Churchill, of Milwaukee, Wis.; Oscar R. Houston, of New York City; Norman B. Beecher, of New York City; Edward M. Colie, of Newark, N. J.; John C. Prizer, of New York City; Theodore M. Taft, of New York City; H. C. von Struve, of Plainview, Tex.; Francis H. Kinnicutt, of New York City; Henry C. Workman, of New York City; and Thomas Ewing, of Washington, D. C., were admitted to practice.

No. 522. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* L. C. Cade; and

No. 604. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* S. O. Harris. Motion to advance submitted by Mr. A. B. Browne for the plaintiff in error.

No. 555. The United States of America, plaintiff in error, *v.* Paul Beatty et al. Argument continued by Mr. D. C. O'Flaherty for the defendant in error, and concluded by Mr. Solicitor General Davis for the plaintiff in error.

No. 707. Sam B. Perrin, plaintiff in error, *v.* The United States. Submitted by Mr. Charles H. Bartelt and Mr. Edwin R. Winans for the plaintiff in error, and Mr. Assistant Attorney General Wallace for the defendant in error.

No. 787. The United States, plaintiff in error, *v.* Sam Pelican et al. Argued by Mr. Assistant Attorney General Wallace for the plaintiff in error. No appearance for the defendant in error.

No. 4. Charles Maibaum, appellant, *v.* The United States. Submitted by Mr. James Hamilton Lewis and Mr. Elijah N. Zoline for the appellant and Mr. Solicitor General Davis for the appellee.

No. 798. The Oceanic Steam Navigation Company, Limited, as owners of the steamship *Titanic*, *v.* W. J. Mellor and Harry Anderson. Two hours allowed each side for argument, on motion of Mr.

Frederick M. Brown for Mellor and Anderson. Argument commenced by Mr. Charles C. Burlingham for Oceanic Steam Navigation Company, Limited, etc., and continued by Mr. Norman B. Beecher for Oceanic Steam Navigation Company, Limited, and Mr. Frederick M. Brown for Mellor and Anderson.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 14, will be as follows: Nos. 798, 97 (and 98), 102, 128, 151, 154, 156, 159, 160, and 161.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 14, 1914.

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

Charles A. Loomis, of Kansas City, Mo.; Louis L. Ansart, of Washington, D. C.; John Boyle, jr., of Washington, D. C.; Jesse M. Campbell, of Washington, D. C.; James H. Lightfoot, of Washington, D. C.; and John B. Barnes, jr., of Casper, Wyo., were admitted to practice.

No. 595. The State of Alabama, plaintiff in error, *v.* Sudie Schmidt. Leave granted to file an additional brief for the plaintiff in error herein.

No. 798. The Oceanic Steam Navigation Company, Limited, as owners of the steamship *Titanic*, *v.* William J. Mellor and Harry Anderson. Argument continued by Mr. Frederick M. Brown and Mr. George Whitefield Betts, jr., for Mellor and Anderson, and concluded by Mr. J. Parker Kirilin for The Oceanic Steam Navigation Company, Limited.

No. 97. The Interstate Commerce Commission et al., appellants, *v.* Southern Pacific Company et al.; and

No. 98. The Interstate Commerce Commission et al., appellants, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Argument commenced by Mr. Blackburn Esterline for The United States, and continued by Mr. F. H. Wood and Mr. Gardiner Lathrop for the appellees, and by Mr. P. J. Farrell for The Interstate Commerce Commission.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 15, will be as follows: Nos. 97 (and 98), 102, 128, 151, 154, 156, 159, 160, 161, and 164.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 15, 1914.

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

William H. McSurely, of Chicago, Ill.; Roy F. Hall, of Rockford, Ill.; and Frank H. Hall, of Jersey City, N. J., were admitted to practice.

No. 97. The Interstate Commerce Commission et al., appellants, *v.* Southern Pacific Company et al.; and

No. 98. The Interstate Commerce Commission et al., appellants, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Argument concluded by Mr. P. J. Farrell for the Interstate Commerce Commission.

No. 102. The Plymouth Coal Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania et al. Argument commenced by Mr. William C. Price for the plaintiff in error, continued by Mr. John C. Bell for the defendants in error, and concluded by Mr. John G. Johnson for the plaintiff in error.

No. 128. Joseph Pronovost, plaintiff in error, *v.* The United States. Submitted by Mr. Assistant Attorney General Wallace for the defendant in error. No brief filed by the plaintiff in error.

No. 151. Anna M. Burbank et al., etc., plaintiffs in error, *v.* Mrs. Josephine Ernst, legal tutrix, etc., et al. Argument commenced by Mr. Charles S. Rice for the plaintiffs in error, continued by Mr. Henry P. Dart for the defendants in error, and by Mr. Sam Streetman for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

Day call for Friday, January 16, will be as follows: Nos. 151, 154, 156, 159, 160, 161, 164, 167, 170, and 171.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 16, 1914.

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

Charles A. Houts, of St. Louis, Mo.; W. Thomas Kemp, of Baltimore, Md.; and Sigmund Solomon, of New York City, were admitted to practice.

No. 167. Louis Dejonge & Company, appellant, *v.* Breuker & Kessler Company. Continued, per stipulation of counsel.

No. 151. Anna M. Burbank et al., etc., plaintiffs in error, *v.* Mrs. Josephine Ernst, legal tutrix, etc., et al. Arguments concluded by Mr. Sam Streetman for the plaintiffs in error.

No. 154. Woodward Cotton Company, appellant, *v.* The City of Woodward et al. Argued by Mr. Charles A. Loomis for the appellees, and submitted by Mr. John Devereux for the appellant.

No. 156. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Jelske Cramer. Submitted by Mr. M. L. Bell for the plaintiff in error. No appearance for the defendant in error.

No. 159. D. E. Foote & Company (Inc.) et al., plaintiff in error, *v.* Charles H. Stanley, comptroller. Argument commenced by Mr. W. Thomas Kemp for the plaintiff in error, continued by Mr. Edgar Allan Poe for the defendant in error, and concluded by Mr. George Whitelock for the plaintiff in error.

No. 160. Manhattan Life Insurance Company et al., plaintiffs in error, *v.* David Cohen, independent executor, etc. Passed, under the twenty-sixth rule, on account of the sickness of counsel.

No. 161. The Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* J. F. Polt. Argued by Mr. William G. Porter for the plaintiff in error. No appearance for the defendant in error.

No. 164. Carl Eberle et al., plaintiffs in error, *v.* The People of the State of Michigan. Argument commenced by Mr. Richard Price for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 19, will be as follows: Nos. 164, 170, 171, 173, 174, 175, 176, 178, 180, and 181.



SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 19, 1914.

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

Robert E. Waterman, of Ogdensburg, N. Y.; Ralph H. Jurnegan, of Mishawaka, Ind.; Charles A. Lindbergh, of Little Falls, Minn.; Samuel Walker Banning, of Chicago, Ill.; Stanwix G. Mayfield, of Denmark, S. C.; Charles Carroll Simms, of Barnwell, S. C.; Thomas Jefferson Kirkland, of Camden, S. C.; Eugene D. Blakeney, of Kershaw, S. C.; and David E. Greenstine, of Detroit, Mich., were admitted to practice.

No. 100. Chesapeake & Ohio Railway Company, plaintiff in error, *v.* L. B. Cockrell, as administrator of the estate of Celia A. Banks, deceased. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 38. Joseph Patson, plaintiff in error, *v.* The Commonwealth of Pennsylvania. In error to the Supreme Court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Chief Justice White.

No. 760. Robert C. Bacon et al., Public Service Commission of the State of Vermont, appellants, *v.* Rutland Railroad Company. Appeal from the District Court of the United States for the District of Vermont. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 797. J. W. Cain, plaintiff in error, *v.* Commercial Publishing Company. In error to the District Court of the United States for the Southern District of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 4. Charles Maibaum, appellant, *v.* The United States. Appeal from the District Court of the United States for the Northern District of Illinois. Per curiam. Degree affirmed on the authority of *Johannessen v. United States* (225 U. S., 227) and *Luria v. United States* (231 U. S., 9).

No. 149. F. O. Norris et al., appellants, *v.* J. E. Johnson et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Per curiam: Dismissed for want of jurisdiction. Holden *v.* Stratton (191 U. S., 115); First National Bank *v.* Title & Trust Company (198 U. S., 280, 288); Hatch *v.* Ketchum, trustee (198 U. S., 580); Duryea Power Company *v.* Sternberger (218 U. S., 299, 301).

No. 680. Fred W. Lake and H. H. Snow, plaintiffs in error, *v.* Mary A. Bonynge and W. A. Bonynge. In error to the Supreme Court of the State of California. Per curiam: Dismissed for want of jurisdiction, upon the authority of: First. Pomeroy's Lessee *v.* State Bank of Indiana (1 Wall., 592, 597); New Orleans & North-eastern R. R. Co. *v.* Jopes (142 U. S., 18, 22); Ward *v.* Joslin (186 U. S., 142, 153); Holt *v.* United States (218 U. S., 245). Second. Arkansas Southern R. R. Co. *v.* German National Bank (207 U. S., 270); Waters-Pierce Oil Co. *v.* State of Texas (212 U. S., 112).

No. 681. Fred W. Lake et al., plaintiffs in error, *v.* The Superior Court of the State of California in and for the county of Kern. In error to the Supreme Court of the State of California. Per curiam: Dismissed for want of jurisdiction, upon the authority of No. 680, just decided, and authorities there cited.

No. 522. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* L. C. Cade; and

No. 604. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* S. O. Harris. Motion to advance granted, and cases assigned for argument on Tuesday, February 24, next, after the cases heretofore assigned for that day.

No. 529. Union Lime Company, plaintiff in error, *v.* The Chicago & Northwestern Railway Company et al.; and

No. 648. The Minneapolis & St. Louis Railroad Company, plaintiff in error, *v.* O. S. Burho. Ordered that these cases be placed on the summary docket.

No. 840. The Steamship "George W. Elder," etc., et al., claimants, petitioners, *v.* The Port of Portland. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 727. The United States, plaintiff in error, *v.* Willis N. Bird-sall;

No. 728. The United States, plaintiff in error. *v.* Thomas E. Brents; and

No. 729. The United States, plaintiff in error. *v.* Edward E. Van Wert. Restored to the docket for reargument, and assigned for argument on Tuesday, February 24, next, after the cases already assigned for that day.

Order.—Ordered that cases on the summary docket be assigned for argument on Tuesday, February 24, next, after the cases already assigned for that day.

No. 254. New York Life Insurance Company, plaintiff in error, *v.* Mary E. Head; and

No. 255. New York Life Insurance Company, plaintiff in error, *v.* Richard G. Head, jr., etc. Motions to dismiss submitted by Mr. W. P. Borland, Mr. James S. Botsford, and Mr. James A. Reed for the defendants in error in support of the motion, and by Mr. Cyrus Crane and Mr. James H. McIntosh for the plaintiff in error in opposition thereto.

No. 819. John S. Talbott, 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. L. R. Alden, in behalf of Mr. Joseph U. Sweeney, for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 470. St. Louis Southwestern Railway Company, plaintiff in error, *v.* The State of Arkansas *ex rel.* Hal L. Norwood, attorney general. Motion to advance submitted by Mr. Edward A. Haid for the plaintiff in error.

No. 860. American National Bank, of Macon, Ga., et al., petitioners, *v.* S. H. Still et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit, submitted by Mr. George S. Jones, Mr. W. H. Townsend, Mr. Julian Mitchell, Mr. William H. Fleming, and Mr. Orville A. Park for the petitioners, and by Mr. Alexander Akerman and Mr. S. G. Mayfield for the respondent.

No. 175. Le Roy Fibre Company *v.* Chicago, Milwaukee & St. Paul Railway Company. Submitted by Mr. John F. Fitzpatrick for Le Roy Fibre Company, and by Mr. H. H. Field for Chicago, Milwaukee & St. Paul Railway Company.

No. 176. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* The State of Iowa. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. W. R. Green, in behalf of counsel.

No. 164. Carl Eberle et al., plaintiffs in error, *v.* The People of the State of Michigan. Argument continued by Mr. Richard Price for the plaintiffs in error, and by Mr. Grant Fellows for the defendants in error, and concluded by Mr. Richard Price for the plaintiffs in error.

No. 170. J. C. Baccus, plaintiff in error, *v.* The State of Louisiana. Argued by Mr. C. D. O'Brien for the plaintiff in error, and submitted by Mr. R. G. Pleasant for the defendant in error.

No. 171. Frank N. Thomas, petitioner, *v.* Conrad H. Matthiessen. Argued by Mr. Alfred Adams Wheat for the petitioner, and by Mr. Arthur C. Rounds for the respondent.

No. 174. The District of Columbia, plaintiff in error, *v.* Philadelphia, Baltimore & Washington Railroad Company. Argument commenced by Mr. Francis H. Stephens for the plaintiff in error, continued by Mr. Frederic D. McKenney for the defendant in error, and concluded by Mr. Francis H. Stephens for the plaintiff in error. Petition for certiorari submitted by Francis H. Stephens and Mr. C. H. Syme for the plaintiff in error.

No. 767. Joseph Hull, etc., and the Savannah Trust Company, appellants, *v.* Arthur E. Burr et al. Motion to dismiss or affirm submitted by Mr. James F. Glen and Mr. E. R. Gumby for the appellees in support of the motion, and by Mr. H. Bisbee and Mr. George C. Bedell for the appellants in opposition thereto.

No. 178. John Miller, appellant, *v.* The United States. Argument commenced by Mr. L. T. Michener for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 20, will be as follows: Nos. 178, 173, 180, 181, 182, 183, 184, 185, 186, and 187.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 20, 1914.

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

No. 183. Freeman H. Tillotson, plaintiff in error, *v.* The State of Kansas. In error to the Supreme Court of the State of Kansas. Dismissed, with costs, pursuant to the tenth rule.

No. 187. Adams Express Company, plaintiff in error, *v.* William H. Windolph, to the use of Leon Weiner et al. Passed for settlement.

No. 178. John Miller, appellant, *v.* The United States. Argument continued by Mr. L. T. Michener for the appellant, by Mr. Assistant Attorney General Thompson for the appellee, and concluded by Mr. L. T. Michener for the appellant.

No. 173. Jacob Weinman et al., plaintiff in error, *v.* Richard de Palma et al. Argument commenced by Mr. Neill B. Field for the plaintiff in error, continued by Mr. F. E. Wood for the defendants in error, and concluded by Mr. Neill B. Field for the plaintiff in error.

No. 180. The Texas and Pacific Railway Company, plaintiff in error, *v.* America Tie and Timber Company, Limited. Argument commenced by Mr. Hiram Glass for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

Day call for Wednesday, January 21, will be as follows: Nos. 180, 181, 182, 184, 185, 186, 189, 190, 192, and 193.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 21, 1914.

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

Norvell L. Henley, of Williamsburg, Va.; Emmett Patton, of Hagerman, N. Mex.; John B. Golden, of New York City; G. H. Brevillier, of New York City; W. R. Duxbury, of St. Paul, Minn.; and William Marvin Campen, of Nashville, Tenn., were admitted to practice.

No. 193. James P. Allen, plaintiff in error, *v.* H. H. Oliver. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, pursuant to the tenth rule.

No. 180. The Texas & Pacific Railway Company, plaintiff in error, *v.* American Tie & Timber Company, Limited. Argument continued by Mr. Hiram Glass for the plaintiff in error, by Mr. R. W. Rogers for the defendant in error, and concluded by Mr. Hiram Glass for the plaintiff in error.

No. 181. William A. Paine et al., appellants, *v.* Copper Belle Mining Company of Arizona. Submitted by Mr. Walter Bennett for the appellants. No appearance for the appellee.

No. 182. Grant Brothers Construction Company et al., plaintiff in error, *v.* The United States. Argument commenced by Mr. Isidore B. Dockweiler for the plaintiff in error, continued by Mr. Assistant Attorney General Wallace for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

Day call for Thursday, January 22, will be as follows: Nos. 182, 184, 185, 186, 189, 190, 192, 194, 196, and 197.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 22, 1914.

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

Ernest B. D. Spagnoli, of Jackson, Cal.; Cornelius Francis Kelley, of Butte, Mont.; A. T. Clearwater, of Kingston, N. Y.; Charles M. Morris, of Salt Lake City, Utah; James Law Steuart, of New York City; and James Francis Mack, of New York City, were admitted to practice.

No. 192. Diamond Coal and Coke Company, appellant, *v.* The United States. Passed, to be restored to the call under the provisions of the twenty-sixth rule, on motion of Mr. Solicitor General Davis for the appellee.

No. 181. William A. Paine et al., appellants, *v.* Copper Belle Mining Company of Arizona. Leave granted to file brief for the appellee within 10 days, on motion of Mr. James Francis Mack, for the appellee.

No. 194. Edward A. Roehrig et al., plaintiffs in error, *v.* Ford Smith. In error to the Supreme Court of the State of Nebraska. Dismissed with costs, pursuant to the tenth rule.

No. 197. Noel Construction Company, plaintiff in error, *v.* George W. Smith and Company, Incorporated. In error to the District Court of the United States for the District of Maryland. Dismissed with costs, pursuant to the tenth rule.

No. 182. Grant Brothers Construction Company et al., plaintiffs in error, *v.* The United States. Argument continued by Mr. Assistant Attorney General Wallace for the defendant in error, and concluded by Mr. Isidore B. Dockweiler for the plaintiffs in error.

No. 184. Thaddeus Davids Company, appellant, *v.* Cortlandt I. Davids et al. Argument commenced by Mr. W. P. Preble for the petitioner, continued by Mr. Emerson R. Newell for the respondents, and concluded by Mr. W. P. Preble for the petitioner.

No. 185. El Paso Brick Company, appellant, *v.* John H. McKnight. Argument commenced by Mr. Francis W. Clements for the appellant.

Adjourned until to-morrow at 12 o'clock.

Day call for Friday, January 23, will be as follows: Nos. 185, 186, 189, 190, 196, 198, 199, 200, 201, and 202.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 23, 1914.

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

Edwin J. Baumberger, of San Francisco, Cal.; James M. Mason, jr., of Charles Town, W. Va.; Robert W. Kemp, of Los Angeles, Cal.; and Walter D. Corrigan, of Milwaukee, Wis., were admitted to practice.

No. 198. The Pennsylvania Railroad Company, appellant, *v.* Interstate Commerce Commission et al. Passed, to be restored to the call under the provisions of the twenty-sixth rule, on motion of Mr. Frederic D. McKenney for the appellant.

No. 202. James Hamilton Lewis and Rose Lewis, his wife, plaintiffs in error, *v.* Edith Krieg. Continued per stipulation of counsel.

No. 185. El Paso Brick Company, appellant, *v.* John H. McKnight. Argument continued by Mr. Francis W. Clements for the appellant, by Mr. Eugene S. Ives for the appellee, and concluded by Mr. Francis W. Clements for the appellant.

No. 186. The Texas and Pacific Railway Company, appellant, *v.* The Railroad Commission of Louisiana et al. Argued by Mr. Wylie M. Barrow for the appellees, and submitted by Mr. Thomas J. Freeman for the appellant.

No. 189. William S. Tevis et al., plaintiffs in error, *v.* Jepp Ryan et al. Argument commenced by Mr. Edward H. Thomas for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

Day call for Monday, January 26, will be as follows: Nos. 189, 190, 196, 199, 200, 201, 203, 204, 205, and 206.



SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 26, 1914.

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

Rufus S. Day, of Canton, Ohio; James G. Bachman, of Cleveland, Ohio; Jeremiah J. O'Sullivan, of Lowell, Mass.; Samuel Dillon Hirschl, of Chicago, Ill.; George S. Klock, of Albuquerque, N. Mex.; Winfield W. Gilman, of Madison, Wis.; Charles T. Butler, of Beaumont, Tex.; and Clarence L. Pinkham, of Newkirk, Okla., were admitted to practice.

No. 590. The Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* The United States et al. Appeal from the United States Commerce Court. Decree affirmed. Opinion by Mr. Justice Lamar.

No. 82. Chapman & Dewey Lumber Company et al., plaintiffs in error, *v.* The Board of Directors St. Francis Levee District. In error to the Supreme Court of the State of Arkansas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 115. Joseph A. Taney, trustee, etc., appellant, *v.* Penn National Bank of Reading. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Hughes.

No. 151. Anna M. Burbank et al., etc., plaintiffs in error *v.* Mrs. Josephine Ernst, legal tutrix, etc., et al. In error to the Supreme Court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 161. The Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* J. F. Polt. In error to the Supreme Court of the State of South Dakota. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 595. The State of Alabama, plaintiff in error, *v. Sudie Schmidt*. In error to the Supreme Court of the State of Alabama. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 710. The United States, plaintiff in error, *v. Hardaway Young*. In error to the District Court of the United States for the Southern District of Alabama. Judgment reversed and cause remanded with direction to overrule the demurrer. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 154. Woodward Cotton Company, appellant, *v. The City of Woodward et al.* Appeal from the Circuit Court of the United States for the Western District of Oklahoma. Per curiam: Affirmed on the authority of *Madera Water Works Company v. Madera* (228 U. S., 454), *Memphis v. Cumberland Telephone & Telegraph Company* (218 U. S., 624), *Knoxville Water Company v. City of Knoxville* (200 U. S., 22), and *Bienville Water Works Company v. City of Mobile* (175 U. S., 109).

Cause remanded to the District Court of the United States for the Western District of Oklahoma.

No. 174. The District of Columbia, plaintiff in error, *v. Philadelphia, Baltimore & Washington Railroad Company*. In error to the Court of Appeals of the District of Columbia. Per curiam: Dismissed for want of jurisdiction. *American Security & Trust Company v. Commissioners of the District of Columbia* (224 U. S., 491). The petition for a writ of certiorari is denied.

No. 470. St. Louis Southwestern Railway Company, plaintiff in error, *v. The State of Arkansas ex rel., Hal L. Norwood*, attorney general. Motion to advance granted, and case assigned for argument on Tuesday, February 24, after the cases heretofore assigned for that day.

No. 254. New York Life Insurance Company, plaintiff in error, *v. Mary E. Head*; and

No. 255. New York Life Insurance Company, plaintiff in error, *v. Richard G. Head, jr., etc.* Further consideration of the motions to dismiss in these cases is postponed to the hearing on the merits.

No. 767. Joseph Hull, etc., et al., appellants, *v. Arthur E. Burr et al.* Ordered that this case be placed on the summary docket and assigned for hearing on Tuesday, February 24, after the cases already assigned for that day.

No. 819. John S. Talbott, 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. 860. American National Bank of Macon, Ga., et al., petitioners, *v. S. H. Still et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 130. Rafael Martinez Nadal, plaintiff in error, *v. David W. May.* Ordered that this case be restored to the docket for reargument and assigned for Monday, April 6, next.

The Chief Justice also announced that the court will take a recess from Monday, February 2, to Tuesday, February 24, next.

No. 714. O. Itow et al., plaintiffs in error. *v. The United States.* Motion to dismiss submitted by Mr. Solicitor General Davis for the defendant in error in support of the same.

No. 746. Ambrosio Apapas et al., plaintiffs in error, *v. The United States.* Motion to dismiss submitted by Mr. Solicitor General Davis for the defendant in error in support of the same, and by Mr. Theodore Martin for the plaintiff in error in opposition thereto.

No. 873. The United States, appellant, *v. First National Bank of Detroit, Minn.*

No. 874. The United States, appellant. *v. The Nichols-Chisolm Lumber Company et al.;* and

No. 875. The United States, appellant, *v. Nichols-Chisolm Lumber Company et al.* Motion to advance submitted by Mr. Solicitor General Davis for the appellant.

No. 348. F. O. Norris et al., trustees, etc., et al., petitioners, *v. J. E. Johnson et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles T. Butler in behalf of Mr. Thomas M. Kennerly for the petitioner, and by Mr. Henry F. Ring for the respondents.

No. 844. Houston Oil Company of Texas et al., petitioners, *v. Caroline C. Middlesworth et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles T. Butler and Mr. Thomas M. Kennerly for the petitioners.

No. 798. The Oceanic Steam Navigation Company, etc., *v. W. J. Mellor et al.* Motion for leave to file additional brief herein on behalf of The Oceanic Steam Navigation Company submitted by Mr. Frederic D. McKenney in behalf of Mr. Charles C. Burlingham for The Oceanic Steam Navigation Company.

No. 796. Southern Railway, Carolina Division, etc., plaintiff in error, *v. Hattie E. Bennett, administratrix.* Motion to dismiss or affirm submitted by Mr. E. C. Brandenburg, Mr. W. Boyd Evans, and

Mr. F. Walter Brandenburg for the defendant in error in support of the motion, and by Mr. B. L. Abney for the plaintiff in error in opposition thereto.

No. 316. S. W. Washington et al., surviving trustee, appellant, *v.* Joseph F. Tearney et al., surviving executors, etc. Motion to dismiss or affirm submitted by Mr. Forrest W. Brown and Mr. R. T. Barton for the appellees in support of the motion, and by Mr. James M. Mason, jr., for the appellants in opposition thereto.

No. 205. Republic Iron & Steel Company, plaintiff in error, *v.* Howard Carlton. In error to the District Court of the United States for the District of Maryland. Dismissed with costs, pursuant to the tenth rule.

No. 206. Laura G. White, appellant, *v.* Island Transportation Company. Submitted, with leave to counsel to file briefs within 40 days.

No. 189. William S. Tevis et al., plaintiffs in error, *v.* Jepp Ryan et al. Argument continued by Mr. Eugene S. Ives for the defendants in error, and concluded by Mr. Edward H. Thomas for the plaintiffs in error.

No. 190. Melvin W. Mills, appellant, *v.* The Territory of New Mexico. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 196. J. E. Arnott et al., plaintiffs in error, *v.* Southern Railway Company. Argued by Mr. C. J. St. John for the plaintiffs in error, and by Mr. L. E. Jeffries for the defendant in error.

No. 199. Rosa Maria Calaf y Fugurul et al., appellants, *v.* Federico Calaf y Rivera. Argued by Mr. Manuel Rodriguez Serra for the appellants, and by Mr. Paul Fuller for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 27, will be as follows: Nos. 200, 201, 203, 204, 207, 208, 209, 210, and 211, 212.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 27, 1914.

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

Leslie B. Robertson, of Detroit, Mich.; William H. Fay, of Peabody, Mass.; Walter C. Heckendorf, of Denver, Colo.; William H. Price, jr., of Baltimore, Md.; Guy Walton Moore, of Detroit, Mich.; George Whitfield Jack, of Shreveport, La.; Clark J. Tisdell, of Muskogee, Okla.; P. Lincoln Mitchell, of Cincinnati, Ohio; John Garland Pollard, of Richmond, Va.; and C. B. Garnett, of Richmond, Va., were admitted to practice.

No. 207. Silas A. Gilson, appellant, *v.* The United States. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Wade Ellis for the appellant.

No. 209. People of the State of Illinois, suing by the Canal Commissioners, plaintiffs in error, *v.* Pittsburgh, Fort Wayne & Chicago Railway Company et al. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 210. Alois B. Renehan et al., appellants, *v.* Tina Haffner Retsch. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. C. F. Consaul for the appellants.

No. 211. Caldwell & Drake, a firm, etc., plaintiffs in error, *v.* John R. Jobe, auditor, etc. In error to the Supreme Court of the State of Arkansas. Dismissed with costs pursuant to the tenth rule.

No. 200. The Commonwealth of Pennsylvania, appellant, *v.* The York Silk Manufacturing Company, bankrupt. Submitted by Mr. Jackson H. Ralston for the appellant, and Mr. Henry C. Niles for the appellee, and leave granted counsel to file briefs on the question of jurisdiction within 10 days.

No. 201. The Texas & Pacific Railway Company, plaintiff in error, *v.* John Jackson et al. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed per stipulation.

No. 203. Andrieus A. Jones, receiver, appellant, *v.* St. Louis Land & Cattle Company. Argued by Mr. Andrieus A. Jones for the ap-

pellant, and submitted by Mr. Charles A. Spiess and Mr. S. B. Davis, jr., for the appellee.

No. 204. Vicenta Montoya et al., appellants, *v.* Candido G. Gonzales et al. Argument commenced by Mr. Alonzo B. McMillen for the appellants, by Mr. George S. Klock for the appellees, and concluded by Mr. Alonzo B. McMillen for the appellants.

Adjourned until to-morrow at 12 o'clock.

Day call for Wednesday, January 28, will be as follows: Nos. 208, 212, 192, 213, 214, 215 (and 216), 217, 218, 219, and 220.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 28, 1914.

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

Frederick W. Schmitz, of Covington, Ky.; Ralph Robinson, of Baltimore, Md.; James K. Hines, of Atlanta, Ga.; Theodore M. Crisp, of New York City; Henry Bernstein, of Monroe, La.; Frederick Gray Hudson, jr., of Monroe, La.; J. B. Roberts, of Colfax, La.; and David H. Taylor, of New York City, were admitted to practice.

No. 787. The United States, plaintiff in error, *v.* Sam Pelican et al. Leave granted to file additional memorandum, on motion of Mr. Assistant Attorney General Wallace, for the plaintiff in error.

No. 218. George E. Priest et al., appellants, *v.* The Board of Trustees of the Town of Las Vegas. Submitted with leave to counsel to file briefs within two weeks.

No. 219. Missouri, Kansas and Texas Railway Company, appellant, *v.* The United States. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Evans Browne for the appellant.

No. 220. C. J. Rixey, an insane person, by C. J. Rixey, jr., appellant, *v.* Robert H. Cox, sergeant of the city of Alexandria, Va. Continued per stipulation.

No. 208. Samuel Lewis, petitioner, *v.* G. Oliver Frick, United States immigration inspector, etc. Argument commenced by Mr. Guy W. Moore, for the petitioner, continued by Mr. Assistant Attorney General Wallace, for the respondent, and concluded by Mr. Guy W. Moore, for the petitioner.

No. 212. The Mitchell Store Building Company, appellant, *v.* R. de V. Carroll, trustee, etc. Argument commenced by Mr. P. Lincoln Mitchell, for the appellant, continued by Mr. Joseph S. Graydon, for the appellee, and concluded by Mr. Walter A. De Camp, for the appellant. Petition for writ of certiorari herein submitted by Mr. P. Lincoln Mitchell and Mr. Walter A. De Camp, for

the appellant in support of the petition, and by Mr. Lawrence Maxwell, jr., for the appellee in opposition thereto.

No. 192. The Diamond Coal and Coke Company, appellant, *v.* The United States. Argument commenced by Mr. Cornelius F. Kelley, for the appellant.

Adjourned until to-morrow at 12 o'clock.

Day call for Thursday, January 29, will be as follows: Nos. 192, 213, 214, 215 (and 216), 217, 223, 224, 225, 226, and 227.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 29, 1914.

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

Henry J. Lucke, of New York City, was admitted to practice.

No. 214. City of Blackwell, plaintiff in error, *v.* City of Newkirk et al. Submitted by Mr. Joseph W. Bailey, Mr. A. G. C. Bierer, and Mr. Frank Dale for the plaintiff in error and by Mr. J. F. King and Mr. C. L. Pinkham for the defendant in error.

No. 226. William H. Garland, plaintiff in error, *v.* The State of Washington. Submitted by Mr. William H. Gorham for the plaintiff in error and leave granted counsel for the defendant in error in which to file brief within two weeks.

No. 227. The South Covington and Cincinnati Street Railway Company, plaintiff in error, *v.* City of Covington et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. John W. Yerkes for the plaintiff in error.

No. 192. The Diamond Coal and Coke Company, appellant, *v.* The United States. Argument continued by Mr. Cornelius F. Kelley for the appellant, by Mr. Solicitor General Davis for the appellee, and concluded by Mr. L. O. Evans for the appellant.

No. 213. Sidney S. Schuyler et al., appellants, *v.* Charles E. Littlefield, as trustee, etc. Argument commenced by Mr. W. Benton Crisp for the appellants, continued by Mr. Edwin D. Hays for the appellee, and concluded by Mr. W. Benton Crisp for the appellant.

No. 215. Atlantic Transport Company, of West Virginia, petitioner, *v.* Frank Imbrovek, and

No. 216. Atlantic Transport Company, of West Virginia, petitioner, *v.* State of Maryland to the use of Mary Scesek, widow, etc. Argument commenced by Mr. Edward Duffy for the petitioner.

Adjourned until to-morrow at 12 o'clock.

Day call for Friday, January 30, will be as follows: Nos. 215 (and 216), 217, 223, 224, 225, 228, 229, 230, 231, and 232.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 30, 1914.

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

James W. Keys, of San Rafael, Cal.; Robert E. Barber, of Detroit, Mich.; and Guy L. Fake, of Rutherford, N. J., were admitted to practice.

No. 215. Atlantic Transport Company of West Virginia, petitioner, *v.* Frank Imbrovek; and

No. 216. Atlantic Transport Company of West Virginia, petitioner, *v.* State of Maryland, to the use of Mary Szcsek, widow, etc. Argument continued by Mr. Edward Duffy for the petitioner, by Mr. W. H. Price, jr., for the respondent, and concluded by Mr. John E. Semmes for the respondent.

No. 217. Anna Hawley, plaintiff in error, *v.* Joseph W. Walker, constable, etc. Argument commenced by Mr. J. M. Sheets for the plaintiff in error, continued by Mr. C. D. Laylin and Mr. L. D. Brandeis for the defendant in error, and concluded by Mr. J. M. Sheets for the plaintiff in error.

No. 223. Wadley Southern Railway Company, plaintiff in error, *v.* The State of Georgia. Argument commenced by Mr. T. M. Cunningham, jr., for the plaintiff in error, continued by Mr. James K. Hines for the defendant in error, and concluded by Mr. T. M. Cunningham, jr., for the plaintiff in error.

No. 224. Susan J. Taylor, administratrix, etc., plaintiff in error, *v.* Sextus E. Taylor. Argued by Mr. Frederic D. McKenney for the plaintiff in error. No brief filed for the defendant in error.

Adjourned until Monday next at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 2, 1914.

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

Edward G. Hoffman, of Fort Wayne, Ind.; Harry T. Kyle, of McAlester, Okla.; W. R. McGill, of La Lande, N. Mex.; Lee Warren James, of Dayton, Ohio; Fred S. Stitt, of Washington, D. C.; J. Henry Baker, of Baltimore, Md.; Alfred Evan Reames, of Medford, Oreg.; and Louis G. Bissell, of New York City, were admitted to practice.

No. 144. North Carolina Railroad Company, plaintiff in error, *v.* James A. Zachary, administrator, etc. In error to the Supreme Court of the State of North Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 20. Frances A. Miedreich, plaintiff in error, *v.* Constanze Lauenstein. In error to the Supreme Court of the State of Indiana. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 171. Frank N. Thomas, petitioner, *v.* Conrad H. Matthiessen. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Southern District of New York with directions to enter judgment for the plaintiff on the agreed facts. Opinion by Mr. Justice Holmes. Dissenting: Mr. Chief Justice White. (Mr. Justice Hughes took no part in the decision.)

The Chief Justice announced the following orders of the court:

Na. 196. J. E. Arnott et al., plaintiffs in error, *v.* Southern Railway Company. In error to the Supreme Court of the State of Tennessee. Per curiam: Dismissed for want of jurisdiction.

No. 316. S. W. Washington et al., surviving trustees, etc., appellants, *v.* Joseph F. Tearney et al., surviving executors, etc. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. Per curiam: Dismissed for the want of jurisdiction.

No. 214. City of Blackwell, plaintiff in error, *v.* City of Newkirk et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction.

No. 873. The United States, appellant, *v.* First National Bank of Detroit, Minn.;

No. 874. The United States, appellant, *v.* The Nichols-Chisolm Lumber Company et al.; and

No. 875. The United States, appellant, *v.* Nichols-Chisolm Lumber Company et al. Motion to advance granted, and cases assigned for argument on Monday, April 6th, next, after the case heretofore assigned for that day.

No. 798. The Oceanic Steam Navigation Company, etc., *v.* W. J. Mellor et al. Motion for leave to file an additional brief herein on behalf of The Oceanic Steam Navigation Company granted.

No. 714. O. Itow et al., plaintiffs in error, *v.* The United States;

No. 746. Ambrosio Apapas et al., plaintiffs in error, *v.* The United States; and

No. 796. Southern Railway—Carolina division, etc., plaintiff in error *v.* Hattie E. Bennett, administratrix, etc. Ordered that these cases be placed on the summary docket, and assigned for Tuesday, February 24th, next.

No. 348. F. O. Norris et al., trustees, etc., et al., petitioners, *v.* J. E. Johnson et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 844. Houston Oil Company of Texas et al., petitioners, *v.* Caroline C. Middlesworth et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 645. Southern Railway Company, plaintiff in error, *v.* W. D. Gadd. Motion to affirm submitted by Mr. John L. Stout for the defendant in error in support of the motion, and by Mr. Caruthers Ewing for the plaintiff in error in opposition thereto.

No. 861. Equitable Surety Company *v.* United States to the use of W. W. McMillan. Motion to advance and place on the summary docket submitted by Mr. Wharton E. Lester for United States to the use of W. W. McMillan.

No. 126. Washington Dredging & Improvement Company, plaintiff in error, *v.* The State of Washington et al. Motion to dismiss submitted by Mr. F. W. Clements in behalf of Mr. Richard A. Ballinger, Mr. Alfred Battle, Mr. George B. Cole, Mr. E. C. Lindley, Mr. M. V. Tanner, Mr. James B. Metcalfe, Mr. George E de Steiguer, Mr. Ira Bronson, Mr. James A. Kerr, Mr. Corwin S. Shank, Mr.

Louis Henry Legg, and Mr. Frank P. Lewis, for the defendants in error, in support of the motion.

No. 790. I. E. Du Pont de Nemours Powder Company, petitioner, v. The Steamship "Charlton Hall," etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Louis G. Bissell, in behalf of Mr. Howard S. Harrington for the petitioner, and by Mr. C. C. Burlingham for the respondent.

No. 881. Thomas S. Nowell et al., petitioners, v. International Trust Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George M. Nowell for the petitioners, with leave to counsel for the respondent to file brief within 10 days.

No. —, Original. Ex parte: In the matter of W. L. Roe, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. S. P. Jones for the petitioner, and by Mr. F. H. Prendergast for the respondent in opposition thereto.

No. 751. Charleston & Western Carolina Railway Company, plaintiff in error, v. Lizzie Thompson. Motion to dismiss submitted by Mr. William H. Fleming for the defendant in error in support of the motion, and by Mr. W. K. Miller and Mr. F. B. Grier for the plaintiff in error in opposition thereto.

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

The day call for Tuesday, February 24, will be as follows: Nos. 800, 639, 126, 829 to 837, 522 (and 604), 727, 728, 729, 470, 389, 450, 451, 354, 634, 691, 615, 816, 425, 679, 823, 696, 529, 648, 767, 714, 746, and 796.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, FEBRUARY 24, 1914.

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

Charles M. Seymour, of Knoxville, Tenn.; C. Beverley Broun, of Charleston, W. Va.; Robert Linn, of Charleston, W. Va.; Charles Gilbert Hawley, of Washington, D. C.; James S. Dodge, jr., of Chicago, Ill.; Leonard S. Ferry, of Topeka, Kans.; A. A. Wilder, of Honolulu, Hawaii; C. H. Alldredge, of Tucumcari, N. Mex.; John T. Harris, of Washington, D. C.; Summers Burkhart, of Albuquerque, N. Mex.; Philip D. Beall, of Pensacola, Fla.; Otto Robert Heiligman, of Philadelphia, Pa.; Clyde A. Douglas, of Raleigh, N. C.; Norman Grey, of Camden, N. J.; F. Morse Archer, of Camden, N. J.; William R. Allen, of Muskogee, Okla.; Charles A. Spirk, of Seattle, Wash.; Reford Bond, of Chickasha, Okla.; Haskell Burlason Talley, of Tulsa, Okla.; Charles T. Russell, of New York City; David A. Gates, of Little Rock, Ark.; and F. E. Brown, of Des Arc, Ark., were admitted to practice.

No. 39. The Farmers & Mechanics' Savings Bank of Minneapolis, plaintiff in error, *v.* The State of Minnesota. In error to the Supreme Court of the State of Minnesota. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 102. The Plymouth Coal Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania et al. In error to the Supreme Court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 112. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* City of Goldsboro, North Carolina. In error to the Supreme Court of the State of North Carolina. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 173. Jacob Weinman et al., plaintiffs in error, *v.* Richard de Palma et al. In error to the Supreme Court of the Territory of New Mexico. Judgment affirmed with costs and interest, and cause remanded to the Supreme Court of the State of New Mexico. Opinion by Mr. Justice Pitney.

No. 168. Charles Wilson, alias Charles Willard, plaintiff in error, *v. The United States*; and

No. 169. Catherine Wilson, alias Zoe Willard, plaintiff in error, *v. The United States*. In error to the District Court of the United States for the Northern District of Illinois. Judgments affirmed. Opinion by Mr. Justice Pitney.

No. 642. The Ohio River & Western Railway Company, appellant, *v. Robert M. Ditty et al.*; and

No. 643. The Marietta, Columbia & Cleveland Railroad Company, appellant, *v. David S. Creamer, treasurer, etc., et al.* Appeals from the District Court of the United States for the Southern District of Ohio. Decrees affirmed with costs. Opinion by Mr. Justice Pitney. (Mr. Justice Day took no part in the decision of these cases.)

No. 159. D. E. Foote & Company, Incorporated, et al., plaintiffs in error, *v. Charles H. Stanley, comptroller of the State of Maryland*. In error to the Court of Appeals of the State of Maryland. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 473. Great Northern Railway Company, plaintiff in error, *v. Gertrude O'Connor*. 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 Lamar.

No. 156. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v. Jelske Cramer*. In error to the Supreme Court of the State of Iowa. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 157. Edwin L. Gauthier, plaintiff in error, *v. Peter Morrison 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 Van Devanter.

No. 707. Sam B. Perrin, 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 Van Devanter.

No. 128. Joseph Pronovost, plaintiff in error, *v. The United States*. In error to the District Court of the United States for the District of Montana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 555. The United States of America, plaintiff in error, *v. Paul Beatty et al.* In error to the United States Circuit Court of Ap-

peals for the Fourth Circuit. Dismissed for the want of jurisdiction. Petition for writ of certiorari denied. Opinion by Mr. Justice Van Devanter.

No. 605. Malinda Thurston, administratrix, etc., appellant, *v.* The United States et al. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Van Devanter.

No. 787. The United States, plaintiff in error, *v.* Sam Pelican et al. In error to the District Court of the United States for the Eastern District of Washington. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 150. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* City of Minneapolis. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 37. The Rubber Tire Wheel Company et al., petitioners, *v.* The Goodyear Tire & Rubber Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree reversed, with costs, and cause remanded to the District Court of the United States for the Southern District of Ohio with instructions to enter an order denying the application for injunction. Opinion by Mr. Justice Hughes. Dissenting: Mr. Justice Day.

No. 141. William Seim et al. *v.* James D. Hurd et al. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Dismissed. Opinion by Mr. Justice Hughes.

No. 142. The Woodward Company *v.* James D. Hurd et al. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Fourth question certified answered in the negative. Opinion by Mr. Justice Hughes.

No. 212. The Mitchell Store Building Company, appellant, *v.* R. de V. Carroll, trustee in bankruptcy, etc. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. Dismissed for the want of jurisdiction. Petition for a writ of certiorari denied. Opinion by Mr. Justice Day.

No. 461. Fremont Weeks, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the Western District of Missouri. Judgment reversed, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Day.

No. 548. The United States of America, petitioner, *v.* Lexington Mill & Elevator Company. One writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed, and cause remanded to the District Court of the United

States for the Western District of Missouri for a new trial. Opinion by Mr. Justice Day.

No. 199. Rosa Maria Calaf y Fugurul et al., appellants, *v.* Federico Calaf y Rivera. Appeal from the Supreme Court of Porto Rico. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 204. Vicenta Montoya et al., appellants, *v.* Candido Gonzales 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 Holmes.

No. 175. LeRoy Ribre Company *v.* Chicago, Milwaukee & St. Paul Railway Company. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit. First and second questions certified answered in the negative. Third question certified answered in the affirmative. Opinion by Mr. Justice McKenna. Concurring in part: Mr. Justice Holmes and Mr. Chief Justice White.

No. 203. Andrieus A. Jones, receiver, appellant, *v.* St. Louis Land & Cattle Company. In error to the Supreme Court of the Territory of New Mexico. Decree reversed with costs, and cause remanded to the Supreme Court of the State of New Mexico for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 224. Susan J. Taylor, administratrix, etc., plaintiff in error, *v.* Sextus E. Taylor. In error to the Supreme Court of the State of New York. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 66. Cornelius K. G. Billings, plaintiff in error, *v.* The United States. In error to the Circuit Court of the United States for the Southern District of New York. Judgment reversed in part and affirmed in part, 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. Chief Justice White.

No. 625. The United States *v.* Cornelius K. G. Billings. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Dismissed. Opinion by Mr. Chief Justice White.

No. 64. H. Clay Pierce, plaintiff in error, *v.* The United States. In error to the Circuit Court of the United States for the Southern District of New York. Judgment reversed, and cause remanded to the District Court of the United States for the Southern District of New York, with direction to dismiss the complaint. Opinion by Mr. Chief Justice White.

No. 623. *The United States v. H. Clay Pierce*. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Dismissed. Opinion by Mr. Chief Justice White.

No. 65. *H. Clay Pierce*, plaintiff in error, *v. The United States*. In error to the Circuit Court of the United States for the Southern District of New York. Judgment reversed, and cause remanded to the District Court of the United States for the Southern District of New York, with directions to dismiss the complaint. Opinion by Mr. Chief Justice White.

No. 624. *The United States v. H. Clay Pierce*. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Dismissed. Opinion by Mr. Chief Justice White.

No. 67. *Cornelius K. G. Billings*, plaintiff in error, *v. The United States*. In error to the Circuit Court of the United States for the Southern District of New York. Judgment reversed in part and affirmed in part, 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. Chief Justice White.

No. 626. *The United States v. Cornelius K. G. Billings*. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Dismissed. Opinion by Mr. Chief Justice White.

No. 74. *Roy A. Rainey*, plaintiff in error, *v. The United States*. In error to the Circuit Court of the United States for the Southern District of New York. Judgment reversed in part and affirmed in part, 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. Chief Justice White.

No. 627. *The United States v. Roy A. Rainey*. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Dismissed. Opinion by Mr. Chief Justice White.

No. 73. *Roy A. Rainey*, plaintiff in error, *v. The United States*. In error to the Circuit Court of the United States for the Southern District of New York. Judgment reversed in part and affirmed in part, 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. Chief Justice White.

No. 628. *The United States v. Roy A. Rainey*. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Dismissed. Opinion by Mr. Chief Justice White.

Nos. 631 and 632. *The United States v. Robert Walton Goelet*, sole executor of *Harriet Goelet*, deceased. On certificates from the United

States Circuit Court of Appeals for the Second Circuit. Questions certified answered. Opinion by Mr. Chief Justice White.

No. 629. *The United States v. James Gordon Bennett*. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. First, second, third, fourth, and fifth questions answered in the affirmative. The sixth question answered in the negative. Seventh question answered in the affirmative. Opinion by Mr. Chief Justice White.

No. 630. *The United States v. James Gordon Bennett*. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Second question answered in the negative. Opinion by Mr. Chief Justice White.

No. 186. *The Texas & Pacific Railway Company, appellant, v. The Railroad Commission of Louisiana 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. Chief Justice White.

No. 34. *Ben F. Harrison, secretary of state of Oklahoma, appellant, v. St. Louis & San Francisco Railroad Company*. Appeal from the Circuit Court of the United States for the Western District of Oklahoma. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Oklahoma. Opinion by Mr. Chief Justice White.

No. 170. *J. C. Baccus, plaintiff in error, v. The State of Louisiana*. In error to the third judicial district court, parish of Claiborne, 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. 217. *Anna Hawley, plaintiff in error, v. Joseph W. Walker, constable, etc.* In error to the Supreme Court of the State of Ohio. Per curiam: Judgment affirmed with costs upon the authority of *Muller v. Oregon* (208 U. S., 412), *Lindsley v. National Carbonic Gas Co.* (220 U. S., 61, 78, 79).

No. 861. *Equitable Surety Company v. United States to the use of W. W. McMillan*;

No. 645. *Southern Railway Company, plaintiff in error, v. W. O. Gadd*;

No. 751. *Charleston & Western Carolina Railway Company, plaintiff in error, v. Lizzie Thompson*. Ordered that these cases be placed on the summary docket.

No. 166. International Harvester Company of America, plaintiff in error, *v.* The State of Missouri on the information of its attorney general. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 790. I. E. Du Pont de Nemours Powder Company, petitioner, *v.* The Steamship "Charlton Hall," etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 881. Thomas S. Nowell et al., petitioners, *v.* International Trust Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 709. The United States, petitioner, *v.* Nipissing Mines Company. Motion to advance submitted by Mr. Solicitor General Davis for the petitioner.

No. 802. W. E. Johnson et al., appellants, *v.* Edwin Gearlds et al. Motion to advance submitted by Mr. Solicitor General Davis for the appellants.

No. 714. O. Itow et al., plaintiffs in error, *v.* The United States. Motion to reassign submitted by Mr. Solicitor General Davis for the defendant in error.

No. 746. Ambrosio Apapas et al., plaintiffs in error, *v.* The United States. Motion to reassign submitted by Mr. Solicitor General Davis for the United States.

Nos. 829 to 837. The Tap Line Cases. Motion to reassign submitted by Mr. Solicitor General Davis for The United States.

No. 343. Ramon Valdes, appellant, *v.* Tulio Larrinaga. Death of Ramon Valdes, the appellant herein, suggested, and appearance of Ramon Valdes Cobian, judicial administrator of Ramon Valdes, deceased, as the party appellant herein, filed and entered on motion of Mr. H. G. Stickney, in behalf of Mr. F. Kingsburg Curtis, for the appellant.

No. 618. Street & Smith, a copartnership, etc., appellants, *v.* The Atlas Manufacturing Company et al. Second petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Hugh K. Wagner for the appellant.

No. 882. Frank H. Ryan et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Elijah N. Zoline and Mr. Chester H. Krum for the petitioners, and by Mr. Assistant Attorney General Wallace for the respondent.

No. 869. Waltham Watch Company, petitioner, *v.* Charles A. Keene. Petition for a writ of certiorari to the United States Circuit

Court of Appeals for the Second Circuit submitted by Mr. William R. Harr in behalf of Mr. Nathan Matthews, and by Mr. Romney Spring for the petitioner.

No. 817. J. F. Shultz, plaintiff in error, *v.* Fred W. Ritterbusch, county treasurer, etc., et al. Motion to dismiss or affirm or place on the summary docket submitted by Mr. D. C. Westenhaver for the defendants in error in support of the motion, and by Mr. Milton Brown for the plaintiff in error in opposition thereto.

No. 884. Kershaw Oil Mill et al., petitioners, *v.* National Bank of Savannah. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Thomas Ruffin, Mr. Thomas J. Kirkland, and Mr. E. D. Blakeney for the petitioners, and by Mr. William Garrard and Mr. Joseph A. McCullough for the respondent.

No. 895. David A. Nease, petitioner. *v.* Coal & Coke Railway 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 D. Merrick and Mr. W. E. Chilton for the petitioner, and by Mr. B. M. Ambler for the respondent.

No. 200. The Commonwealth of Pennsylvania, appellant, *v.* The York Silk Manufacturing Company, bankrupt. Petition for a writ of certiorari herein submitted by Mr. Jackson H. Ralston and Mr. William E. Richardson for the appellant in support of the petition, and by Mr. Henry C. Niles for the appellee in opposition thereto.

No. 880. City of Camden, petitioner, *v.* Armstrong Cork Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Edwin G. C. Bleakly and Mr. Henry F. Stockwell for the petitioner, and by Mr. Norman Grey and Mr. F. Morse Archer for the respondent.

No. 906. Robert Moody & Son, etc., appellant, *v.* Century Savings Bank. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. S. F. Prouty for the appellant in support of the petition, and by Mr. Horatio F. Dale and Mr. William G. Harvison for the appellee in opposition thereto.

No. 798. The Oceanic Steam Navigation Company, etc., *v.* W. J. Mellor et al. Motion for leave to file an additional brief herein on behalf of W. J. Mellor et al. presented by Mr. Francis H. Kinnicut and denied.

No. 529. Union Lime Company, plaintiff in error, *v.* The Chicago & Northwestern Railway Company et al. Leave granted to Mr. W. C. Owen to file brief herein as *amicus curiæ*.

No. 557. Louis Elie Joseph Henry de Galard de Brassac de Bearn, etc., plaintiff in error, *v.* Ross R. Winans et al., trustees, et al. Motion to

dismiss submitted by Mr. E. C. Brandenburg, in behalf of Mr. J. Kemp Bartlett, Mr. Edgar Allan Poe, and Mr. Shirley Carter for the defendants in error in support of the motion. and by Mr. Maurice Leon for the plaintiff in error in opposition thereto. Leave granted to counsel for Alexander Brown & Sons et al. to file brief herein within one week, on motion of Mr. Maurice Leon in that behalf

No. —. The United States of America ex rel. Alpheus H. Brown, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. Petition for a writ of error submitted by Mr. Andrew Wilson for the plaintiff in error.

No. 97. The Interstate Commerce Commission et al., appellants, *v.* The Southern Pacific Company et al.; and

No. 98. The Interstate Commerce Commission et al., appellants, *v.* The Atchison, Topeka & Santa Fe Railway Company et al. Motion for leave to file an additional memorandum herein submitted by Mr. Evans Browne, and motion denied.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Form of decree as to The Ducktown Sulphur, Copper & Iron Company, Limited, and motion of complainant to enter same submitted by Mr. Thomas S. Felder, for the complainant, in support of same, and by Mr. James A. Fowler, for The Ducktown Sulphur, Copper & Iron Company, Limited, in opposition thereto.

No. 277. St. Paul City Railway Company, plaintiff in error, *v.* State of Minnesota ex rel. City of St. Paul. In error to the Supreme Court of the State of Minnesota. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 290. Citizens Insurance Company of Missouri, appellant, *v.* Matt C. Clay et al. Continued per stipulation.

No. 312. Majestic Theater Company et al., plaintiffs in error, *v.* City of Cedar Rapids et al. In error to the Supreme Court of the State of Iowa. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 371. Adams Express Company, plaintiff in error, *v.* Annie P. Mellichamp. 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. 388. Helene Marequa, 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 counsel for the appellant, and mandate granted.

No. 800. Clarence B. Wood, plaintiff in error, *v.* The United States. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed, pursuant to the tenth rule.

No. 522. The Missouri, Kansas & Texas Railway Company, plaintiff in error, *v.* L. C. Cade. Submitted by Mr. Joseph M. Bryson and Mr. Aldis B. Browne for the plaintiff in error. No appearance for the defendant in error.

No. 604. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* S. O. Harris. Submitted by Mr. Joseph M. Bryson and Mr. Aldis B. Browne for the plaintiff in error. No appearance for the defendant in error.

No. 634. Margaret H. Williamson *v.* Katherine Osenton. Submitted by Mr. W. E. Chilton for Williamson and by Mr. R. G. Linn for Osenton.

No. 639. George G. Henry, appellant, *v.* William Henkel, United States marshal, etc. Argument commenced by Mr. John C. Spooner for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 25, will be as follows: Nos. 639, 126, 727 (and 728 and 729), 470, 389, 450 (and 451), 354, 691, 615, 816, 425, 679, 823, 696, 529, 648, 767, and 796.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, FEBRUARY 25, 1914.

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

Albert D. Elloit, of Eureka, Nev.; Maude McLure Kelly, of Birmingham, Ala.; W. Catesby Jones, of New Orleans, La.; Charles H. Taylor, of Los Angeles, Cal.; S. Grant Harris, of St. Paul, Minn.; Ulysses S. Koons, of Philadelphia, Pa.; and Frederick M. Miner, of Minneapolis, Minn., were admitted to practice.

No. 390. The People of Porto Rico, plaintiff in error, *v.* Bonocio Ramos. Submitted by Mr. Felix Frankfurter for the plaintiff in error, by Mr. Frank Antonsanti and Mr. Frederick S. Tyler for the defendant in error.

No. 78. Carondelet Canal and Navigation Company, plaintiff in error, *v.* State of Louisiana. Assigned for argument Monday, March 16 next, on motion of Mr. R. G. Pleasant for the defendant in error.

No. 553. Wirt Franklin, plaintiff in error, *v.* C. S. Lynch et al. Submitted by Mr. H. A. Ledbetter for the plaintiff in error, and by Mr. S. T. Bledsoe for the defendants in error.

No. 639. George G. Henry, appellant, *v.* William Henkel, United States marshal, etc. Argument continued by Mr. John C. Spooner for the appellant, by Mr. Solicitor General Davis for the appellee, and concluded by Mr. John C. Spooner for the appellant.

No. 727. The United States, plaintiff in error, *v.* Willis N. Birdsell,

No. 728. The United States, plaintiff in error, *v.* Thomas E. Brents, and

No. 729. The United States, plaintiff in error, *v.* Everett E. Van Wert. Argument commenced by Mr. Assistant Attorney General Wallace for the plaintiff in error, continued by Mr. Charles W. Mullen for the defendant in No. 727, and concluded by Mr. Assistant Attorney General Wallace for the plaintiff in error.

No. 470. St. Louis Southwestern Railway Company, plaintiff in error, *v.* The State of Arkansas ex rel. Hal H. Norwood, attorney

general. Argument commenced by Mr. William T. Wooldridge for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 26 will be as follows: 470, 389, 450 (and 451), 354, 691, 615, 816, 425, 679, 823, 696, 529, 648, 767, and 795.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, FEBRUARY 26, 1914.

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

Robert S. Johnston, of New York City; Don Rose, of Pittsburgh, Pa.; Almuth C. Vandiver, of New York City; Charles K. Robinson, of Pittsburgh, Pa.; Frank H. Kennerly, of Pittsburgh, Pa.; James F. Cavanagh, of Boston, Mass.; Alpheus Byers, of Seattle, Wash.; Daniel V. Howell, of Kansas City, Mo.; Walter L. Clark, of Baltimore, Md.; and Charles Hartmann, of Toledo, Ohio, were admitted to practice.

No. 504. *Beaumont Rice Mills, a corporation, etc., et al., plaintiffs in error, v. Port Arthur Rice Milling Company.* In error to the Supreme Court of the State of Texas. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 470. *St. Louis Southwestern Railway Company, plaintiff in error, v. The State of Arkansas ex rel. Hal L. Norwood, attorney general.* Argument continued by Mr. William T. Wooldridge for the plaintiff in error, by Mr. William H. Rector for defendant in error, and concluded by Mr. William T. Wooldridge for the plaintiff in error.

No. 389. *Martha Young, administratrix, etc., plaintiff in error, v. Central Railroad Company of New Jersey.* Argued by Mr. Ulysses S. Koons for the plaintiff in error, and by Mr. Arthur G. Dickson for the defendant in error.

No. 450. *The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, v. C. E. Robinson; and*

No. 451. *The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, v. H. F. Moore et al.* Argued by Mr. S. T. Bledsoe for the plaintiff in error, and by Mr. John B. Daish for the defendant in error.

No. 354. *The Holden Land & Live Stock Company et al., plaintiffs in error, v. Interstate Trading Company et al.* Argument commenced by Mr. Edward P. Garnett for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 27, will be as follows: Nos. 354, 691, 615, 816, 425, 679, 823, 696, 529, 648, 767, and 796.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, FEBRUARY 27, 1914.

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

Walter A. Lantz, of Chicago, Ill.; William H. Thompson, of Grand Island, Nebr.; Murray Allen, of Raleigh, N. C.; Charles Whedbee, of Hertford, N. C.; Thomas R. P. Gibb, of Boston, Mass.; and Amos Chesley York, of Boston, Mass., were admitted to practice.

No. 354. The Holden Land and Live Stock Company et al., plaintiffs in error, *v.* Interstate Trading Company et al. Argument continued by Mr. Leonard S. Ferry for the defendants in error, and concluded by Mr. Edward P. Garnett for the plaintiff in error.

No. 691. Seaboard Air Line Railway, plaintiff in error, *v.* James T. Horton. Argument commenced by Mr. Benjamin Micou for the plaintiff in error, continued by Mr. William C. Douglass and Mr. Clyde A. Douglass for the defendant in error, and concluded by Mr. Murray Allen for the plaintiff in error.

No. 615. New Orleans and Northeastern Railroad Company et al., plaintiffs in error, *v.* National Rice Milling Company. Argument commenced by Mr. J. Blanc Monroe for the plaintiff in error, continued by Mr. William C. Jones for the defendant in error, and concluded by Mr. J. Blanc Monroe for the plaintiff in error.

No. 816. Annie Myers, petitioner, *v.* Pittsburgh Coal Company. Argued by Mr. Charles K. Robinson for the petitioner, and by Mr. Don Rose for the respondent.

No. 425. Grand Trunk Western Railway Company, plaintiff in error, *v.* George Lindsay. Argued by Mr. George W. Kretzinger, jr., for the plaintiff in error, and submitted by Mr. James C. McShane for the defendant in error.

Adjourned until Monday at 12 o'clock.

The day call for Monday, March 2, will be as follows: Nos. 679, 823, 696, 529, 648, 767, 796, 176, 89, and 225.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 2, 1914.

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

F. Alexander Stewart, of Minneapolis, Minn.; H. Stanley Hanson, of Minneapolis, Minn.; John Doyle Carmody, of Washington, D. C.; William A. Hawkins, of El Paso, Tex.; Andrew J. Jennings, of Fall River, Mass.; and Elisha B. Durfee, of Marion, Ohio, were admitted to practice.

No. 181. William A. Paine et al., appellants, *v.* Cooper Belle Mining Company, of Arizona. 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.

The Chief Justice announced the following orders of the court:

No. 200. The Commonwealth of Pennsylvania, appellant, *v.* The York Silk Manufacturing Company, bankrupt. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Per curiam: Dismissed for want of jurisdiction. (*Holden v. Stratton*, 191 U. S., 115.)

No. —, Original. Ex parte: In the matter of W. L. Roe, petitioner. Motion for leave to file petition for a writ of mandamus granted, and rule to show cause awarded returnable Monday, April 6th next.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Motion for a decree against the defendant Ducktown Sulphur, Copper & Iron Company assigned for argument on Monday, April 6th next.

No. 714. O. Itow et al., plaintiffs in error, *v.* The United States;

No. 746. Ambrosio Apapas et al., plaintiffs in error, *v.* The United States; and

Nos. 829 to 837. The Tap Line cases. Reassigned for argument on Monday, April 6th next.

No. 709. The United States, petitioner, *v.* Nipissing Mines Company; and

No. 802. W. E. Johnson et al., appellants, *v.* Edwin Gearlds et al. Motions to advance granted, and cases assigned for argument on Monday, April 6th next.

No. 618. Street & Smith, a copartnership, appellant, *v.* The Atlas Manufacturing Company et al. Second petition for a writ of certiorari herein denied.

No. 200. The Commonwealth of Pennsylvania, appellant, *v.* The York Silk Manufacturing Company, bankrupt. Petition for a writ of certiorari herein denied.

No. 869. Waltham Watch Company, petitioner, *v.* Charles A. Keene. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 884. Kershaw Oil Mill et al., petitioners, *v.* National Bank of Savannah. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 895. David A. Nease, petitioner, *v.* Coal & Coke Railway Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 906. Robert Moody & Son, a copartnership, etc., appellant, *v.* Century Savings Bank. Petition for a writ of certiorari herein denied.

No. 248. The United States, appellant, *v.* Jane Leecy. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, on motion of Mr. Solicitor General Davis for the appellant.

No. 838. The United States, plaintiff in error, *v.* Harold A. Foster et al. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 889. Franklin K. Lane, Secretary, etc., et al., appellants, *v.* Cornelius C. Watts et al. Motion to advance submitted by Mr. Solicitor General Davis for the appellants.

No. 581. C. H. Albers Commission Company, plaintiff in error, *v.* Mary E. Spencer et al. Motion to dismiss submitted by Mr. Frederick N. Judson and Mr. John F. Green for the defendants in error in support of the motion, and by Mr. Shepard Barclay for the plaintiff in error in opposition thereto.

No. 919. Godfrey M. Hyams, petitioner, *v.* Old Dominion Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Edward M. Colie for the petitioner, and by Mr. Louis D. Brandeis and Mr. Edward F. McClennen for the respondent.

No. 245. Lem Motlow, plaintiff in error, *v.* The State of Tennessee. Continued per stipulation.

No. 648. The Minneapolis & St. Louis Railroad Company, plaintiff in error, *v.* O. S. Burho. In error to the Supreme Court of the State of Minnesota. Dismissed with costs, per stipulation.

No. 679. Charles Carlesi, alias Charles Carlese, plaintiff in error, *v.* The People of the State of New York. Argued by Mr. Almuth C. Vandiver for the plaintiff in error, and by Mr. Robert S. Johnstone for the defendant in error.

No. 529. Union Lime Company, plaintiff in error, *v.* The Chicago & North Western Railway Company. Argument commenced by Mr. George Lines for the plaintiff in error, continued by Mr. Walter Drew and Mr. Edward M. Smart for the defendant in error, and concluded by Mr. George Lines for the plaintiff in error.

No. 796. Southern Railway-Carolina Division and Southern Railway Company, plaintiffs in error, *v.* Hattie E. Bennett, administratrix, etc. Argued by Mr. J. E. McDonald for the plaintiffs in error, and by Mr. W. Boyd Evans for the defendant in error.

No. 823. Anthony Farrugia, plaintiff in error, *v.* Philadelphia & Reading Railway Company. Argued by Mr. George Demming for the plaintiff in error, and by Mr. William Clark Mason for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 3, will be as follows: Nos. 696, 767, 176, 89, 225, 152, 228, 229, 230, and 231.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 3, 1914.

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

G. P. Bullard, of Phoenix, Ariz., and Walter G. Kirkbride, of Toledo, Ohio, were admitted to practice.

No. —, Original. The State of Louisiana, complainant, *v.* William Gibbs McAdoo, Secretary of the Treasury of the United States, et al. Motion for leave to file bill of complaint submitted by Mr. Ruffin G. Pleasant, Mr. Joseph W. Bailey, and Mr. Paul J. Christian for the complainant.

No. 168. Charles Wilson, alias Charles Willard, plaintiff in error, *v.* The United States; and

No. 169. Catherine Wilson, alias Zoe Willard, plaintiff in error, *v.* The United States. Mandates granted, on motion of Mr. Solicitor General Davis for the defendant in error.

No. 708. Southern Railway Company, appellant, *v.* Ephraim Simon. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs, on motion of counsel for the appellant.

No. 696. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Ivolue B. West. Argument commenced by Mr. W. R. Allen for the plaintiffs in error, continued by Mr. Charles H. Taylor for the defendants in error, and concluded by Mr. W. R. Allen for the plaintiffs in error.

No. 767. Joseph Hull et al., appellants, *v.* Athur E. Burr et al. Argued by Mr. George C. Bedell for the appellants and by Mr. Frank L. Simpson for the appellees.

No. 176. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* The State of Iowa. Argument commenced by Mr. O. W. Dynes for the plaintiff in error, continued by Mr. George Cosson for the defendants in error, and concluded by Mr. O. W. Dynes for the plaintiff in error.

No. 89. The Territory of Arizona at the relation of J. M. Gaines, tax collector, appellant, *v.* The Copper Queen Consolidated Mining Company. Argument commenced by Mr. E. S. Clark for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 4, will be as follows: Nos. 89, 225, 152, 228, 229, 230, 231, 232, 233, and 234.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 4, 1914.

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

J. P. Cox, of Sherman, Tex.; Solomon C. Sugarman, of New York City; Thomas J. Boynton, of Everett, Mass.; and Charles O. Borth, of Doniphan, Mo., were admitted to practice.

No. 232. William R. Hopkins, petitioner, *v.* Charles Hebard et al. Continued, on motion of Mr. C. B. Matthews, for the petitioner.

No. 231. Hugo Adelberto Thomsen et al., plaintiffs in error, *v.* Sir Charles W. Cayser et al. Passed, pursuant to the twenty-sixth rule, on motion of Mr. Charles R. Hickox, for the defendants in error.

No. 89. The Territory of Arizona ex rel. J. M. Gaines, tax collector, appellant, *v.* The Copper Queen Consolidated Mining Co. Argument continued by Mr. E. S. Clark, for the appellant; by Mr. F. N. Judson, for the appellee; and concluded by Mr. George P. Bullard, for the appellant.

No. 152. Samuel Curriden, appellant, *v.* Frank L. Middleton et al. Submitted by Mr. W. E. Chandler, Mr. Lorenzo A. Bailey, and Mr. William L. Chambers, for the appellant; and by Mr. E. Hilton Jackson, for the appellees.

No. 225. Port Richmond & Bergen Point Ferry Company, plaintiff in error, *v.* The Board of Chosen Freeholders of the County of Hudson. Argument commenced by Mr. Frank Bergen, for the plaintiff in error; continued by Mr. James J. Murphy, for the defendant in error; and concluded by Mr. Frank Bergen, for the plaintiff in error.

No. 228. Richard G. Riley, plaintiff in error, *v.* Commonwealth of Massachusetts. Argument commenced by Mr. Andrew J. Jennings, for the plaintiff in error, and continued by Mr. James M. Swift, for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 5, will be as follows: Nos. 228, 229, 230, 233, 234, 235, 236, 237, 238, and 239.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 5, 1914.

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

John I. Devlin, of Providence, R. I.; Armand Romain, of New Orleans, La.; George Wayne Anderson, of Richmond, Va.; and Edward Payson White, of Buffalo, N. Y., were admitted to practice.

No. 235. Kansas City Gunning Advertising Company, plaintiff in error, *v.* Kansas City, Missouri, et al. In error to the Supreme Court of the State of Missouri. Dismissed with costs, pursuant to the tenth rule.

No. 236. Kansas City Gunning Advertising Company, plaintiff in error, *v.* Kansas City, Missouri, et al. In error to the Supreme Court of the State of Missouri. Dismissed with costs, pursuant to the tenth rule.

No. 237. R. A. Aiton, appellant, *v.* The Board of Medical Examiners of Arizona. Appeal from the Supreme Court of the Territory of Arizona. Dismissed with costs, pursuant to the tenth rule.

No. 238. Sue M. Rogers, as executrix, etc., appellant, *v.* The Osage Nation of Indians. Appeal from the Court of Claims. Dismissed pursuant to the tenth rule.

No. 228. Richard G. Riley, plaintiff in error, *v.* Commonwealth of Massachusetts. Argument continued by Mr. James M. Swift for the defendant in error and concluded by Mr. Andrew J. Jennings for the plaintiff in error.

No. 229. George H. Holt, doing business as George H. Holt and Company, appellant, *v.* Norvell L. Henley, trustee, et al. Argument by Mr. S. O. Bland, for the appellant; continued by Mr. Norvell L. Henley for the Peninsula Bank and Henley, trustee; by Mr. O. D. Batchelor for Phillips, Spencer, and Cooke, trustees in bankruptcy; by Mr. Norvell L. Henley for the Peninsula Bank and Henley, trustee; and concluded by Mr. S. O. Bland for the appellant.

No. 230. The Santa Fe Central Railway Company et al., plaintiffs in error, *v.* Harry Slocum Friday, etc. Submitted by Mr. E. W. Dobson for the plaintiffs in error and by Mr. T. B. Catron for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 6, will be as follows: Nos. 233, 234, 239, 240, 241, 242, 243, 244, 246, and 247.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 6, 1914.

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

Eva E. Bean, of Old Orchard, Me.; Alphonso Howe, of St. Louis, Mo.; and Benjamin E. Pierce, of Augusta, Ga., were admitted to practice.

No. 241. Illinois Central Railroad Company *v.* Joseph Behrens, administrator, etc. Leave granted to file brief as *amicus curiæ*, on motion of Mr. H. R. Gower, in behalf of The New York Central & Hudson River Railroad Company.

No. 240. Edward A. Mann, appellant, *v.* The Territory of New Mexico *ex rel.* George S. Klock. Appeal from the Supreme Court of the Territory of New Mexico. Dismissed with costs, pursuant to the tenth rule.

No. 233. American Iron & Steel Manufacturing Company *v.* Seaboard Air Line Railway *et al.* Argument commenced by Mr. George Wayne Anderson for American Iron & Steel Manufacturing Company; continued by Mr. L. L. Lewis, for the Seaboard Air Line Railway *et al.*; and concluded by Mr. George Wayne Anderson, for the American Iron & Steel Manufacturing Company.

No. 234. The United States, upon the relation and for the use of Texas Portland Cement Company *et al.*, *v.* D. C. McCord *et al.* Argument commenced by Mr. Francis Marion Etheridge, for The United States *ex rel.*, Texas Portland Cement Company *et al.*; continued by Mr. Charles W. Starling, for McCord and National Surety Company of New York; and concluded by Mr. Francis Marion Etheridge, for The United States *ex rel.* Texas Portland Cement Company *et al.*

No. 239. David J. Stewart, plaintiff in error, *v.* The People of the State of Michigan. Argued by Mr. Grant Fellows, for the defendant in error, and submitted by Mr. George M. Valentine, for the plaintiff in error.

No. 241. Illinois Central Railroad Company *v.* Joseph Behrend; administrator, etc. Argument commenced by Mr. Blewitt Lee, for The Illinois Central Railroad Company; continued by Mr. Armand Romain, for Behrens, administrator; and concluded by Mr. Blewitt Lee, for The Illinois Central Railroad Company.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 9, will be as follows: Nos. 242, 243, 244, 246, 247, 249, 250, 252, 253, and 254 (and 255).

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SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 9, 1914.

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

Alfred Jaques, of Duluth, Minn.; Frank L. Snodgrass, of Coleman, Tex.; Buckner F. Deatherage, of Kansas City, Mo.; Lester C. Manson, of Milwaukee, Wis.; Russell Jackson, of Milwaukee, Wis.; and Michael E. Burke, of Beaver Dam, Wis., were admitted to practice.

No. 634. *Margaret H. Williamson v. Kathrine Osenton*. On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit. Question certified answered in the affirmative. Opinion by Mr. Justice Holmes.

No. 218. *George E. Priest et al., appellants, v. The Board of Trustees of the Town of Las Vegas*. 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 McKenna.

No. ——. *United States of America ex rel Alpheus H. Brown, plaintiff in error, v. Franklin K. Lane, Secretary of the Interior*. Application of plaintiff in error for the allowance of a writ of error denied. Opinion by Mr. Chief Justice White.

No. 389. *Martha Young, administratrix of the estate of Peter B. Young, deceased, plaintiff in error, v. Central Railroad Company of New Jersey*. In error to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed in part and reversed in part, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania with directions to set aside its judgment and grant a new trial. Opinion by Mr. Chief Justice White.

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

No. 557. *Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chalais, plaintiff in error, v. Ross R. Winans and Ferdinand C. Latrobe, trustees, et al.* In error to the Court of Appeals of the State of Maryland. *Per curiam*: Dis-

missed for want of jurisdiction. *First National Bank v. Estherville* (215 U. S., 341, 346), *Rogers v. Clark Iron Co.* (217 U. S., 589)—see *Louis Elie Joseph Henry de Galard de Brassac de Bearn v. Francois de Bearn* (225 U. S., 695); same *v. Pierre de Bearn* (decided at this term), — U. S. —.

No. 581. *C. H. Albers Commission Company*, plaintiff in error, *v. Mary E. Spencer and Harlow B. Spencer*, executrix and executor of the estate of *Corwin H. Spencer*, deceased, et al. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction. *Kansas City Star Company v. Julian* (215 U. S. 589, 590), *Wood v. Chesborough* (228 U. S., 672).

No. 817. *J. F. Shultz*, plaintiff in error, *v. Fred W. Ritterbusch*, county treasurer, etc., et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction. (1) *Consolidated Turnpike Company v. Norfolk & Ocean View Railroad Co.* (228 U. S., 596, 600, and cases cited). (2) *Louisville & N. R. R. Co. v. Barber Asphalt Paving Company* (197 U. S., 430, 434, and cases cited).

No. —, Original. The State of Louisiana, complainant, *v. William G. McAdoo*, Secretary of the Treasury, et al. Motion for leave to file a bill of complaint herein set for argument on Monday, April 6, next.

No. 838. The United States, plaintiff in error, *v. Harold A. Foster* et al. Motion to advance granted, and cause assigned for argument on Monday, April 6, next, after the cases heretofore assigned for that day.

No. 889. *Franklin K. Lane*, Secretary, etc., et al., appellants, *v. Cornelius C. Watts* et al. Motion to advance granted, and cause assigned for argument on Monday, April 6th next, after the cases heretofore assigned for that day.

No. 880. *City of Camden*, petitioner, *v. Armstrong Cork Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 882. *Frank H. Ryan* et al., petitioners, *v. The United States*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 919. *Godfrey M. Hyams*, petitioner, *v. Old Dominion Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

Order.—The Reporter having represented that owing to the number of decisions at the present term it would be impracticable to put the reports in one volume, it is therefore now here ordered that he publish an additional volume in this year pursuant to section 226 of the Judicial Code, approved March 3, 1911.

No. 912. William R. Hopkins et al., petitioners, *v.* A. Louisa M. Gilbert et al., etc., et al.; and

No. 913. W. R. Hopkins, petitioner, *v.* A. Louisa M. Gilbert et al., etc., et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Wade H. Ellis, Mr. C. B. Matthews, Mr. F. A. Sondley, and Mr. Theodore F. Davidson for the petitioners, and by Mr. James H. Merrimon and Mr. Thomas S. Rollins for the respondents.

No. 915. Compagnie Generale Transatlantique, petitioner, *v.* Laura Rivers. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph P. Nolan for the petitioner, and by Mr. Charles H. Tuttle for the respondent.

No. 341. Mrs. Carmelite Pons, wife of George A. Louque, plaintiff in error, *v.* Yazoo & Mississippi Valley Railroad Company et al. Motion to dismiss submitted by Mr. Blewett Lee, Mr. Charles N. Burch, Mr. Hunter C. Leake, Mr. H. D. Minor, and Mr. Gustave Lemle for the defendants in error in support of the motion, and by Mr. Henry L. Lazarus and Mr. Edgar H. Farrar for the plaintiff in error in opposition thereto.

No. 917. The Victor-American Fuel Company, petitioner, *v.* Frank Peccarick. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit, submitted by Mr. Hugh H. O'Fear in behalf of Mr. Caldwell Yeaman for the petitioner, and by Mr. George S. Klock for the respondent.

No. 652. Seaboard Air Line Railway, plaintiff in error, *v.* J. M. Pace Mule Company. Motion to advance and place on the summary docket submitted by Mr. Richard P. Whitley in behalf of Mr. Murray Allen for the plaintiff in error.

No. 868. George W. Norton, as executor, etc., appellant, *v.* Robert B. Whiteside et al. Petition for a writ of certiorari herein submitted by Mr. Evans Browne in behalf of Mr. Jed L. Washburn in support of the petitioner, and by Mr. Theodore T. Hudson, Mr. Luther C. Harris, and Mr. John B. Richards in opposition thereto.

No. —, Original. *Ex parte*: In the matter of Adolph Grimsinger, petitioner. Motion for leave to file amended petition for writ of habeas corpus submitted by Mr. George F. Curtis for the petitioner.

No. 366. The Belt Line Railway Company, appellant, *v.* The City of Montgomery et al. Appeal from the District Court of the United States for the Middle District of Alabama. Decree reversed with costs upon confession of error, and cause remanded for further proceedings. Mandate granted.

No. 252. Clark Ruffcorn et al., plaintiffs in error and appellants, *v.* The Board of Supervisors of Harrison County, Iowa, et al. Passed,

to be restored to the call pursuant to section 9, rule 26, on motion of Mr. William R. Green for the plaintiffs in error and appellants.

No. 253. William Rabb, plaintiff in error, *v.* The State of Louisiana. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 242. The United States of America, plaintiff in error, *v.* Rudolph Axman et al. Death of Rudolph Axman, one of the defendants in error herein, suggested, and the appearance of Julia A. Axman, executrix of the last will and testament of Rudolph Axman, deceased, as a party defendant in error herein, filed and entered, on motion of Mr. Frank W. Aitken for said defendant in error.

No. 242. The United States of America, plaintiff in error, *v.* Julia A. Axman, executrix, etc., et al. Argument commenced by Mr. Solicitor General Davis for the plaintiff in error, continued by Mr. Frank W. Aitken and Mr. Edward Duffey for the defendants in error, and concluded by Mr. Solicitor General Davis for the plaintiff in error.

No. 243. W. Schneider Whole Wine & Liquor Company, appellant, *v.* August Diederich. Passed temporarily.

No. 244. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Pine Tree Lumber Company, Limited. Submitted by Mr. Thomas S. Buzbee for the plaintiff in error, and by Mr. Walter Elder for the defendant in error.

No. 246. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* C. B. Kennedy. Submitted by Mr. Burton Hanson and Mr. William G. Porter for the plaintiff in error. No brief filed for the defendant in error.

No. 247. Scott Logan, plaintiff in error, *v.* W. R. Davis. Submitted by Mr. William Milchrest and Mr. George C. Scott for the plaintiff in error, and by Mr. Madson B. Davis for the defendant in error. Leave granted to counsel for the plaintiff in error to file a reply brief within six days.

No. 249. E. A. O'Sullivan, plaintiff in error, *v.* Paul Felix et al. Submitted by Mr. W. S. Parkerson and Mr. E. A. O'Sullivan for the plaintiff in error. No brief filed for the defendants in error.

No. 250. Archibald Hollerbach et al., appellants, *v.* The United States. Argued by Mr. William B. King for the appellant, and submitted by Mr. Assistant Attorney General Thompson for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 10, will be as follows: Nos. 254 (and 255), 256, 258, 259, 260, 262, 263, 266, 267, and 268.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 10, 1914.

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

Claude D. Graton, of Burlington, Vt.; Charles R. Price, of Kenton, Ohio; Alfred E. Billings, of New Orleans, La.; William H. Pitzer, of Nebraska City, Nebr.; and Wilber W. Chambers, of Albany, N. Y., were admitted to practice.

No. 243. W. Schneider Wholesale Wine & Liquor Company, appellant, *v.* August Diederich. Petition for a writ of certiorari herein denied.

No. 274. Erie Railroad Company, plaintiff in error, *v.* John Williams, commissioner of labor, etc. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Wilber W. Chambers for the defendant in error.

No. 258. Henry Meyer, plaintiff in error, *v.* The State of Kansas. In error to the Supreme Court of the State of Kansas. Dismissed with costs, pursuant to the tenth rule.

No. 260. Ephraim Simon, appellant, *v.* The Southern Railway Company. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 263. L. V. Mullen, plaintiff in error, *v.* N. H. Simmons, sheriff, etc., et al. Continued, per stipulation.

No. 266. Erie Railroad Company, plaintiff in error, *v.* The People of the State of New York. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Wilber W. Chambers for the defendant in error.

No. 254. New York Life Insurance Company, plaintiff in error, *v.* Mary E. Head; and

No. 255. New York Life Insurance Company, plaintiff in error, *v.* Richard G. Head, jr., etc. Argued by Mr. James H. McIntosh for the plaintiff in error, and by Mr. B. F. Deatherage for the defendant in error.

No. 256. The United States, appellant, *v.* Nelson P. Vulte. Argued by Mr. Assistant Attorney General Thompson for the appellant, and by Mr. George A. King for the appellee.

No. 262. Thomas May, jr., et al., plaintiffs in error, *v.* The People of the State of Illinois for the use of Edward Gobin, etc. Argument commenced by Mr. Fred B. Merrills for the plaintiffs in error. The court declined to hear counsel for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 11, will be as follows: Nos. 259, 267, 268, 269, 270, 271, 273, 276, 277, and 278.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 11, 1914.

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

Richard A. Jones, of St. Louis, Mo.; Charles R. Reeves, of Portland, Oreg.; Morgan J. O'Brien, of New York City; Harry S. Bandler, of New York City; and Michael L. Sullivan, of Salem, Mass., were admitted to practice.

No. 276. International Harvester Company of America, plaintiff in error, *v.* Commonwealth of Kentucky. Passed, to be heard with Nos. 291 and 292, on motion of Mr. E. A. Bancroft for the plaintiff in error.

No. 278. The Hammond Packing Company, plaintiff in error, *v.* The State of Montana. Submitted, with leave to counsel to file briefs within 15 days.

No. 259. E. A. Browning, plaintiff in error, *v.* City of Waycross. Argued by Mr. R. A. Jones for the plaintiff in error, and submitted by Mr. W. W. Lambdin and Mr. Thomas S. Felder for the defendant in error.

No. 267. The Order of St. Benedict, of New Jersey, petitioner, *v.* Albert Steinhauser, administrator, etc. Argument commenced by Mr. Morgan J. O'Brien for the petitioner, continued by Mr. William H. Pitzer and Mr. William Hayward for the respondent, and concluded by Mr. Morgan J. O'Brien for the petitioner.

No. 273. Walter A. Ledbetter, receiver, etc., plaintiff in error, *v.* Kaufman Mandell. Argument commenced by Mr. Arthur F. Gotthold for the plaintiff in error, and continued by Mr. Louis Marshall for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 12, will be as follows: Nos. 273, 268, 269, 270, 271, 281, 282, 283, 284, and 285.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 12, 1914.

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

F. W. Lehmann, jr., of Des Moines, Iowa; Claude A. Thompson, of New York City; John H. Campbell, of Tuscon, Ariz.; Samuel J. Wettrick, of Seattle, Wash.; Peter C. Cannon, of Providence, R. I.; and G. Edward Dickerson, of Philadelphia, Pa., were admitted to practice.

No. 321. W. S. Rhea, appellant, *v.* James A. Pitcock, warden, etc. Appeal from the District Court of the United States for the Eastern District of Arkansas. Dismissed with costs, on motion of counsel for the appellant.

No. 281. Schmidt and Story et al., plaintiffs in error, *v.* The Bank of Commerce. Passed, temporarily, on motion of Mr. T. B. Catron in behalf of counsel.

No. 282. J. A. Miller, trustee, etc., appellant, *v.* The First National Bank of Albuquerque. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. F. W. Clements in behalf of counsel.

No. 283. J. Franklin Cunningham et al., plaintiffs in error, *v.* The State of Louisiana. In error to the Supreme Court of the State of Louisiana. Dismissed with costs pursuant to the tenth rule.

No. 273. Walter A. Ledbetter, receiver, etc., plaintiff in error, *v.* Kaufman Mandell. Argument continued by Mr. Louis Marshall for the defendant in error and concluded by Mr. Joseph W. Bailey for the plaintiff in error.

No. 268. W. W. Smith, plaintiff in error, *v.* The State of Texas. Argued by Mr. Gardiner Lathrop for the plaintiff in error and submitted by Mr. B. F. Looney for the defendant in error.

No. 269. H. L. Herbert, plaintiff in error, *v.* Henry R. Bicknell et al. Submitted, with leave to counsel to file briefs within 30 days.

No. 270. Martin Ocampo et al., plaintiffs in error, *v.* The United States. Argument commenced by Mr. William R. Harr for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 13, will be as follows: Nos. 270, 271, 284, 285, 286, 287, 288, 276 (and 291 and 292), 294, and 295.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 13, 1914.

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

Lucius D. Moore, of Winfield, Kans., William E. Aughinbaugh, of Washington, D. C., Victor A. Remy, of Chicago, Ill., and G. Ray Craig, of Norwalk, Ohio, were admitted to practice.

No. —, Original. *Ex parte*: In the matter of Adolph Grimsinger, petitioner. Leave granted to file brief in opposition to motion for leave to file petition, on motion of Mr. Solicitor General Davis for the United States.

No. 295. J. F. Smith et al., plaintiffs in error, *v.* George Leavenworth. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Frederick S. Tyler in behalf of counsel.

No. 286. Sioux Remedy Company, plaintiff in error, *v.* F. M. and D. C. Cope. Submitted, with leave to counsel for the defendant in error to file brief on or before the 17th instant.

No. 287. Yee Ting Woh, appellant, *v.* A. J. Hirstius, sheriff. Appeal from the District Court of the United States for the Northern District of Ohio. Dismissed, with costs pursuant to the tenth rule.

No. 294. Charles Overton, plaintiff in error, *v.* the State of Oklahoma. Continued, per stipulation.

No. 270. Martin Ocampo et al., plaintiffs in error, *v.* The United States. Argument continued by Mr. William R. Harr for the plaintiffs in error, by Mr. Solicitor General Davis for the defendant in error, and concluded by Mr. William R. Harr for the plaintiffs in error.

No. 271. Kate C. Archer, petitioner, *v.* The Greenville Sand and Gravel Company et al. Argument commenced by Mr. Percy Ball for the petitioner, continued by Mr. John W. Yerkes for the respondents, and concluded by Mr. T. M. Miller for the petitioner.

No. 284. Twin Falls Canal Company, plaintiff in error, *v.* The State of Idaho et al. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 285. F. F. Green, appellant, *v.* The Menominee Tribe of Indians in Wisconsin et al. Argument commenced by Mr. L. T. Michener for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 16th, will be as follows: Nos. 285, 288, 276 (and 291 and 292), 78, 296, 297 (and 298), 299, 300, 301, and 302.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 16, 1914.

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

William S. Kies, of Chicago, Ill.; Benjamin T. Waldo, of New Orleans, La.; William C. Dufour, of New Orleans, La.; E. Marvin Underwood, of Atlanta, Ga.; R. F. Broussard, of New Iberia, La.; Charles McH. Howard, of Baltimore, Md.; Harry M. Dougherty, of Socorro, N. Mex.; George V. Triplett, jr., of Owensboro, Ky.; Lawrence Sands Paddock, of East Orange, N. J.; Samuel D. Snow, of Chicago, Ill.; H. Edgar Barnes, of Philadelphia, Pa.; Albert W. Biggs, of Memphis, Tenn.; Arthur Hellen, of Washington, D. C.; Daniel Wendling, of New Orleans, La.; Arthur R. Honnold, of Denver, Colo.; John C. Theus, of Monroe, La.; Robert F. Spearman, of Greenville, Tenn.; B. E. Stoutemyer, of Boise, Idaho; and Harold Otis, of New York City, were admitted to practice.

No. 182. Grant Brothers Construction Company et al., plaintiffs in error, *v.* The United States. In error to the Supreme Court of the Territory of Arizona. Judgment affirmed, and cause remanded to the Supreme Court of the State of Arizona. Opinion by Mr. Justice Van Devanter.

No. 226. William H. Garland, plaintiff in error, *v.* The State of Washington. In error to the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 152. Samuel W. Curriden, appellant, *v.* Frank L. Middleton et al. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 229. George H. Holt, doing business as George H. Holt & Company, appellant, *v.* Norvell L. Henley, trustee, etc., et al. Appeal from 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 Eastern District of Virginia for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 390. The People of Porto Rico, plaintiff in error, *v.* Bonocio Ramos. In error to the District Court of the United States for Porto Rico. Judgment affirmed with costs and interest. Opinion by Mr. Justice McKenna.

No. 246. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* C. B. Kennedy. In error to the Supreme Court of the State of South Dakota. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White.

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

No. 243. W. Schneider Wholesale Wine & Liquor Company, appellant, *v.* August Diederich. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction. *Street & Smith v. Atlas Mfg. Co.* (decided this term). — U. S., —.

No. 262. Thomas May, jr., et al., plaintiffs in error, *v.* The People of the State of Illinois for the use of Edward Gobin, etc. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction. *Rogers v. Clark Iron Co.* (217 U. S., 589; *Preston v. Chicago.* 226 U. S., 447, 450).

No. 341. Mrs. Carmelite Pons, wife of George A. Louque, plaintiff in error, *v.* Yazoo & Mississippi Valley Railroad Company et al. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction. *Louisiana Navigation Co. v. Oyster Commission of La.* (226 U. S., 99); *United States v. Beatty* (decided this term, — U. S., —).

No. —, Original. Ex parte: In the matter of Adolph Griminger, petitioner. Motion for leave to file amended petition for writ of habeas corpus denied.

No. 652. Seaboard Air Line Railway, plaintiff in error, *v.* J. M. Pace Mule Company. Ordered that this case be placed on the summary docket.

No. 868. George W. Norton, as executor, etc., appellant, *v.* Robert B. Whiteside et al. Petition for a writ of certiorari herein denied.

No. 912. William R. Hopkins et al., petitioners, *v.* A. Louisa M. Gilbert et al., etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 913. W. R. Hopkins, petitioner, *v.* A. Louisa M. Gilbert, et al., etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 915. Campagnie Generale Transatlantique, petitioner, *v.* Laura Rivers. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 917. Victor American Fuel Company, petitioner, *v.* Frank Pecarich. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

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

No. 302. Stone, Sand & Gravel Company et al., plaintiffs in error, *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 Davis for the defendant in error.

No. 324. The Linn & Lane Timber Company et al., appellants, *v.* The United States. Continued, on motion of Mr. Solicitor General Davis for the appellee.

No. 826. Southern Railway Company, plaintiff in error, *v.* D. R. Crockett. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Blackburn Esterline in behalf of Mr. James A. Fowler for the defendant in error in support of the motion, and by Mr. L. E. Jeffries for the plaintiff in error in opposition thereto.

Nos. 276, 291, 292, 297, and 298. The International Harvester Company of America, plaintiff in error, *v.* The Commonwealth of Kentucky. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Edgar A. Bancroft for the plaintiff in error.

No. 772. The Pennsylvania Railroad Company, plaintiff in error, *v.* Sonman Shaft Coal Company;

No. 773. The Pennsylvania Railroad Company, plaintiff in error, *v.* Stineman Coal Mining Company; and

No. 774. The Pennsylvania Railroad Company, plaintiff in error, *v.* Clark Brothers Coal Mining Company. Suggestions of diminution of the records and motions for writs of certiorari submitted by Mr. A. L. Cole and Mr. A. M. Liveright for the defendants in error in support of the motions, with leave to counsel for the plaintiff in error to file opposition within two days.

No. 6, Original. The State of Arkansas, complainant, *v.* The State of Tennessee. Motion to fix day for argument of motion to have principle settled for the ascertainment of the boundary line, etc., submitted by Mr. Caruthers Ewing for the complainant. Leave

granted to file replication herein, on motion of Mr. Caruthers Ewing for the complainant.

No. 931. Smith Incandescent Light Company, petitioner, *v.* Welsbach Gas Lamp Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William B. Kerkam, in behalf of Mr. Timothy D. Merwin for the petitioner and by Mr. C. P. Byrnes for the respondent.

Nos. 904 and 905. William B. Bosley et al., appellants, *v.* John P. McLaughlin, Labor Commissioner, etc., et al. Motion to advance submitted by Mr. Frederick S. Tyler, in behalf of counsel for the appellants.

No. 305. Ennis Water Works, plaintiff in error, *v.* City of Ennis. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Jack Beall for the plaintiff in error.

No. 418. The Northern Trust Company, as trustee, etc., plaintiff in error, *v.* The People of the State of Illinois. Motion to dismiss or affirm submitted by Mr. P. J. Lucey and Mr. Silas H. Strawn for the defendants in error in support of the motion, and by Mr. Samuel Alschuler and Mr. Charles H. Holden for the plaintiff in error in opposition thereto.

No. 856. Choy Gum alias Lo King, appellant, *v.* Samuel W. Backus, commissioner, 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 appellant.

No. 857. Leong Toe, appellant, *v.* Samuel W. Backus, commissioner, 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 appellant.

No. 296. Bluefields Steamship Company, Limited, et al., appellants, *v.* Frederick M. Steele et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs, on motion of counsel for the appellant.

No. 300. Hyman, Hiller & Company, Limited, plaintiff in error, *v.* Philip Veith. In error to the Supreme Court of the State of Louisiana. Dismissed with costs, pursuant to the tenth rule.

No. 811. Marguerita Oyanguren, heirs, etc., appellant, *v.* Ana Louisa and Ana Teresa Orama, etc., et al. Appeal from the Supreme Court of Porto Rico. Dismissed with costs, on motion of counsel for the appellant.

No. 285. F. F. Green, appellant, *v.* The Menominee Tribe of Indians et al. Argument concluded by Mr. Assistant Attorney General Thompson for the appellee.

No. 288. Citizens Banking Company *v.* Ravenna National Bank of Ravenna, Ohio, et al. Argument commenced by Mr. G. Ray Craig for Citizens Banking Company, continued by Mr. A. T. Brewer for The Ravenna National Bank of Ravenna, Ohio, et al., and concluded by Mr. G. Ray Craig for Citizens Banking Company.

No. 78. Carondelet Canal & Navigation Company, plaintiff in error, *v.* the State of Louisiana. Argument commenced by Mr. Edgar H. Farrar for the plaintiff in error, and continued by Mr. R. G. Pleasant for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 17, will be as follows: Nos. 78, 299, 301, 303, 304, 307, 308, 309, 310, and 311.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 17, 1914.

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

Albert Gaylord Welch, of Chicago, Ill., Silas B. Spier, of Mount Clemens, Mich., and Harry B. Amey, of Island Pond, Vt., were admitted to practice.

No. 318. The Southern Pacific Company et al., appellants, *v.* The United States et al. In error to the United States Commerce Court. Dismissed on motion of Mr. A. A. Hoehling, jr., for the appellants.

No. 304. The National Discount Company, appellant, *v.* John S. Sheppard, jr., trustee, etc. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. S. C. Sugarman for the appellant.

No. 307. P. A. Carlson, plaintiff in error, *v.* The State of Washington ex rel. Charles P. Curtiss. Submitted by Mr. Corwin S. Shank for the plaintiff in error. No appearance for the defendant in error.

No. 308. The Southwestern Telegraph & Telephone Company, plaintiff in error, *v.* Mrs. Adelia P. Danaher. Submitted by Mr. Charles T. Coleman for the plaintiff in error and by Mrs. Adelia P. Danaher, *pro se.*

No. 310. Charles R. Fahringer, plaintiff in error, *v.* The State of Wisconsin. In error to the Supreme Court of the State of Wisconsin. Dismissed with costs, pursuant to the tenth rule.

No. 78. Carondelet Canal & Navigation Company, plaintiff in error, *v.* The State of Louisiana. Argument continued by Mr. R. G. Pleasant for the defendant in error, and concluded by Mr. Edgar H. Farrar for the plaintiff in error.

No. 299. Tennessee Coal, Iron and Railroad Company, plaintiff in error, *v.* Wiley George. Argued by Mr. Alexander W. Smith for the plaintiff in error and by Mr. Reuben R. Arnold for the defendant in error.

No. 301. Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chalais, appellant, *v.* Safe Deposit and Trust Company of Baltimore et al. Argument commenced by Mr. George Holt for the appellant, and continued by Mr. Charles McH. Howard for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 18, will be as follows: Nos. 301, 303, 309, 311, 313 (and 314), 315, 317, 319, 320, and 322.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 18, 1914.

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

Christopher L. Avery, of Groton, Conn.; Michael Kenealy, of Stamford, Conn.; and Charles B. Waller, of New London, Conn., were admitted to practice.

No. 315. Frank D. Bartlett, appellant, *v.* W. A. Arnold, sheriff, etc. Appeal from the District Court of the United States for the Eastern District of Wisconsin. Dismissed with costs, pursuant to the tenth rule.

No. 317. Louisville & Nashville Railroad Company, plaintiffs in error, *v.* Ohio Valley Tie Company. 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. 320. The Choctaw, Oklahoma & Gulf Railroad Company, appellant, *v.* John A. Harrison, sheriff, etc. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 301. Louis Elie Joseph Henry de Galard de Brassac de Bearn, count and prince of Bearn and Chalais, appellant, *v.* Safe Deposit & Trust Company of Baltimore et al. Argument continued by Mr. Charles McH. Howard for the appellees, and concluded by Mr. Maurice Léon for the appellant.

No. 303. The San Joaquin and Kings River Canal and Irrigation Company, Incorporated, appellant, *v.* The County of Stanislaus in the State of California et al. Argument commenced by Mr. Edward F. Treadwell for the appellant, continued by Mr. James P. Langhorne for the appellees, and concluded by Mr. Edward F. Treadwell for the appellant.

No. 309. Metzger Motor Car Company, plaintiff in error, *v.* John W. Parrott. Argument commenced by Mr. Henry L. Lyster for the plaintiff in error, and continued by Mr. Silas B. Spier for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 19, 1914, will be as follows: Nos. 309, 311, 281, 313, (and 314), 319, 322, 323, 325 (and 326), 327, and 328.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 19, 1914.

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

Harvey Charles Levinson, of Chicago, Ill.; Adolph J. Sabath, of Chicago, Ill.; Jacob A. Cantor, of New York City; Rudolph W. Bishop, of Washington, D. C.; Samuel N. Acker, of Washington, D. C.; Bishop H. Schriber, of St. Paul, Minn.; John H. Brennan, of Bartlesville, Okla.; and George Ingalls Woolley, of Brooklyn, N. Y., were admitted to practice.

No. 322. The Louisville & Nashville Railroad Company, plaintiff in error, *v.* Joe Higdon, doing business under the firm name of Crescent Coal Company. Submitted, with leave to counsel for both sides to file briefs within 10 days.

No. 325. Henry J. Grannis, plaintiff in error, *v.* Albert L. Ordean et al.; and

No. 326. Henry J. Grannis, plaintiff in error, *v.* Robert B. Whiteside et al. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 327. Missouri Pacific Railway Company, appellant, *v.* The City of Omaha. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 328. T. B. Coppage, plaintiff in error, *v.* The State of Kansas. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. William H. Thompson in behalf of counsel.

No. 309. Metzger Motor Car Company, plaintiff in error, *v.* John W. Parrott. Argument continued by Mr. Silas B. Spier for the defendant in error, and concluded by Mr. Henry L. Lyster for the plaintiff in error.

No. 311. Juan A. Monagas et al., appellants, *v.* Juliana Maria Albertucci y Alvarez, widow, etc. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 281. Schmidt & Story et al., plaintiffs in error, *v.* The Bank of Commerce. Argument commenced by Mr. Francis E. Wood for

the plaintiff in error, continued by Mr. H. M. Dougherty for the defendant in error, and concluded by Mr. Frances E. Wood for the plaintiff in error.

No. 313. The Kansas City Southern Railway Company, plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kans.; and

No. 314. The Kansas City Terminal Railway Company, plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kans. Argument commenced by Mr. Samuel W. Moore for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 20, will be as follows: Nos. 313 (and 314), 319, 323, 329, 330, 333, 334, 335, 336, and 337.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 20, 1914.

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

Edward S. Letts, of Denver, Colo.; Barney L. Whatley, of Breckenridge, Colo.; Arthur Thomas Dumm, of Jefferson City, Mo.; Norman R. Haskell, of Oklahoma City, Okla.; M. K. Cruce, of Oklahoma City, Okla.; and Henry G. Snyder, of Oklahoma City, Okla., were admitted to practice.

No. 329. Louisiana Railway & Navigation Company, plaintiff in error, *v.* Martin Behrman, mayor of the city of New Orleans. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 330. Charles W. Dale et al., trustees, etc., appellants, *v.* Edward M. Pattison. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 333. Western Life Indemnity Company of Illinois, plaintiff in error, *v.* Clarence Rupp. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 334. Nancy Neron Longpre et al., plaintiffs in error, *v.* Clemente Diaz y Quinones. Continued.

No. 335. Martha Adkins, plaintiff in error, *v.* Henry C. Arnold et al. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 336. George Washington, plaintiff in error, *v.* Charles W. Miller. Passed, to be restored to the call under the provisions of section 9, rule 26.

No. 313. The Kansas City Southern Railway Company, plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kans.; and

No. 314. The Kansas City Terminal Railway Company, plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kans. Argument continued by Mr. Samuel W. Moore for the plaintiffs in error, by Mr. Thomas A. Pollock for the defendant in

error, and concluded by Mr. Samuel W. Moore for the plaintiff in error.

No. 319. The Kansas City Southern Railway Company, plaintiff in error *v.* Jacob Anderson. Argued by Mr. Samuel W. Moore for the plaintiff in error. No appearance for the defendant in error.

No. 323. The City of Sault Ste. Marie et al., appellants, *v.* International Transit Company. Argument commenced by Mr. John W. Shine for the appellants, continued by Mr. Henry E. Bodman for the appellee, and concluded by Mr. John W. Shine for the appellants.

No. 337. Louisville & Nashville Railroad Company, appellant, *v.* The Western Union Telegraph Company. Argued by Mr. Gregory L. Smith for the appellant and by Mr. Rush Taggart for the appellee. Adjourned until Monday next, at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 23, 1914.

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

John C. Gladfelter, of Washington, D. C.; Warren R. Austin, of St. Albans, Vt.; W. Clayton Carpenter, of Washington, D. C.; Charles Francis Clyne, of Aurora, Ill.; C. Edward Wright, of Whitefield, N. H.; John Norment Powell, of Wytheville, Va.; and Robert Burrow, of Bristol, Tenn., were admitted to practice.

No. 213. Sidney S. Schuyler et al., appellants, *v.* Charles E. Littlefield, trustee, 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. Justice Lamar.

No. 164. Carl Eberle and Stephen H. Carroll, plaintiffs in error, *v.* The People of the State of Michigan. In error to the Supreme Court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 230. The Santa Fe Central Railway Company et al., plaintiffs in error, *v.* Harry Slocum Friday, by John H. Friday, his next friend. In error to the Supreme Court of the Territory of New Mexico. Judgment affirmed with costs and interest, and cause remanded to the Supreme Court of the State of New Mexico. Opinion by Mr. Justice Holmes.

No. 696. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* Ivolue B. West. In error to the Supreme Court of the State of Oklahoma. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 228. Richard G. Riley, plaintiff in error, *v.* Commonwealth of Massachusetts. In error to the Superior Court of the State of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 239. David J. Stewart, plaintiff in error, *v.* The People of the State of Michigan. In error to the Supreme Court of the State of Michigan. 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. 6, Original. The State of Arkansas, complainant, *v.* The State of Tennessee. Motion to fix day for argument of motion to settle principles granted, and case assigned for argument on Monday, April 13, next, after the case heretofore assigned for that day.

Nos. 904 and 905. William B. Bosley et al., appellants, *v.* John P. McLaughlin, labor commissioner, etc., et al. Motion to advance denied.

No. 772. The Pennsylvania Railroad Company, plaintiff in error, *v.* Sonman Shaft Coal Company;

No. 773. The Pennsylvania Railroad Company, plaintiff in error, *v.* Stineman Coal Mining Company; and

No. 774. The Pennsylvania Railroad Company, plaintiff in error, *v.* Clark Brothers Coal Mining Company. Motions for writs of certiorari under rule 14 granted.

No. 826. Southern Railway Company, plaintiff in error, *v.* D. E. Crockett. Ordered that this cause be placed on the summary docket.

No. 931. Smith Incandescent Light Company, petitioner, *v.* Welsbach Gas Lamp Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

Order. It is ordered that the cases heretofore transferred to the summary docket be assigned for hearing on Monday, April 6, next, after the cases heretofore assigned for that day.

No. —, Original. *Ex parte:* In the matter of G. & C. Merriam Company, petitioner. Motion for leave to file a petition for a writ of mandamus submitted by Mr. William B. Hale for the petitioner.

No. 600. Norfolk & Western Railway Company, plaintiff in error, *v.* William G. Conley, Attorney General, etc., et al. Motion to advance submitted by Mr. A. A. Lilly for the defendants in error.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Motion for leave to file a supplemental answer herein submitted by Mr. A. A. Lilly, Mr. V. B. Archer, Mr. Charles E. Hogg, and Mr. John H. Holt for the defendant in support of the motion and by Mr. John Garland Pollard, Mr. William A. Anderson, Mr. Randolph Harrison, and Mr. John B. Moon for the complainant and Mr. Holmes Conrad and Mr. Sanford Robinson for the bondholders in opposition thereto.

No. 938. Havana Central Railroad Company, petitioner, *v.* Central Trust Company of New York. Petition for a writ of certiorari

to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Herbert A. Heyn for the petitioner and by Mr. Lewis H. Freedman for the respondent.

No. 531. The Louisville & Nashville Railroad Company, plaintiff in error, *v.* Catesby Woodford et al. Motion for leave to file additional record and motion to dismiss submitted by Mr. Charles W. Needham, in behalf of Mr. Robert B. Franklin for the defendants in error, in support of the motions, and by Mr. Charles H. Moorman, Mr. B. D. Warfield, and Mr. Henry L. Stone for the plaintiff in error in opposition thereto.

No. 841. Antonio Balasquide Gomez, appellant, *v.* Enrique Comacho, etc. Motion to affirm or place on the summary docket submitted by Mr. Frederic D. McKenney, Mr. John Spalding Flannery, Mr. William Hits, and Mr. Francis H. Dexter for the appellee, in support of the motion, and by Mr. F. Kingsbury Curtis and Mr. Hugo Kohlmann for the appellant in opposition thereto.

No. 928. Frank Sullivan, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, submitted by Mr. William B. Jaynes in behalf of Mr. J. P. Cox for the petitioner and by Mr. Assistant Attorney General Wallace for the respondent.

No. 929. J. D. Lankford et al., etc., appellants, *v.* Platte Iron Works Company. Motion to advance submitted by Mr. Evans Browne in behalf of counsel.

No. 887. Clinchfield Coal Corporation, plaintiff in error, *v.* R. L. Maness. Motion to dismiss or affirm submitted by Mr. Robert Burrow and Mr. Isaac Harr for the defendant in error in support of the motion and by Mr. John Norment Powell and Mr. John W. Price for the plaintiff in error in opposition thereto.

No. 737. Lytle Logging & Mercantile Company, plaintiff in error, *v.* C. O. Sandberg. In error to the Supreme Court of the State of Washington. Dismissed per stipulation.

Adjourned until Monday, April 6, at 12 o'clock.

The day call for Monday, April 6, 1914, will be as follows: Nos. 130, 873 (and 874 and 875), 1, Original, 714, 746, 829 (and 830, 831, 832, 833, 834, 835, 836, and 837), 709, 802, *Louisiana v. McAdoo*, Secretary, etc., 838, 889, 861, 645, 751, 652, and 826.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 6, 1914.

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.

R. E. L. Johnson, of Paragould, Ark.; Frank Christopher Hampson, of Iowa City, Iowa; Francis T. McDonald, of Sault Ste. Marie, Mich.; Walter P. Armstrong, of Memphis, Tenn.; Miguel Estudillo, of Riverside, Cal.; Eugene C. Brockmeyer, of Washington, D. C.; Hyland P. Stewart, of Baltimore, Md.; John Neville Boyle, of New York City; Claude Pollard, of Kingsville, Tex.; John Davis, of Dallas, Tex.; John D. Little, of Atlanta, Ga.; Marvin B. Rosenberry, of Wausau, Wis.; James E. Sneed, of Washington, D. C.; J. H. Cobb, of Juneau, Alaska; Joseph W. Folk, of St. Louis, Mo.; and Andrew M. Strong, of Los Angeles, Cal., were admitted to practice.

No. 189. William S. Tevis et al., plaintiffs in error, *v.* Jepp Ryan et al. In error to 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 Pitney.

No. 208. Samuel Lewis, petitioner, *v.* G. Oliver Frick, United States immigration inspector, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Michigan. Opinion by Mr. Justice Pitney.

No. 458. The Singer Sewing Machine Company, appellant, *v.* Robert C. Brickell, attorney general, etc., et al. Appeal from the District Court of the United States for the Southern District of Alabama. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 185. El Paso Brick Company, appellant, *v.* John H. McKnight. Appeal from the Supreme Court of the Territory of New Mexico. Decree reversed with costs, and cause remanded to the Supreme Court of the State of New Mexico for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Lamar.

No. 233. American Iron & Steel Manufacturing Company *v.* Seaboard Air Line Railway et al. On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit. Question certified answered in the affirmative. Opinion by Mr. Justice Lamar.

No. 553. Wirt Franklin, plaintiff in error, *v.* C. S. Lynch et al. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

No. 192. The Diamond Coal & Coke Company, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the District of Wyoming. Opinion by Mr. Justice Van Devanter.

No. 727. The United States, plaintiff in error, *v.* Willis N. Birdsall;

No. 728. The United States, plaintiff in error, *v.* Thomas E. Brents; and

No. 729. The United States, plaintiff in error, *v.* Everett E. Van Wert. In error to the District Court of the United States for the Northern District of Iowa. Judgments reversed and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 415. Robert Russell, plaintiff in error, *v.* Charles E. Sebastian. In error to the Supreme Court of the State of California. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 529. Union Lime Company, plaintiff in error, *v.* The Chicago & Northwestern Railway Company et al. In error to the Supreme Court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 121. Boston & Maine Railroad, plaintiff in error, *v.* Katharine Hooker. In error to the Superior Court of the State of Massachusetts. Judgment reversed with costs and cause remanded for further proceedings not consistent with the opinion of this court. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Pitney.

No. 89. The Territory of Arizona at the relation and to the use of J. N. Gaines, tax collector, etc., appellant, *v.* The Copper Queen Consolidated Mining Company. 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 Day.

No. 234. 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. On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit. Question certified answered in the negative. Opinion by Mr. Justice Day.

No. 250. Archibald Hollerbach et al., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and cause remanded with directions to enter judgment for the plaintiffs for the damages incurred because of the different character of material found behind the dam than described in the specifications. Opinion by Mr. Justice Day.

No. 450. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* C. E. Robinson. In error to the Supreme Court of the State of Oklahoma. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Pitney.

No. 451. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* H. F. Moore et al. In error to the Supreme Court of the State of Oklahoma. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Pitney.

No. 816. Annie Myers, petitioner, *v.* Pittsburgh Coal Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment of Circuit Court of Appeals reversed with costs, and judgment of the District Court of the United States for the Western District of Pennsylvania affirmed with costs and interest, and cause remanded to said District Court. Opinion by Mr. Justice Day.

No. 269. H. L. Herbert, plaintiff in error, *v.* Henry Bicknell et al. In error to the Supreme Court of the Territory of Hawaii. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 313. The Kansas City Southern Railway Company, plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kansas;

No. 314. The Kansas City Terminal Railway Company, plaintiff in error, *v.* The Kaw Valley Drainage District of Wyandotte County, Kansas. In error to the Supreme Court of the State of Kansas. Judgments reversed with costs, and causes remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 796. Southern Railway—Carolina Division and Southern Railway Company, plaintiffs in error, *v.* Hattie E. Bennett, administratrix, etc. In error to the Supreme Court of the State of South

Carolina. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 271. Kate C. Archer, petitioner, *v.* The Greenville Sand & Gravel Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Southern District of Mississippi for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 178. John Miller, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice White.

No. 309. The Metzger Motor Car Company, plaintiff in error, *v.* John W. Parrott. In error to the District Court of the United States for the Eastern District of Michigan. Judgment reversed with costs, and cause remanded for further proceedings. Opinion by Mr. Chief Justice White.

No. 679. Charles Carlesi, alias Charles Carlese, plaintiff in error, *v.* The People of the State of New York. In error to the Court of General Sessions of the Peace in and for the county of New York, State of New York. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 259. E. A. Browning, plaintiff in error, *v.* City of Waycross. In error to the court of appeals of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 425. Grand Trunk Western Railway Company, plaintiff in error, *v.* George Lindsay. 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. Chief Justice White.

No. 301. Louis Elie Joseph Henry de Galard de Brassac de Bearn, Count and Prince of Bearn and Chalais, appellant, *v.* Safe Deposit & Trust Company of Baltimore et al. Appeal from the District Court of the United States for the District of Maryland. Dismissed for want of jurisdiction. Opinion by Mr. Chief Justice White.

The Chief Justice (through Mr. Justice McKenna) announced the following orders of the court:

No. 887. Clinchfield Coal Corporation, plaintiff in error, *v.* R. L. Maness. In error to the Supreme Court of the State of Tennessee.

Per curiam: Dismissed for want of jurisdiction upon the authority of *Patterson v. Colorado* (205 U. S., 454; *Preston v. Chicago*, 226 U. S., 447).

No. 2, Original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Motion for leave to file supplemental answer assigned for argument on Monday, April 13, instant, in connection with the hearing in the case already assigned for that day.

No. —, Original. Ex parte in the matter of G. & C. Merriam Company, petitioner. Motion for leave to file a petition for a writ of mandamus denied.

No. 600. Norfolk & Western Railway Company, plaintiff in error, *v.* W. G. Conley, Attorney General, etc., et al. Motion to advance granted, and cause assigned for argument on Tuesday, October 13 next.

No. 929. J. R. Lankford et al., etc., appellants, *v.* Platte Iron Works Company. Motion to advance granted, and cause assigned for argument on Tuesday, October 13 next, after the case already assigned for that day.

No. 841. Antonio Balasquide Gomez, appellant, *v.* Enrique Comacho, etc. Motion to place case on summary docket granted.

No. 928. Frank Sullivan, 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. 938. Havana Central Railroad Company, petitioner, *v.* Central Trust Company of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 640. Samuel Gompers et al., plaintiffs in error and appellants, *v.* The United States;

No. 256. The United States, appellant, *v.* Nelson P. Vulte; and

No. 308. The Southwestern Telegraph & Telephone Company, plaintiff in error, *v.* Mrs. Adelia P. Danaher. These cases are restored to the docket for reargument before a full bench, and assigned for argument on Monday, the 20th instant, at the head of the call for that day.

No. 244. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Pine Tree Lumber Company, Limited. In error to the Court of Appeals for the Second Circuit of Louisiana. Affirmed with costs by an equally divided court.

It was also announced that the court would not sit on the 10th instant, it being Good Friday.

No. 709. The United States, petitioner, *v.* Nipissing Mines Company. On a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed on motion of Mr. Solicitor General Davis for the petitioner.

No. 993. Bridget McGovern, administratrix, etc., plaintiff in error, *v.* Philadelphia & Reading Railway Company. Motion to advance submitted by Mr. George Demming for the plaintiff in error.

No. 766. John A. S. Brown et al., etc., petitioners, *v.* Austin B. Fletcher et al. Motion to advance submitted by Mr. George Demming in behalf of Mr. Charles H. Burr for the petitioners.

No. 963. 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 and Mr. Clifton V. Edwards for the petitioner, and by Mr. F. P. Fish and Mr. Charles Neave for the respondent.

No. —, Original. The State of Arkansas, complainant, *v.* The State of Mississippi. Motion for leave to file bill of complaint submitted by Mr. W. P. Armstrong for the complainant.

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

No. —. Henry E. Meeker, petitioner, *v.* Lehigh Valley Railroad Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Glasgow, jr., and Mr. John A. Garver for the petitioner, and by Mr. Joseph W. Folk and Mr. Charles W. Needham for the Interstate Commerce Commission in support of the petition.

No. 982. Emilie M. Bullowa et al., petitioners, *v.* Sarah J. Thurston. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia, submitted by Mr. D. W. Baker, Mr. R. H. Yeatman, Mr. W. J. Lambert, and Mr. F. S. Bright for the petitioners, and by Mr. Fulton Lewis and Mr. John Ridout for the respondent.

No. —, Original. *Ex parte*: In the matter of Henry H. Evans, petitioner. Motion for leave to file petition for a writ of mandamus, submitted by Mr. John W. Yerkes in behalf of Mr. Albert J. Hopkins for the petitioner.

No. 899. Texas & Pacific Railway Company, plaintiff in error, *v.* Wyatt Jones Rosborough. Motion to dismiss or affirm, submitted by Mr. S. P. Jones and Mr. William Thompson for the defendant in error in support of the motion, and by Mr. F. H. Prendergast for the plaintiff in error in opposition thereto.

No. 977. Moy Guy Lum, 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. H. Ralph Burton for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 879. Thomas W. Sinnott, etc., appellant, *v.* The Tombstone Consolidated Mines Company, Limited, et al. Motion to dismiss or affirm submitted by Mr. Evans Browne, Mr. A. B. Browne, Mr. Alexander Britton, Mr. E. E. Ellinwood, and Mr. John Mason Ross for the appellee in support of the motion, and by Mr. Amos L. Taylor for the appellant in opposition thereto.

No. 877. Beach Front Hotel Company, petitioner, *v.* Richard R. Sooy. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit, submitted by Mr. Edwin G. C. Bleakey, Mr. Henry F. Stockwell, Mr. John W. Westcott, and Mr. Gilbert Collins for the petitioner, and by Mr. Robert H. McCarter for the respondent.

No. 448. Continental Life Insurance & Investment Company, plaintiff in error, *v.* I. C. Hattabaugh, as insurance commissioner of the State of Idaho. In error to the Supreme Court of the State of Idaho. Dismissed per stipulation.

No. 13, Original. *Ex parte*: In the matter of W. L. Roe, petitioner. Argument commenced by Mr. S. P. Jones for the petitioner, continued by Mr. Joseph W. Bailey and Mr. F. H. Prendergast for the respondent, and concluded by Mr. S. P. Jones for the petitioner.

No. 130. Rafael Martinez Nadal, plaintiff in error, *v.* David W. May. Reargument commenced by Mr. N. B. K. Pettingill for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 7, will be as follows: Nos. 130, 873 (and 874 and 875), 1, Original, 714, 746, 829 (830, 831, 832, 833, 834, 835, 836 and 837), 802, —, Original, Louisiana *v.* McAdoo, 838, 889, 861, 645, 751, 652, and 826.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 7, 1914.

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 Campbell, of New York City; W. B. Miller, of Chattanooga, Tenn.; R. C. Allen, of Muskogee, Okla.; J. B. Ferber, of Boston, Mass.; James D. Merriman, of New York City; and Henry Marx, of New York City, were admitted to practice.

No. 130. Rafael Martinez Nadal, plaintiff in error, *v.* David W. May. Reargument continued by Mr. N. B. K. Pettingill for the plaintiff in error, by Mr. Felix Frankfurter for defendant in error, and concluded by Mr. N. B. K. Pettingill for the plaintiff in error.

No. 873. The United States, appellant, *v.* First National Bank of Detroit, Minn.

No. 874. The United States, appellant, *v.* The Nichols-Chisolm Lumber Company; and

No. 875. The United States, appellant, *v.* The Nichols-Chisolm Lumber Company. Argument commenced by Mr. Solicitor General Davis for the appellant; continued by Mr. Ransom J. Powell for the appellees, and concluded by Mr. Solicitor General Davis for the appellant.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Argument of motion to enter final decree against the Ducktown Sulphur, Copper and Iron Company, Limited, commenced by Mr. Thomas S. Felder for the complainant, and continued by Mr. James A. Fowler for the Ducktown Sulphur, Copper and Iron Company, Limited.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 8, will be as follows: Nos. 1, Original, 417, 746, 829 to 837, 802, Louisiana *v.* McAdoo, 838, 889, 861, 645, 751, 652, and 826.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 8, 1914.

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.

Merritt Lane, of Jersey City, N. J.; Philip Rubenstein, of Boston, Mass.; and James T. Garfield T. Findlay, of Washington, D. C., were admitted to practice.

No. 802. W. E. Johnson et al., appellants, *v.* Edwin Gearlds et al. Reassigned for argument on Monday, the 27th instant, on motion of Mr. Assistant Attorney General Wallace for the appellants.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Argument continued by Mr. James A. Fowler for the defendant, The Ducktown Sulphur Copper Iron Company, Limited, and concluded by Mr. Thomas S. Felder for the complainant.

No. 714. O. Itow et al., plaintiffs in error, *v.* The United States. Argued by Mr. Assistant Attorney General Adkins for the defendant in error, and submitted by Mr. J. H. Cobb for the plaintiff in error.

No. 746. Ambrosio Apapas et al., plaintiffs in error, *v.* The United States. Argument commenced by Mr. Miguel Estudillo for the plaintiff in error, continued by Mr. Assistant Attorney General Adkins for the defendant in error, and concluded by Mr. Miguel Estudillo for the plaintiff in error.

Nos. 829 to 836, inclusive. Tap Line cases. Seven and one-fourth hours allowed for argument of these cases. Argument commenced by Mr. Blackburn Esterline for the United States, and continued by Mr. Robert Dunlap for the Atchison, Topeka & Santa Fe Railway Company et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 9, will be as follows: Nos. 829 to 837, Louisiana *v.* McAdoo, Secretary, 838, 889, 861, 645, 751, 652, 826, and 188.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 9, 1914.

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.

Paxton Hibben, of Indianapolis, Ind.; William G. Davisson, of Parsons, W. Va.; E. S. McCord, of Seattle, Wash.; Dabney C. T. Davis, jr., of Charleston, W. Va.; John Meethe, of Galveston, Tex.; R. W. Flournoy, of Fort Worth, Tex.; George P. Boyle, of Washington, D. C.; John L. Childs, of Crescent City, Cal.; and Paul H. McPherrin, of Los Angeles, Cal., were admitted to practice.

Nos. 829 to 836, inclusive. Tap Line cases. Argument continued by Mr. Luther M. Walter for the appellees, by Mr. William M. Barrow for the Railroad Commission of Louisiana, by Mr. H. M. Garwood for the appellees, by Mr. James L. Coleman for the Atchison, Topeka and Santa Fe Railway Company et al., and by Mr. Charles W. Needham for the Interstate Commerce Commission.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 13, will be as follows: Nos. 829 to 837, *Louisiana v. McAdoo*, 838, 889, 861, 645, 751, 652, 826, and 188.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 13, 1914.

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.

R. H. T. Adams, jr., of Lynchburg, Va.; E. B. Wilson, of New York City; R. P. Congdon, of Los Angeles, Cal.; Twain Michelson, of San Francisco, Cal.; P. V. Gifford, of Erie, Pa.; Frank M. Thompson, of Chattanooga, Tenn.; Timothy Howard, of North Brookfield, Mass.; William B. Stewart, of Cleveland, Ohio; S. W. FitzGerald, of Fort Rodman, Mass.; J. M. Carlisle, of Washington, D. C.; Henry Clay Duncan, jr., of Huntington, W. Va.; Wyndham Stokes, of Welch, W. Va.; A. A. Moore, of San Francisco, Cal.; and Ralph S. Holbrook, of Toledo, Ohio, were admitted to practice.

No. 299. Tennessee Coal, Iron & Railroad Company, plaintiff in error, *v.* Wiley George. In error to the Court of Appeals of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Lamar. Dissenting: Mr. Justice Holmes.

No. 206. Laura G. White, appellant, *v.* Island Transportation Company. Appeal from the District Court of the United States for the western district of Washington. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 823. Anthony Farrugia, plaintiff in error, *v.* Philadelphia & Reading Railway Company. In error to the District Court of the United States for the Eastern District of Pennsylvania. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 176. Chicago, Milwaukee & St. Paul Railway 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 Hughes.

No. 278. The Hammond Packing Company, plaintiff in error, *v.* The State of Montana. In error to the Supreme Court of the State of Montana. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 249. E. A. O'Sullivan, plaintiff in error, *v.* Paul Felix and William W. Stiles. 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 Louisiana. Opinion by Mr. Justice McKenna.

No. 319. The Kansas City Southern Railway Company, plaintiff in error, *v.* Jacob Anderson. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Holmes and Mr. Justice Lamar.

The Chief Justice announced the following orders of the court:

No. 418. Northern Trust Company, as trustee, etc., plaintiff in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of *Hazeltine v. Central Bank of Missouri*, 183 U. S., 130; *M. & K. Interurban Railway Co. v. Olathe*, 222 U. S., 185; *Louisiana Navigation Co. v. Oyster Commission*, 226 U. S., 99; *Pons v. Yazoo & Miss. Valley R. R. Co.* (decided this term), 232 U. S., 720.

No. 879. Thomas W. Sinnott, etc., appellant, *v.* The Tombstone Consolidated Mines Company, Limited, etc. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Per curiam: Dismissed for want of jurisdiction upon authority of:

1. *Coder v. Arts*, 213 U. S., 223, 234-235; *Tefft, Weller & Co. v. Munsuri*, 222 U. S., 114, 118.

2. *Chapman v. Bowen*, 207 U. S., 89, 91; *Calnan Co. v. Doherty*, 224 U. S., 145, 147.

3. *Conboy v. First National Bank of Jersey City*, 203 U. S., 141, 144-145.

No. 1000. Henry E. Meeker, surviving partner, etc., petitioner, *v.* Lehigh Valley Railroad Company; and

No. 1001. Henry E. Meeker, petitioner, *v.* Lehigh Valley Railroad Company. Per curiam: Petitions for writs of certiorari granted, upon the authority of section 262 of the Judicial Code; *In re Chetwood*, 165 U. S., 443, 462; *Whitney v. Dick*, 202 U. S., 132; *McClellan v. Garland*, 217 U. S., 268; *United States v. Beatty* (decided this term), 232 U. S., 463, 467.

No. ——. Original. Ex parte: In the matter of Henry H. Evans, petitioner. Motion for leave to file petition for a writ of mandamus denied.

No. ——. Original. The State of Arkansas, complainant, *v.* The State of Mississippi. Motion for leave to file bill of complaint herein

granted, and process awarded returnable on the first day of the next term.

No. 766. John A. S. Brown et al., petitioners, *v.* Austin B. Fletcher, etc., et al. Motion to advance denied.

No. 993. Bridget McGovern, Adm'x, etc., plaintiff in error, *v.* Philadelphia & Reading Railway Company; and

No. 899. Texas & Pacific Railway Company, plaintiff in error, *v.* Wyatt Jones Rosborough. Ordered that these cases be placed on the summary docket.

No. 877. Beach Front Hotel Company, petitioner, *v.* Richard R. Sooy. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 963. 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 denied.

No. 977. Moy Guey Lum, 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. 982. Emelie M. Bullowa et al., petitioners, *v.* Sara J. Thurston. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company and the Ducktown Sulphur, Copper & Iron Company, Limited.

On consideration of the motion of counsel for the complainant to enter a final decree against the defendant the Ducktown Sulphur, Copper & Iron Company, Limited, and of the argument of counsel thereupon had, as well in support of as against the same,

1. It is now here ordered that the further consideration of said motion be, and the same is hereby, postponed until the next term.

2. It is further ordered by the court that leave be, and the same is hereby, granted to the said defendant to take additional testimony by depositions (or by affidavits, if the parties consent thereto), to be taken before any officer in the States of Georgia or Tennessee authorized to take depositions by the laws of said States upon 10 days' notice to counsel for the complainant, said additional testimony so to be taken to relate solely to the changed condition, if any, which may have arisen since the case was here decided, said testimony to be concluded on or before the 1st day of July, 1914.

3. It is further ordered that the complainant may take additional testimony in the same manner, such testimony to be concluded on or before the 1st day of September, 1914, and all of said testimony both

for said defendant and said complainant to be filed with the clerk of this court on or before September 15, 1914.

No. 1015. Leocadio Pajarillo et al., plaintiffs in error, *v.* The United States. In error to the Supreme Court of the Philippine Islands. Docketed and dismissed, on motion of Mr. Solicitor General Davis for the defendant in error, and mandate granted.

No. 4, Original. The State of North Carolina, complainant, *v.* The State of Tennessee. Assigned for argument on Tuesday, October 13 next, after the cases heretofore assigned for that day, on motion of Mr. Frank N. Thompson for the defendant.

No. 362. Jehu H. Clendaniel, plaintiff in error, *v.* Honorable Henry C. Conrad, associate judge of the State of Delaware, et al. Death of Jehu H. Clendaniel, the plaintiff in error herein, suggested, and order of publication under the fifteenth rule granted, on motion of Mr. W. C. Sullivan, in behalf of counsel for the defendants in error.

No. —, Original. *Ex parte*: In the matter of John Dennett, jr., et al., petitioners. Motion for leave to file petition for writs of prohibition and mandamus submitted by Mr. Frederic D. McKenney, in behalf of Mr. William M. Seabury for the petitioners.

No. 1005. French Mutual General Society of Mutual Insurance et al., etc., petitioners, *v.* The United States Fidelity & Guaranty Company of Baltimore, Md. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Hyland P. Stewart for the petitioner, and by Mr. J. Kemp Bartlett and Mr. Edgar Allen Poe for the respondent.

No. 985. Sunday Creek Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William O. Henderson for the petitioner, with leave to the Solicitor General to file brief for the respondent within two days.

No. 999. George B. Taylor, claimant, etc., petitioner, *v.* The Cleveland Grain Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frank S. Masten for the petitioner and by Mr. William B. Cady for the respondent.

No. 972. The Hocking Valley Railway Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr. James H. Hoyt, Mr. Lawrence Maxwell, and Mr. Clarence Brown for the petitioner, with leave to the Solicitor General to file brief for the respondent within two days.

No. 962. *M. C. Kiser Company et al., petitioners, v. Georgia Cotton Oil Company et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Harold Remington for the petitioners.

No. 986. *The Kansas City Southern Railway Company, petitioner, v. George C. Maynor et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William Lee Estes and Mr. A. B. Burford for the petitioner, and by Mr. Cone Johnson and Mr. James M. Edwards for the respondents.

No. 964. *Thomas J. Kemp, petitioner, v. The United States.* Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John E. Laskey and Mr. R. H. Liggett for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 889. *Franklin K. Lane, Secretary of the Interior, et al., appellants, v. Cornelius C. Watts et al.* Leave granted to Mr. William C. Prentiss to file brief herein as *amicus curiæ*.

No. 379. *The United States of America for the use and benefit of Alexander Bryant Company, plaintiff in error, v. New York Steam Fitting Company et al.* Motion to dismiss submitted by Mr. J. M. Chamberlain in behalf of Mr. Adrian T. Kiernan for the defendant in error in support of the motion, and by Mr. George B. Class for the plaintiff in error in opposition thereto.

No. 363. *Roy C. Hecox, as trustee, etc., appellant, v. The County of Teller, State of Colorado, et al.* Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed per stipulation.

Nos. 829 to 836, inclusive. Tap Line cases. Argument concluded by Mr. Charles W. Needham for the Interstate Commerce Commission.

No. 837. *The United States and Interstate Commerce Commission, appellants, v. Butler County Railroad Company.* Argument commenced by Mr. Blackburn Esterline for the United States, continued by Mr. William A. Glasgow, jr., for the appellee, and concluded by Mr. Charles W. Needham for the Interstate Commerce Commission.

No. 838. *The United States, plaintiff in error, v. Harold A. Foster et al.* Argument commenced by Mr. Assistant Attorney General Wallace for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 14, will be as follows: Nos. 838, *Louisiana v. Secretary of Treasury*, 889, 861, 645, 751, 652, 826, 2, *Original*, and 6, *Original*.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 14, 1914.

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.

R. L. Gregory, of Parkersburg, W. Va.; W. N. King, of Columbus, Ohio; Leroy Allebach, of Charleston, W. Va.; and Leon N. Futter, of New York City, were admitted to practice.

No. 838. The United States, plaintiff in error, *v.* Harold A. Foster et al. Argument continued by Mr. Assistant Attorney General Wallace for the plaintiff in error, and concluded by Mr. Philip Rubenstein for the defendants in error.

No. —, Original. State of Louisiana, complainant, *v.* William G. McAdoo, Secretary of the Treasury. Argument of petition for leave to file bill commenced by Mr. Ruffin G. Pleasant for the petitioner, continued by Mr. Solicitor General Davis for the respondent, and concluded by Mr. Joseph W. Bailey for the petitioner.

No. 889. Franklin K. Lane, Secretary, etc., et al., appellants, *v.* Cornelius C. Watts et al. Three counsel allowed to make oral argument for the appellees, on motion of Mr. Herbert Noble for the appellees. Argument commenced by Mr. Assistant Attorney General West for the appellants, and continued by Mr. Herbert Noble for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 15, will be as follows: Nos. 889, 861, 645, 751, 652, 826, 2, Original, 6, Original, 188, and 302.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 15, 1914.

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.

Lewis T. Cowie, of Jersey City, N. J.; Robert N. Somerville, of Cleveland, Miss.; and W. H. Harrelson, of Memphis, Tenn., were admitted to practice.

No. 889. Franklin K. Lane, Secretary, etc., et al., appellants, *v.* Cornelius C. Watts et al. Argument continued by Mr. G. H. Brevillier and Mr. Joseph W. Bailey for the appellees, and concluded by Mr. C. Edward Wright for the appellants.

No. 861. Equitable Surety Company *v.* The United States to the use of W. W. McMillan. Argument commenced by Mr. J. J. Darlington for the Equitable Surety Company, continued by Mr. Wharton E. Lester for the United States to the use of McMillan, and concluded by Mr. J. J. Darlington for the Equitable Surety Company.

No. 645. Southern Railway Company, plaintiff in error, *v.* W. O. Gadd. Argued by Mr. Caruthers Ewing for the plaintiff in error, and by Mr. John L. Stout for the defendant in error.

No. 751. Charleston and Western Carolina Railway Company, plaintiff in error, *v.* Lizzie Thompson. Argument commenced by Mr. F. Barron Grier for the plaintiff in error, and continued by Mr. W. H. Fleming for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The call for Thursday, April 16, will be as follows: Nos. 751, 652, 826, 2, Original, 6, Original, 188, 302, 276 (and 291, 292), 297 (and 298), and 330.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 16, 1914.

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.

Carl O. Beroth, of Chicago, Ill.; Julius J. Patek, of Ironwood, Mich.; and W. Scott Hancock, of St. Louis, Mo., were admitted to practice.

No. 426. Alabama & Vicksburg Railway Company et al., plaintiffs in error, *v.* Pearl Morris. In error to the supreme court of the State of Mississippi. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 751. Charleston & Western Carolina Railway Company, plaintiff in error, *v.* Lizzie Thompson. Argument continued by Mr. W. H. Fleming for the defendant in error, and concluded by Mr. W. K. Miller for the plaintiff in error.

No. 652. Seaboard Air Line Railway, plaintiff in error, *v.* J. M. Pace Mule Company. Submitted by Mr. Murray Allen for the plaintiff in error. No appearance for the defendant in error.

No. 826. Southern Railway Company, plaintiff in error, *v.* D. E. Crockett. Submitted by Mr. L. E. Jeffries for the plaintiff in error, and by Mr. J. A. Fowler for the defendant in error.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* The State of West Virginia. Six hours granted for oral argument on motion of Mr. John Garland Pollard for the complainant. Argument commenced by Mr. William A. Anderson for the complainant, continued by Mr. John H. Holt for the defendant, and by Mr. Sanford Robinson for the bondholders.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 17, will be as follows: Nos. 2, Original, 6, Original, 188, 302, 276 (and 291 and 292), 297 (and 298), 330, 177, 160, and 266.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 17, 1914.

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.

Horace Wiley Philbrook, of San Francisco, Cal.; John B. Rogers, of Watertown, N. Y.; H. R. Clise, of Seattle, Wash.; and John B. Blake, of Boise, Idaho, were admitted to practice.

No. 177. George E. Bowling et al., appellants, *v.* The United States of America. Submitted by Mr. James H. Harkless for the appellants, and by Mr. Assistant Attorney General Knaebel and Mr. S. W. Williams for the appellee.

No. 160. Manhattan Life Insurance Company of New York et al., plaintiffs in error, *v.* David Cohen, independent executor, etc. Submitted by Mr. W. J. Moroney for the plaintiffs in error, and by Mr. Wilmer S. Hunt for the defendant in error.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Argument continued by Mr. Sanford Robinson for the bondholders, by Mr. A. A. Lilly for the defendant, and concluded by Mr. Randolph Harrison for the complainant.

No. 6, Original. The State of Arkansas, complainant, *v.* The State of Tennessee. Argument commenced by Mr. Caruthers Ewing for the complainant, and continued by Mr. Albert W. Biggs for the defendant.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, April 20, will be as follows: Nos. 6, Original, 640, 256, 308, 188, 302, 276 (and 291 and 292), 297 (and 298), 330, and 266.



SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 20, 1914.

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 Shaw McCallum, of Boston, Mass.; David A. Frank, of Dallas, Tex.; William H. Dailey, of Van Wert, Ohio; Archibald Waters MacLaren, of Chicago, Ill.; G. C. Groce, of Waxahachie, Tex.; W. T. Kennerly, of Knoxville, Tenn.; Franklin H. Mills, of New York City; Oscar W. Lange, of Cincinnati, Ohio; and Mike Danaher, of Pine Bluff, Ark., were admitted to practice.

No. 130. Rafael Martinez Nadal, plaintiff in error, *v.* David W. May. In error to the District Court of the United States for the District of Porto Rico. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 45. Laura Wheeler et al., executors, etc., plaintiffs in error, *v.* William Sohmer, comptroller of the State of New York. In error to the surrogate's court of New York County, State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Concurring: Mr. Justice McKenna and Mr. Justice Pitney. Dissenting: Mr. Justice Lamar, Mr. Chief Justice White, and Mr. Justice Van Devanter.

No. 120. German Alliance Insurance Company, appellant, *v.* Ike Lewis, as superintendent of insurance of the State of Kansas. 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 McKenna. Dissenting: Mr. Justice Lamar, Mr. Chief Justice White, and Mr. Justice Van Devanter.

No. 78. Carondelet Canal & Navigation Company, plaintiff in error, *v.* The State of Louisiana. In error to the Supreme Court of the State of Louisiana. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. —, Original. *Ex parte* in the matter of John Dennett, jr., et al., petitioners. Motion for leave to file petition for writs of prohibition and mandamus denied.

No. 962. M. C. Kiser Company et al., petitioners, *v.* Georgia Cotton Oil Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 964. Thomas J. Kemp, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 972. The Hocking Valley Railway Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 985. Sunday Creek Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 986. The Kansas City Southern Railway Company, petitioner, *v.* George C. Maynor et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 999. George B. Taylor, claimant, etc., petitioner, *v.* The Cleveland Grain Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1005. French Mutual General Society of Mutual Insurance against Theft, petitioner, *v.* The United States Fidelity & Guaranty Company of Baltimore. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 750. The United States *v.* The Midwest Oil Company et al. Restored to the docket for rehearing before a full bench, and assigned for argument on Monday, May 4.

No. 1023. The United States, appellant, *v.* The Terminal Railway Association of St. Louis et al. Motion to advance submitted by Mr. Solicitor General Davis for the appellant.

No. 1002. The Berge Forbes Company, petitioner, *v.* Carl R. Heye. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Cecil H. Smith for the petitioner and by Mr. Newton H. Lassiter for the respondent.

No. 232. William R. Hopkins, petitioner, *v.* Charles R. Hebard et al. Motion to assign for argument immediately after No. 4, Original, submitted by Mr. John Franklin Shields for the respondents.

No. 994. The New York Times Company, petitioner, *v.* Sun Printing & Publishing Company. Petition for a writ of certiorari to the

United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Harold Nathan and Mr. Max J. Kohler for the petitioner and by Mr. James M. Beck and Mr. Charles K. Carpenter for the respondent.

No. 250. Archibald Hollerbach et al., appellants, *v.* The United States. Mandate granted on motion of Mr. William B. King for the appellants.

No. 998. James Lansburgh et al., petitioners, *v.* Myron M. Parker et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Alexander Wolf and Mr. Charles H. Merillat for the petitioner and by Mr. J. J. Darlington and Mr. John Ridout for the respondent.

No. 849. Isidor Straus et al., etc., plaintiffs in error, *v.* The American Publishers' Association et al. Motion to reverse and remand or to advance submitted by Mr. Edmond E. Wise and Mr. Wallace Macfarlane for the plaintiffs in error in support of the motion and by Mr. Stephen H. Olin for the defendants in error in opposition thereto.

No. 1006. Solomon Ripinsky, petitioner, *v.* G. W. Hinchman et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James Wickersham, in behalf of Mr. J. H. Cobb, for the petitioner.

No. 324. The Linn & Lane Timber Company et al., appellants, *v.* The United States. Leave granted to Mr. Joel F. Vaile to file brief herein as amicus curiæ, on motion of Mr. Evans Browne in his behalf.

No. 980. Northern Pacific Railway Company, plaintiff in error, *v.* State of North Dakota, on the relation of T. F. McCue, attorney general; and

No. 981. Minneapolis, St. Paul and Sault Ste. Marie Railway Company, plaintiff in error, *v.* State of North Dakota, on the relation of T. F. McCue, attorney general. Motion to advance submitted by Mr. Evans Browne in behalf of counsel.

No. 1025. Northern Pacific Railway Company, petitioner, *v.* Mary A. Meese et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Evans Browne, in behalf of Mr. Charles W. Bunn for the petitioner.

No. 738. Stephen M. Egan, plaintiff in error, *v.* The State of New Jersey. Motion to dismiss or affirm submitted by Mr. Robert H. McCarter for the defendant in error in support of the motion, and by Mr. John Franklin Fort for the plaintiff in error in opposition thereto.

No. 806. Louis W. Prenica, etc., et al., plaintiffs in error, *v.* May Bulger. Motion to dismiss submitted by Mr. W. T. Thompson for the defendant in error in support of the motion, and by Mr. William

C. Prentiss and Mr. Walter L. Clark for the plaintiffs in error in opposition thereto.

No. 380. Wisconsin Central Railway Company et al., plaintiffs in error, *v.* Northern Pacific Railway Company. In error to the Supreme Court of the State of Minnesota. Dismissed per stipulation.

No. 6, Original. The State of Arkansas, complainant, *v.* The State of Tennessee. Argument continued by Mr. Albert W. Biggs for the defendant, and concluded by Mr. Caruthers Ewing for the complainant.

No. 640. Samuel Gompers et al., plaintiffs in error and appellants, *v.* The United States. Reargument commenced by Mr. Alton B. Parker for the plaintiffs in error and appellants, and continued by Mr. Jackson H. Ralston for the plaintiffs in error and appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 21, will be as follows: Nos. 640, 256, 308, 188, 302, 276 (and 291 and 292), 297 (and 298), 330, 266, and 274.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 21, 1914.

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 Carmody, of Penn Yan, N. Y.; Joseph A. Kellogg, of Glens Falls, N. Y.; and A. Ll. Berger, of Kansas City, Kans., were admitted to practice.

No. 640. Samuel Gompers et al., plaintiffs in error and appellants, *v.* The United States. Reargument continued by Mr. Jackson H. Ralston for the plaintiffs in error and appellants, by Mr. J. J. Darlington for the defendants in error and appellees, and concluded by Mr. Daniel Davenport for the defendants and appellees.

No. 256. The United States, appellant, *v.* Nelson P. Vulte. Reargument commenced by Mr. Assistant Attorney General Thompson for the appellant and continued by Mr. George A. King for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 22, will be as follows: Nos. 256, 308, 188, 302, 276 (and 291 and 292). 297 (and 298). 330, 266, 274, and 35 (and 36).



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 22, 1914.

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 Evelyn Byrd, of Winchester, Va.; Columbus Ewalt, of Mount Vernon, Ill.; William Reeda, of Chicago, Ill.; John Charles North, of Los Angeles, Cal.; and William O. Beall, of Muskogee, Okla., were admitted to practice.

No. 35. Patrick Collins, plaintiff in error, *v.* The Commonwealth of Kentucky; and

No. 36. Thomas Malone, plaintiff in error, *v.* The Commonwealth of Kentucky. Submitted by Mr. E. L. Worthington and Mr. J. M. Collins for the plaintiffs in error, and by Mr. James Garnett for the defendant in error.

No. 256. The United States, appellant, *v.* Nelson P. Vulte. Argument concluded by Mr. George A. King for the appellee.

No. 308. The Southwestern Telegraph and Telephone Company, plaintiff in error, *v.* Mrs. Adelia P. Danaher. Argument commenced by Mr. David A. Frank for the plaintiff in error, continued by Mr. Mike Danaher for the defendant in error, and concluded by Mr. David A. Frank for the plaintiff in error.

No. 188. The Denver and Rio Grande Railroad Company, appellant, *v.* The Arizona and Colorado Railroad Company of New Mexico. Argued by Mr. E. N. Clark for the appellant, and continued by Mr. T. B. Catron for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 23, will be as follows: Nos. 302, 276 (and 291 and 292), 297 (and 298), 330, 266, 274, 325 (and 326), and 231, 166, and 179.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 23, 1914.

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 Le Roy Brown, of Chicago, Ill.; Daniel Curry Campbell, of Jacksonville, Fla.; John W. Dunkle, of Pittsburgh, Pa., and Harry James Bias, of Santa Cruz, Cal., were admitted to practice.

No. 302. Stone, Sand & Gravel Company et al., plaintiffs in error, *v.* The United States. Argument commenced by Mr. William Marshall Bullitt for the plaintiffs in error, continued by Mr. Solicitor General Davis for the defendant in error, and concluded by Mr. William Marshall Bullitt for the plaintiffs in error.

No. 330. Charles W. Dale et al., trustees, etc., appellants, *v.* Edward M. Pattison. Argued by Mr. Lee Warren James for the appellants, and Mr. W. H. Mackoy for the appellee.

Nos. 276, 291, and 292. International Harvester Company of America, plaintiff in error, *v.* The Commonwealth of Kentucky. Argument commenced by Mr. Alexander Pope Humphrey for the plaintiff in error, and continued by Mr. Charles Carroll for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 24, will be as follows: Nos. 276 (and 291 and 292), 297 (and 298), 266, 274, 325 (and 326), 231, 166, 179, 338, and 339.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 24, 1914.

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.

Nos. 276, 291, and 292. The International Harvester Company of America, plaintiff in error, *v.* The Commonwealth of Kentucky. Argument continued by Mr. Charles Carroll and Mr. James Garnett, for the defendant in error, and concluded by Mr. Edgar A. Bancroft for the plaintiff in error.

Nos. 297 and 298. The International Harvester Company of America, plaintiff in error, *v.* The Commonwealth of Kentucky. Argument commenced by Mr. Alexander Pope Humphrey for the plaintiff in error, continued by Mr. Charles Carroll for the defendant in error, and concluded by Mr. Edgar A. Bancroft for the plaintiff in error.

No. 266. Erie Railroad Company, plaintiff in error, *v.* The People of the State of New York. Argument commenced by Mr. Frederick D. McKenney for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 27, will be as follows: Nos. 266, 274, 325 (and 326), 231, 166, 179, 338, 339, 802, and 305.



SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 27, 1914.

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 M. Bass, of Nashville, Tenn.; J. M. Anderson, of Nashville, Tenn.; James H. Campbell, of Grand Rapids, Mich.; Arthur Wright, of New York City; William Samuel Graham, of Denver, Colo.; Karl K. Gartner, of Louisville, Ky.; Edward S. Clark, of Bay City, Mich.; George H. English, jr., of Kansas City, Mo.; Joseph S. Goldsmith, of Baltimore, Md.; L. Ward Barrister, of Denver, Colo.; Henry P. Alden, of Washington, D. C.; James N. Ostrand, of Minneapolis, Minn.; George H. Moore, of St. Louis, Mo.; William M. Fitch, of Jefferson City, Mo.; Paul P. Prosser, of La Plata, Mo.; William V. Custer, of Brainbridge, Ga.; and Harry P. Weber, of Chicago, Ill., were admitted to practice.

No. 691. Seaboard Air Line Railway, plaintiff in error, *v.* James T. Horton. In error to the Supreme Court of the State of North Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 140. The Baer Brothers Mercantile Company, plaintiff in error, *v.* The Denver & Rio Grande Railroad Company. In error to the United States Circuit Court of Appeals for the Eight Circuit. Judgment of the Circuit Court of Appeals reversed with costs, and judgment of the Circuit Court of the United States for the District of Colorado affirmed with costs and interest, and cause remanded to the District Court of the United States for the District of Colorado. Opinion by Mr. Justice Lamar.

No. 241. Illinois Central Railroad Company *v.* Joseph Behrens, administrator, etc. On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit. Question certified answered in the negative. Opinion by Mr. Justice Van Devanter.

No. 184. Thaddeus Davids Company, petitioner, *v.* Cortlandt I. Davids et al. On writ of certiorari to the United States Circuit

Court of Appeals for the Second Circuit. Decree of the Circuit Court of Appeals reversed with costs, and decree of the Circuit Court of the United States for the Southern District of New York affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Hughes.

No. 303. The San Joaquin & Kings River Canal & Irrigation Company, Incorporated, appellant, *v.* The County of Stanislaus, in the State of California, et al. Appeal from the Circuit Court of the United States for the Northern District of California. Decree reversed with costs, and causes remanded to the District Court of the United States for the Northern District of California for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. (Mr. Justice Pitney did not sit in this case.)

The Chief Justice announced the following orders of the court:

No. 379. United States of America for the use and benefit of Alexander Bryant Company, plaintiff in error, *v.* New York Steam Fitting Company et al. Motion to dismiss postponed to the hearing on the merits.

No. 806. Louis W. Prenica, etc., et al., plaintiffs in error, *v.* May Bulger. In error to the Supreme Court of the State of Nebraska. Per curiam: Dismissed for want of jurisdiction on the authority of: 1. *Consol. Turnpike v. Norfolk & Ry. Co.* (228 U. S. 596, 600, and cases cited); 2. *De Bary & Co. v. Louisiana* (227 U. S., 108, and cases cited).

No. 738. Stephen M. Egan, plaintiff in error, *v.* The State of New Jersey. In error to the Court of Errors and Appeals of the State of New Jersey. Per curiam: Dismissed for want of jurisdiction upon the authority of *Zeller v. New Jersey* (231 U. S., 737, and cases cited).

No. 232. William R. Hopkins, petitioner, *v.* Charles Hebard et al. Motion to assign this cause for argument on Tuesday, October 13th next, after No. 4, Original, granted.

No. 980. Northern Pacific Railway Company, plaintiff in error, *v.* State of North Dakota on the relation of T. F. McCue, attorney general; and

No. 981. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* State of North Dakota on the relation of T. F. McCue, attorney general. Motion to advance granted and cases assigned for argument as one case on Tuesday, October 13th next, after the cases heretofore assigned for that day.

No. 1023. The United States, appellant, *v.* The Terminal Railway Association of St. Louis et al. Motion to advance granted, and cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

No. 849. Isidor Straus et al., etc., plaintiffs in error, *v.* American Publishers Association et al. Motion to reverse the judgment herein and to remand the cause denied. Motion to advance granted, and cause assigned for argument on Tuesday, October 13th next, after the cases heretofore assigned for that day.

No. 1025. Northern Pacific Railway Company, petitioner, *v.* Mary A. Meese et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 994. The New York Times Company, petitioner, *v.* Sun Printing & Publishing Association. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 998. James Lansburgh et al., petitioners, *v.* Myron M. Parker et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1002. The Birge Forbes Company, petitioner, *v.* Carl R. Heye. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1006. Solomon Ripinsky, petitioner, *v.* G. W. Hinchman et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 318. The Southern Pacific Company et al., appellants, *v.* The United States et al. Ordered that this cause be remanded to the District Court of the United States for the District of Oregon, and that the mandate of this court be addressed accordingly.

No. 385. The United States et al., appellants, *v.* The Baltimore & Ohio Railroad Company et al. Ordered that this cause be remanded to the District Court of the United States for the Southern District of New York, and that the mandate of this court be addressed accordingly.

No. 539. Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* The United States et al. Ordered that this cause be remanded to the District Court of the United States for the District of Kansas, and that the mandate of this court be addressed accordingly.

No. 571. The Kansas City Southern Railway Company, appellant, *v.* The United States et al. Ordered that this cause be remanded to the District Court of the United States for the Western District of Missouri, and that the mandate of this court be addressed accordingly.

No. 590. The Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* The United States et al. Ordered that this cause be remanded to the District Court of the United States for the District of Kansas, and that the mandate of this court be addressed accordingly.

The Chief Justice also announced that the court will not hear any oral argument after Friday, May 8, this order, however, being subject to modification should the state of the docket develop that it be possible to go further.

No. 1022. Sadie A. Stead, executrix, etc., et al., appellants, *v.* Isabelle M. Curtis et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Horace W. Philbrook for the appellants, in support of the petition, and by Mr. J. C. Campbell for the appellees, in opposition thereto.

Nos. 936 and 937. The Pullman Company, appellant, *v.* W. V. Knott, comptroller, etc. Motions to advance submitted by Mr. Frank B. Kellogg for the appellant.

No. 786. Carl Oliver, plaintiff in error, *v.* The State of Texas. Motion to advance submitted by Mr. G. C. Groce in behalf of Mr. B. F. Looney for the defendant in error.

No. 701. The City of Lewiston, plaintiff in error, *v.* John Chamberlain et al. Motion to dismiss or affirm submitted by Mr. Burton L. French for the defendants in error in support of the motion, and by Mr. James H. Forney for the plaintiff in error in opposition thereto.

No. 843. Wabash Railroad Company, plaintiff in error, *v.* John R. Hayes. Motion to dismiss submitted by Mr. J. C. McShane for the defendant in error in support of the motion, and by Mr. J. L. Minnis, Mr. John Maxey Zane, and Mr. Charles F. Morse for the plaintiff in error in opposition thereto.

No. 364. Antonio Maria Peralta et al., appellants, *v.* The State of California et al. Assigned for argument on Tuesday, October 13, next, after the cases heretofore assigned for that day, on motion of Mr. Alfred Sutro for the appellees.

No. —, Original. Ex parte in the matter of Daniel E. Strub, petitioner. Motion for leave to file a petition for writ of mandamus submitted by Mr. William H. De Lacey in behalf of Mr. Joe Kirby for the petitioner.

No. 804. Henry W. O'Neill et al., plaintiffs in error, *v.* Jacob F. Leamer et al. Motion to dismiss or affirm submitted by Mr. R. E. Evans for the defendants in error in support of the motion, and by Mr. William V. Allen for the plaintiffs in error in opposition thereto.

No. 941. The Kansas City Southern Railway Company, appellant, *v.* Guardian Trust Company et al. Motion to dismiss or affirm submitted by Mr. Walter C. Clephane and Mr. Edward P. Gates for the appellees in support of the motion, and by Mr. S. W. Moore and Mr. Samuel Untermeyer for the appellant in opposition thereto.

Petition for a writ of certiorari herein submitted by Mr. S. W. Moore and Mr. Samuel Untermeyer for the appellant in support of the petition, and by Mr. Walter C. Clephane and Mr. Edward P. Gates for the appellees in opposition thereto.

Leave granted to file briefs of Henry S. Priest, William F. Evans, and Edward T. Miller, solicitors for the St. Louis & San Francisco Railroad Company; of Gardiner Lathrop and Robert Dunlap, attorneys for the Atchison, Topeka & Santa Fe Railway Company; of Henry D. Estrabrook, solicitor for the Kansas City, Mexico & Orient Railway Company; of Adrian H. Larkin and Albert Rathbone, and of W. R. Begg, C. R. Clapp, and W. W. Gurley for certain interested parties as amici curiae, on motion of Mr. S. W. Moore in that behalf.

Nos. 933, 934, and 935. Cornell Steamboat Company, plaintiff in error, *v.* Phoenix Construction Company. Motion to dismiss or affirm submitted by Mr. E. Crosby Kindleberger for the defendant in error in support of the motion, and by Mr. J. Parker Kirlin for the plaintiff in error in opposition thereto.

No. 465. The Colorado & Southern Railway Company, plaintiff in error, *v.* The State Railroad Commission of Colorado et al. In error to the Supreme Court of the State of Colorado. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 266. Erie Railroad Company, plaintiff in error, *v.* The People of the State of New York. Argument continued by Mr. W. W. Chambers for the defendant in error and concluded by Mr. Frederic D. McKenney for the plaintiff in error.

No. 274. Erie Railroad Company, plaintiff in error, *v.* John Williams, Commissioner of Labor, etc. Argued by Mr. Frederic D. McKenney for the plaintiff in error, and Mr. Joseph A. Kellogg for the defendant in error.

No. 325. Henry J. Grannis, plaintiff in error *v.* Albert L. Ordean et al.; and

No. 326. Henry J. Grannis, plaintiff in error, *v.* Robert B. Whiteside et al. Argument commenced by Mr. Henry J. Grannis for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 28, will be as follows: Nos. 325 (and 326), 231, 166, 179, 338, 339, 802, 305, 340, and 342.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 28, 1914.

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 W. Maxey, of Scranton, Pa., and Maurice E. Tennant, of Indianapolis, Ind., were admitted to practice.

No. 340. L. E. Waterman Company, appellant, *v.* Modern Pen Company. Passed, to be heard with No. 393, per stipulation of counsel.

No. 325. Henry J. Grannis, plaintiff in error, *v.* Albert L. Ordean et al.; and

No. 326. Henry J. Grannis, plaintiff in error, *v.* Robert B. White-side et al. Argument continued by Mr. Alfred Jaques for the defendants in error and concluded by Mr. Frederic D. McKenney for the plaintiffs in error.

No. 231. Hugo Adelberto Thomsen et al., plaintiffs in error, *v.* Sir Charles W. Cayser et al. Argument commenced by Mr. Lorenzo Ullo for the plaintiff in error and continued by Mr. Thomas Thacher for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 29, will be as follows: Nos. 231, 166, 179, 338, 339, 802, 305, 342, 343, and 344.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 29, 1914.

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 Spencer Ward, of Cincinnati, Ohio, was admitted to practice.

No. 231. Hugo Adelberto Thomsen et al., plaintiffs in error, *v.* Sir Charles W. Cayser et al. Argument continued by Mr. J. Parker Kirlin for the defendants in error, and concluded by Mr. Lorenzo Ullo for the plaintiffs in error.

No. 166. The International Harvester Company of America, plaintiff in error, *v.* The State of Missouri, on the information of its attorney general. Argument commenced by Mr. Edgar A. Bancroft, for the plaintiff in error, continued by Mr. John T. Barker for the defendant in error, and concluded by Mr. W. M. Williams for the plaintiff in error.

No. 179. The People of the State of Illinois ex rel Edward F. Dunn, governor, et al., plaintiffs in error, *v.* The Economy Light and Power Company. Argument commenced by Mr. Merritt Starr for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 30, will be as follows: Nos. 179, 338, 339, 802, 305, 342, 343, 344, 345, and 346.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 30, 1914.

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. Arctander, of Seattle, Wash.; M. B. Holifield, of Mayfield, Ky.; Wilson B. Brice, of New York City; and Joseph A. Sheehan, of Boston, Mass., were admitted to practice.

No. 345. Mary Helen Brown, plaintiff in error, *v.* The City of New York. Continued, per stipulation.

No. 179. The People of the State of Illinois *ex rel.* Edward F. Dunne, governor, et al., plaintiffs in error, *v.* The Economy Light & Power Company. Argument continued by Mr. Merritt Starr for the plaintiffs in error, by Mr. Frank H. Scott for the defendant in error, and concluded by Mr. Horace Kent Tenney for the plaintiffs in error.

No. 338. Simon Taylor et al., plaintiffs in error, *v.* Joe Anderson et al. Submitted by Mr. Napoleon B. Maxey for the plaintiffs in error and by Mr. H. A. Ledbetter for the defendants in error.

No. 339. Will Jones, plaintiff in error, *v.* Marguerite Jones et al. Argued by Mr. W. H. Harrelson for the plaintiff in error, and by Mr. B. F. Booth for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 1, will be as follows: Nos. 802, 305, 342, 343, 344, 346, 347, 349, 350, and 351.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 1, 1914.

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.

Don M. Hunt, of Oregon, Mo., was admitted to practice.

No. 346. L. S. Skelton, plaintiff in error, *v.* William H. Dill. Continued, on motion of Mr. C. J. Kappler for the plaintiff in error.

No. 347. John Jenkins, appellant, *v.* Maxwell Land Grant Company. Continued, on motion of Mr. P. H. Loughran for the appellant.

No. 349. Rual F. Taylor, plaintiff in error, *v.* Mrs. Allie Parker. Continued.

No. 350. William Sizemore et al., plaintiffs in error, *v.* Foil M. Brady. Continued, per stipulation.

No. 351. John W. Price, plaintiff in error, *v.* Pecos Valley & North-eastern Railway Company. In error to the Supreme Court of the State of New Mexico. Dismissed with costs, pursuant to the tenth rule.

No. 802. W. E. Johnson et al., appellants, *v.* Edwin Gearlds et al. Argument commenced by Mr. Assistant Attorney General Wallace for the appellants, continued by Mr. Charles P. Spooner for the appellees, and concluded by Mr. Assistant Attorney General Wallace for the appellants.

No. 305. Ennis Water Works, plaintiff in error, *v.* The City of Ennis. Argument commenced by Mr. G. C. Groce for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, May 4, will be as follows: Nos. 305, 342, 343, 344, 355, 357, 358, 359, 360, and 361.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 4, 1914.

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. C. Noel, of Pennington Gap, Va.; Victor J. Kehrer, of Martins Ferry, Ohio; Edward S. Paine, of New York City; Axel Chytraus, of Chicago, Ill.; Walter Jeffreys Carlin, of New York; I. D. Moore, of New Orleans, La.; Arthur H. McConville, of Steubenville, Ohio; David Sessler, of New Orleans, La.; and Irwin H. Linton, of Washington, D. C., were admitted to practice.

No. 52. A. Webster Richards, plaintiff in error, *v.* Washington Terminal Company. In error to the Court of Appeals of the District of Columbia. Judgment reversed with costs, and cause remanded with directions to reverse the judgment of the Supreme Court of the District of Columbia, and remand the cause to that court with directions for a new trial, and for further proceedings in accordance with the views expressed in the opinion of this court. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Lurton.

No. 354. The Holden Land & Live Stock Company et al., plaintiffs in error, *v.* The Interstaté Trading Company et al. In error to the Supreme Court of the State of Kansas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Hughes. Dissenting: Mr. Justice Day, Mr. Justice McKenna, and Mr. Justice Van Devanter.

No. 177. George E. Bowling et al., appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Hughes.

No. 838. The United States, plaintiff in error, *v.* Harold A. Foster et al. In error to the District Court of the United States for the District of Massachusetts. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 256. The United States, appellant, *v.* Nelson P. Vulté. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 652. Seaboard Air Line Railway Company, plaintiff in error, *v. J. M. Pace Mule Company*. In error to the Supreme Court of the State of North Carolina. Per curiam: Judgment reversed with costs and cause remanded for further proceedings upon the authority of *Adams Express Co. v. Croninger* (226 U. S., 491), *Chicago, &c., R. Co. v. Miller* (226 U. S., 513), *Missouri, &c., R. Co. v. Harriman Bros.* (227 U. S., 657).

No. 701. The City of Lewiston, plaintiff in error, *v. John Chamberlain et al.* In error to the Supreme Court of the State of Idaho. Per curiam: Dismissed for the want of jurisdiction on the authority of *McCorquodale v. Texas* (211 U. S., 432), *Waters-Pierce Oil Co. v. Texas* (212 U. S., 112, 118), *Kansas City Star Co. v. Julian* (215 U. S., 589), *Consol. Turnpike v. Norfolk, &c., Ry. Co.* (228 U. S., 326, 334).

No. 6, Original. The State of Arkansas, complainant, *v. The State of Tennessee*. Per curiam: Being of opinion that the motion to settle the line of boundary between the two States, parties complainant and defendant, at this time upon the face of the record as it now stands, and to direct the location of the line thus to be settled and its survey should not be granted, the motion to that end is therefore denied, and hence the case as it stands upon the original docket will proceed to the taking of proof as the parties may be advised, and will therefore proceed to be ultimately disposed of in regular order.

No. —, Original. Ex parte In the matter of Daniel E. Strub, petitioner. Motion for leave to file petition for writ of mandamus denied.

No. 786. Carl Oliver, plaintiff in error, *v. The State of Texas*. Motion to advance granted, and cause assigned for argument on Tuesday, October 13 next, after the cases heretofore assigned for that day.

Nos. 936 and 937. The Pullman Company, appellant, *v. W. V. Knott, comptroller, etc.* Motions to advance granted, and cases assigned for argument on Tuesday, October 13 next, after the cases heretofore assigned for that day.

No. 804. Henry W. O'Neill et al., plaintiff in error, *v. Jacob F. Leamer et al.* Motion to dismiss postponed to the hearing of the case on its merits.

No. 1022. Sadie A. Stead, executrix, etc., et al., appellants, *v. Isabella M. Curtis et al.* Petition for a writ of certiorari herein denied.

No. 273. Walter A. Ledbetter, receiver, etc., plaintiff in error, *v. Kaufman Mandell*. In error to the Supreme Court of the State of New York. Judgment affirmed with costs by an equally divided court.

No. 967. The United States, plaintiff in error, *v.* Holland-American Line. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 92. Frank B. Craig, plaintiff in error, *v.* William P. Jarrett, sheriff, etc. Motion to dismiss submitted by Mr. Sidney Ballou for the defendant in error in support of the motion and by Mr. Warren Gregory and Mr. W. H. Chickering for the plaintiff in error in opposition thereto.

No. 1026. Telefunken Wireless Telegraph Company of the United States, petitioner, *v.* National Electric Signaling Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Hector T. Fenton for the petitioner and by Mr. Melville Church and Mr. F. W. H. Clay for the respondents.

No. 1012. Lazarus, Michael & Lazarus et al., appellants, *v.* Ezra P. Prentice, etc., et al. Motion to dismiss or affirm submitted by Mr. H. Generes Dufour and Mr. E. T. Rice for the appellees in support of the motion and by Mr. Henry L. Lazarus, Mr. David Sessler, and Mr. Girault Farrar for the appellants in opposition thereto.

No. 1011. The Mutual Life Insurance Company of New York, petitioner, *v.* L. Hilton Green et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. P. D. Beall and Mr. Emmett Wilson for the petitioner, and by Mr. W. A. Blount, Mr. A. C. Blount, and Mr. F. B. Carter for the respondents.

No. 329. Louisiana Railway & Navigation Company, plaintiff in error, *v.* Martin Behrman, mayor of the city of New Orleans. Motion to dismiss submitted by Mr. I. D. Moore for the defendant in error in support of the motion and by Mr. Murphy J. Foster for the plaintiff in error in opposition thereto.

No. 1040. Albert Dellevie, sole surviving executor, etc., petitioner, *v.* Fechheimer-Fishel Company, bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Roger Foster for the petitioner and by Mr. Louis F. Doyle for the respondent.

No. 463. Hector McDonald et al., plaintiffs in error, *v.* The Oregon Railroad & Navigation Company, Incorporated. Motion to dismiss submitted by Mr. A. A. Hoehling, jr., in behalf of Mr. W. W. Cotton and Mr. H. W. Clark for the defendant in error in support of the motion and by Mr. George E. Chamberlain and Mr. Will R. King for the plaintiffs in error in opposition thereto.

No. 1024. Great Northern Railway Company, 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. W. W. Millan in behalf of Mr. E. C. Lindley, Mr. F. V. Brown, and Mr. C. S. Albert for the petitioner and by Mr. Solicitor General Davis for the respondent.

No. 1044. John N. McClintock, petitioner, *v.* The City of Pawtucket. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Frederick S. Tyler in behalf of the petitioner and by Mr. William R. Tillinghast for the respondent.

No. 1033. American Ice Company, petitioner, *v.* Camilla Porreca. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Irwin H. Linton in behalf of Mr. Frank R. Savidge for the petitioner.

No. 357. Henry Athol Edwards, appellant, *v.* H. B. McCoy, collector of customs of the Philippine Islands. Appeal from the Supreme Court of the Philippine Islands. Dismissed with costs, on motion of counsel for the appellant.

No. 359. Peter Gallagher, as administrator, etc., plaintiff in error, *v.* Florida East Coast Railway Company. Submitted by Mr. William A. McQuaid for the plaintiff in error, and Mr. George S. Scofield for the defendant in error.

No. 305. Ennis Water Works, plaintiff in error, *v.* City of Ennis. Argument continued by Mr. Rhodes S. Baker for the defendant in error, and concluded by Mr. G. C. Grove for the plaintiff in error.

No. 342. The Chicago, Rock Island and Pacific Railway Company, plaintiff in error, *v.* W. W. Beatty. Submitted by Mr. F. C. Dillard, Mr. M. L. Bell, and Mr. W. H. Moore for the plaintiff in error. No appearance for the defendant in error.

No. 343. Ramon Valdes Cobian, judicial administrator of Ramon Valdes, deceased, appellant, *v.* Tulio Larrinaga. Argued by Mr. Hugo Kohlmann for the appellant, and by Mr. Frederic D. McKenney, for the appellee.

No. 344. The Pacific Express Company et al., plaintiffs in error, *v.* I. Rudman. Submitted by Mr. James L. Minnis and Mr. Cecil H. Smith for the plaintiffs in error, and by Mr. Mark McMahan and Mr. H. A. Cunningham for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, May 5, will be as follows: Nos. 355, 358, 360, 361, 365, 367, 368, 369, 370, and 372 (and 373).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 5, 1914.

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.

Legh R. Page, of Richmond, Va., was admitted to practice.

No. 341. Mrs. Carmelite Pons, wife of George A. Louque, plaintiff in error, *v.* Yazoo & Mississippi Valley Railroad Company et al. Motion to stay mandate presented by Mr. David Sessler for the plaintiff in error, and motion denied.

No. 365. The People of the State of New York on the relation of the Cornell Steamboat Company, plaintiff in error, *v.* William H. Sohmer, as comptroller of the State of New York. Continued per stipulation.

No. 369. The United States, plaintiff in error, *v.* Buffalo Pitts Company. Submitted by Mr. Assistant Attorney General Underwood for the plaintiff in error, and by Mr. Edward P. White for the defendant in error.

No. 355. Western Union Telegraph Company, plaintiff in error, *v.* William Brown et al. Argument commenced by Mr. Rush Taggart for the plaintiff in error, continued by Mr. Frank J. Hogan for the defendant in error, and concluded by Mr. Francis Raymond Stark for the plaintiff in error.

No. 358. Moore-Mansfield Construction Company, appellant, *v.* Electrical Installation Company et al. Argument commenced by Mr. William A. Ketcham for the appellant, continued by Mr. C. C. Shirley for the appellees, and concluded by Mr. A. S. Worthington for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, May 6, will be as follows: Nos. 360, 361, 367, 368, 370, 372 (and 373), 207, 374, 375, and 376.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MAY 6, 1914.

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 B. Martin, of Tulsa, Okla.; Karl C. Schuyler, of Denver, Colo.; and Charles H. Wilson, of New York City, were admitted to practice.

No. 207. Silas A. Gilson, appellant, *v.* The United States. Submitted by Mr. Wade H. Ellis for the appellant, and by Mr. Assistant Attorney General Knaebel and Mr. S. W. Williams for the appellee.

No. 375. Clarence H. Venner, appellant, *v.* Chicago City Railway Company et al. Continued per stipulation.

No. 376. The Brown Shoe Company, plaintiff in error, *v.* C. Ross Hume, trustee, etc. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, pursuant to the tenth rule.

No. 360. Nathaniel W. Bowe et al., plaintiffs in error, *v.* Elizabeth S. Scott et al. Death of Nathaniel W. Bowe, one of the plaintiffs in error, suggested, and the appearance of Emma Lewis Bowe, executrix of the last will and testament of Nathaniel W. Bowe, deceased, filed and entered, on motion of Mr. Richard Evelyn Byrd, for the plaintiffs in error.

No. 360. Emma Lewis Bowe, executrix, etc., et al., plaintiffs in error, *v.* Elizabeth S. Scott et al. Argument commenced by Mr. Richard Evelyn Byrd for the plaintiffs in error, continued by Mr. Legh R. Page, and Mr. John S. Eggleston for the defendants in error and concluded by Mr. David Mead White for the plaintiffs in error.

No. 361. Arthur L. Selig, plaintiff in error, *v.* Charles E. Hamilton, as receiver, etc. Argued by Mr. Abram I. Elkus for the plaintiff in error and by Mr. James E. Trask for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 7, will be as follows: Nos. 750, 367, 368, 370, 372 (and 373), 374, 377, 379, 381, and 384.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 7, 1914.

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 C. Palmer, jr., of Wheeling, W. Va., Walter S. Sugden, of Sistersville, W. Va., Henry A. Gildersleeve, of New York City, and John I. Dille, of Minneapolis, Minn., were admitted to practice.

No. 750. *The United States v. The Midwest Oil Company et al.* Leave granted to file brief of Mr. A. B. Browne, Mr. Alexander Britton, Mr. Evans Browne, Mr. F. W. Clements, and Mr. Frederic R. Kellogg, as amici curiae, on motion of Mr. F. W. Clements in that behalf. Leave granted to file brief of Mr. Frank H. Short as amicus curiae, on motion of Mr. F. W. Clements in that behalf.

No. 372. *Koekee Consolidated Coke Company, plaintiff in error, v. W. W. Taylor et al.*; and

No. 373. *Keokee Consolidated Coke Company, plaintiff in error, v. J. P. Kelly et al.* Submitted by Mr. J. F. Bullitt for the plaintiff in error, and by Mr. J. C. Noel for the defendants in error, with leave to both sides to file additional briefs within 10 days.

No. 379. *United States of America for the use and benefit of Alexander Bryant Company, plaintiff in error, v. New York Steam Fitting Company et al.* Continued, per stipulation.

No. 750. *The United States v. The Midwest Oil Company et al.* Reargument commenced by Mr. Assistant Attorney General Knaebel for the United States, continued by Mr. Joel F. Vaile, for the Midwest Oil Company et al., and concluded by Mr. Solicitor General Davis for the United States.

No. 367. *Washington Securities Company, appellant, v. The United States.* Argument commenced by Mr. H. R. Clise, for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 8, will be as follows: Nos. 367, 368, 370, 374, 377, 381, 384, 386, 391, and 392.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 8, 1914.

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.

Chauncey P. Holcomb, of Chicago, Ill.; R. S. Terhune, of Seattle, Wash.; Albert E. Icely, of Chicago, Ill.; Carlton F. McNally, of St. Paul, Minn.; and E. A. Bowers, of Elkins, W. Va., were admitted to practice.

No. 381. The United States, appellant, *v.* The United Engineering & Contracting Company. Submitted by Mr. Assistant Attorney General Thompson and Mr. P. M. Ashford for the appellant, and by Mr. Frederic E. McKenney, Mr. John Spalding Flannery, and Mr. William Hitz for the appellee, with leave to counsel for the appellant to file an additional brief within five days and to counsel for appellee to reply thereto within three days thereafter.

No. 367. Washington Securities Company, appellant, *v.* The United States. Argument continued by Mr. H. R. Clise for the appellant, by Mr. Assistant Attorney General Knaebel for the appellee, and concluded by Mr. H. R. Clise for the appellant.

No. 368. Detroit Steel Cooperage Company, petitioner, *v.* Sistersville Brewing Company et al. Argument commenced by Mr. Charles N. Kimball for the petitioner, continued by Mr. Thomas P. Jacobs for the respondent, and concluded by Mr. George M. Hoffheimer for the petitioner.

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 11, 1914.

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.

Zed Hetzel Copp, of Washington, D. C.; Charles T. Hendler, of Washington, D. C.; Osman E. Swartz, of Clarksburg, W. Va.; Walter E. Kelley, of New York City; Alvin J. Smallwood, of Philadelphia, Pa.; and C. Wilfred Conard, of Philadelphia, Pa., were admitted to practice.

No. 522. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* L. C. Cade. In error to the justice court, precinct No. 7, Dallas County, State of Texas. Judgment affirmed with costs and interest. Opinion by Mr. Justice Pitney.

No. 268. W. W. Smith, plaintiff in error, *v.* The State of Texas. In error to the Court of Criminal Appeals 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 Lamar. Dissenting: Mr. Justice Holmes.

No. 247. Scott Logan, plaintiff in error, *v.* W. R. Davis. In error to the Supreme Court of the State of Iowa. 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. 188. The Denver & Rio Grande Railroad Company, appellant, *v.* The Arizona & Colorado Railroad Company of New Mexico. Appeal from the Supreme Court of the Territory of New Mexico. Decree affirmed with costs, and cause remanded to the Supreme Court of the State of New Mexico. Opinion by Mr. Justice Holmes.

Nos. 640 and 574. Samuel Gompers, John Mitchell, and Frank Morrison, plaintiffs in error and appellants and petitioners, *v.* The United States. In error to and appeal from and on writ of certiorari to the Court of Appeals of the District of Columbia. Writ of error and appeal dismissed for the want of jurisdiction. Writ of certiorari on petition of Gompers et al. granted. Judgment of Court of Appeals reversed and cause remanded to the Supreme Court of the District of Columbia for further proceedings, in conformity with the opinion of

this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Van Devanter and Mr. Justice Pitney.

No. 645. Southern Railway Company, plaintiff in error, *v.* W. O. Gadd. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs and interest and 5 per cent damages, and cause remanded to the District Court of the United States for the Western District of Tennessee. Opinion by Mr. Chief Justice White.

No. 714. O. Itow et al., plaintiffs in error, *v.* The United States. In error to District Court of the United States, Division No. 1, Territory of Alaska. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 746. Ambrosio Apapas et al., plaintiffs in error, *v.* The United States. In error to the District Court of the United States for the Southern District of California. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

Nos. 933, 934, and 935. Cornell Steamboat Company, plaintiff in error, *v.* Phoenix Construction Company. In error to the Supreme Court of the State of New York. Judgments affirmed with costs. Opinion by Mr. Chief Justice White.

No. 285. F. F. Green, appellant, *v.* The Menominee Tribe of Indians in Wisconsin and the United States. Appeal 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. 92, Frank B. Craig, plaintiff in error, *v.* William P. Jarrett, sheriff, etc. In error to the Supreme Court of the Territory of Hawaii. *Per curiam*: Dismissed for the want of jurisdiction, upon the authority of *Johnson v. Hay* (227 U. S., 245, 247).

No. 344. The Pacific Express Company et al., plaintiffs in error, *v.* I. Rudman. In error to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas. *Per curiam*: Judgment reversed with costs and cause remanded.

No. 359. Peter Gallagher, administrator, etc., plaintiff in error *v.* Florida East Coast Railway Company. In error to the District Court of the United States for the Southern District of New York. *Per curiam*: Dismissed for the want of jurisdiction.

No. 941. The Kansas City Southern Railway Company, appellant, *v.* Guardian Trust Company et al. *Per curiam*: In view of the serious nature of the question of jurisdiction the court does not desire to pass upon the same without the benefit of an oral argument, to be heard when the case is regularly reached on the call. The motion to

dismiss or affirm is hence postponed to the hearing on the merits. And being of opinion that the nature of the case is such as to authorize the granting of the writ of certiorari which is applied for, in the event it develops on the hearing that there is no jurisdiction to review the same the application for the writ of certiorari is therefore also postponed to the hearing.

No. 967. The United States, plaintiff in error, *v.* Holland-American Line. Motion to advance granted and case assigned for argument on Tuesday, October 13 next, after the cases heretofore assigned for that day.

No. 329. Louisiana Railway & Navigation Company, plaintiff in error, *v.* Martin Behrman, mayor of the city of New Orleans. Motion to dismiss postponed to the hearing of the case on its merits.

No. 1011. The Mutual Life Insurance Company of New York, petitioner, *v.* L. Hilton-Green et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 1024. Great Northern Railway Company, 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. 1026. Telefunken Wireless Telegraph Company of the United States, petitioner, *v.* National Electric Signaling Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1033. American Ice Company, petitioner, *v.* Camilla Porreca. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1040. Albert Dellevie, sole surviving executor, etc., petitioner, *v.* Fechheimer Fishel Company, bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1044. John N. McClintock, petitioner, *v.* City of Pawtucket. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 927. The United States, plaintiff in error, *v.* Charles Lewis et al. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 932. The United States, plaintiff in error, *v.* Elié Portale et al. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 990. The United States, plaintiff in error, *v.* William C. Nixon et al. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 735. Cleve W. Van Dyke, plaintiff in error, *v.* Cordova Copper Company. Motion to dismiss submitted by Mr. John W. Davis in behalf of Mr. William J. Hughes and Mr. John H. Campbell for the defendant in error in support of the motion, and by Mr. Richard E. Sloan and Mr. James Westervelt for the plaintiff in error in opposition thereto.

No. 978. American Water Softener Company, appellant, *v.* J. D. Lankford et al. Motion to advance submitted by Mr. C. Wilfred Conard for the appellant.

No. 1039. Cornelia G. Goodrich et al., petitioners, *v.* The Houston Oil Company of Texas et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Cone Johnson in behalf of Mr. William D. Gordon for the petitioners.

No. 1048. Monongahela River Coal & Coke Company, petitioner, *v.* River & Rail Storage Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. J. Arthur Lynham for the petitioner, and by Mr. C. H. Trimble for the respondent.

No. 1057. Eastern Oregon Land Company, petitioner, *v.* Willow River Land & Irrigation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Evans Browne, Mr. J. N. Teal, Mr. Wirt Minor, Mr. F. W. Clements, Mr. A. B. Browne, and Mr. Alexander Britton for the petitioner, with leave to counsel for the respondent to file brief within one week.

No. 1052. Mortimer M. Elkan, plaintiff in error, *v.* The State of Maryland. Motion to advance submitted by Mr. Joseph S. Goldsmith for the plaintiff in error.

No. 1027. John A. S. Brown et al., as trustees, etc., appellants, *v.* Austin B. Fletcher, trustee, etc., et al.; and

No. 1028. The Provident Life & Trust Company et al., etc., appellants, *v.* Austin B. Fletcher, trustee, etc., et al. Motion to advance and submit under the thirty-second rule submitted by Mr. Monroe Buckley, in behalf of Mr. Charles H. Burr, for the appellants in No. 1027, and Mr. H. Gordon McCoach for the appellants in No. 1028, with leave to Mr. William P. S. Melvin for the appellees to file brief in opposition within one week.

No. 263. L. V. Mullen, plaintiff in error, *v.* N. H. Simmons, sheriff, etc., et al. Continuance set aside per stipulation, and cause submitted by Mr. S. T. Bledsoe for the plaintiff in error and Mr. John E. Dolman for the defendants in error.

Adjourned until Monday, May 25, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 25, 1914.

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

Gould G. Rheuby, of Wilmington, Del.; Charles E. Foster, of Omaha, Nebr.; Edward B. Adams, of Boston, Mass.; George Jones, of New York City; J. P. Yates, of Greenville, Tex.; Charles O. Smedley, of Grand Rapids, Mich.; Claude C. Hatchett, of Durant, Okla.; Michael G. Heintz, of Cincinnati, Ohio; Alfred J. H. Frank, of Philadelphia, Pa.; David W. Kahn, of New York City; and James A. O'Shea, of Washington, D. C., were admitted to practice.

No. 270. Martin Ocampo and Teodora M. Kalaw, plaintiffs in error, *v.* The United States. In error to the Supreme Court of the Philippine Islands. Judgment affirmed. Opinion by Mr. Justice Pitney.

No. 307. P. A. Carlson, plaintiff in error, *v.* The State of Washington on the relation of Charles P. Curtiss. In error to the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 13, Original. *Ex parte*: In the matter of W. L. Roe, petitioner. Rule discharged and petition for writ of mandamus denied. Opinion by Mr. Justice Van Devanter.

No. 338. Simon Taylor et al., plaintiffs in error, *v.* Joe Anderson et al. In error to the Circuit Court of the United States for the Eastern District of Oklahoma. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Van Devanter.

No. 367. Washington Securities Company, appellant, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Western District of Washington. Opinion by Mr. Justice Van Devanter.

No. 615. New Orleans & Northeastern Railroad Company et al., plaintiffs in error, *v.* National Rice Milling Company. In error to

the Supreme Court of the State of Louisiana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 843. Wabash Railroad Company, plaintiff in error, *v.* John R. Hayes. In error to the Appellate Court of the First Division, State of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 281. Schmidt & Story et al., plaintiffs in error, *v.* The Bank of Commerce. In error to the Supreme Court of the Territory of New Mexico. Judgment reversed with costs, and cause remanded to the Supreme Court of the State of New Mexico for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 215. Atlantic Transport Company of West Virginia, petitioner, *v.* Frank Imbrovek. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Maryland. Opinion by Mr. Justice Hughes.

No. 216. Atlantic Transport Company of West Virginia, petitioner, *v.* State of Maryland, to the use of Mary Szczesek, widow, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Maryland. Opinion by Mr. Justice Hughes.

No. 242. The United States of America, plaintiff in error, *v.* Julia A. Axman, executrix of Rudolph Axman, deceased, et al. 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 Northern District of California. Opinion by Mr. Justice Day.

No. 531. The Louisville & Nashville Railroad Company, plaintiff in error, *v.* Catesby Woodford et al. In error to the Court of Appeals of the State of Kentucky. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 829. United States et al., appellants, *v.* Louisiana & Pacific Railway Company et al.;

No. 830. Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* Louisiana & Pacific Railway Company et al.;

No. 831. United States et al., appellants, *v.* Woodworth & Louisiana Central Railway Company et al.;

No. 832. Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* Woodworth & Louisiana Central Railway Company et al.;

No. 833. United States et al., appellants, *v.* Mansfield Railway & Transportation Company et al.;

No. 834. Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* Mansfield Railway & Transportation Company et al.;

No. 835. United States et al., appellants, *v.* Victoria, Fisher & Western Railroad Company et al.; and

No. 836. Atchison, Topeka & Santa Fe Railway Company et al., appellants, *v.* Victoria, Fisher & Western Railroad Company et al.

Appeals from the United States Commerce Court. Decree affirmed, and cause remanded to the District Court of the United States for the Western District of Louisiana.

No. 837. United States et al., appellants, *v.* Butler County Railroad Company. Appeal from the United States Commerce Court. Decree affirmed, and cause remanded to the District Court of the United States for the Eastern District of Missouri. Opinion by Mr. Justice Day.

No. 343. Ramon Valdes Cobian, judicial administrator of Ramon Valdes, deceased, appellant, *v.* Tulio Larrinaga. Appeal from the District Court of the United States for Porto Rico. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 368. Detroit Steel Cooperage Company, petitioner, *v.* Sistersville Brewing Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Northern District of West Virginia for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Lurton.

No. 798. The Oceanic Steam Navigation Company, Limited, as owner of the steamship *Titanic*, *v.* William J. Mellor and Harry Anderson. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. First and second questions answered in the affirmative. Third question answered, "The law of the United States." Opinion by Mr. Justice Holmes. (Mr. Justice McKenna considers it a proper deduction from *The Scotland* that the law of the foreign country should be enforced in respect of the amount of the owner's liability.)

No. 266. Erie Railroad Company, plaintiff in error, *v.* The People of the State of New York. In error to the Supreme Court of the State of New York. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 274. Erie Railroad Company, plaintiff in error, *v.* John Williams, as Commissioner of Labor of the State of New York. In

error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 305. Ennis Water Works, plaintiff in error, *v.* City of Ennis. In error to the Supreme Court of the State of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 360. Emma Lewis Bowe, executrix of Nathaniel W. Bowe, deceased, et al., plaintiffs in error, *v.* Elizabeth S. Scott et al. In error to the Supreme Court of Appeals of the State of Virginia. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 463. Hector McDonald et al., plaintiffs in error, *v.* The Oregon Railroad & Navigation Company, Incorporated. In error to the Supreme Court of the State of Oregon. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

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

No. 342. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* W. W. Beatty. In error to the Supreme Court of the State of ~~Oregon~~^{Kla}. *Per curiam*: Judgment reversed with costs, and cause remanded for further proceedings, upon the authority of *Houston & Texas Cent. R. R. Co. v. Mayes* (201 U. S., 321); *Yazoo & Miss. Valley Ry. Co. v. Greenwood Grocery Co.* (227 U. S., 1).

No. 739. The Roman Catholic Church of St. Anthony of Padua, Jersey City, appellant, *v.* The Pennsylvania Railroad Company. Motion to advance denied. Petition for a writ of certiorari herein denied. Further consideration of the motion to dismiss postponed to the hearing of the cause on its merits.

No. 978. American Water Softener Company, appellant, *v.* J. D. Lankford et al., etc. Motion to advance for hearing with No. 929 granted.

No. 927. The United States, plaintiff in error, *v.* Charles Lewis et al.;

No. 932. The United States, plaintiff in error, *v.* Elie Portale et al.; and

No. 990. The United States, plaintiff in error, *v.* William C. Nixon et al. Motions to advance granted, and cases assigned for argument on Tuesday, October 13, after the cases heretofore assigned for that day.

No. 1052. Mortimer M. Elkan, plaintiff in error, *v.* The State of Maryland. Motion to advance denied.

No. 1027. John A. S. Brown et al., as trustees, etc., appellants, *v.* Austin B. Fletcher, etc., et al.; and

No. 1028. The Provident Life & Trust Company et al., etc., appellants, *v.* Austin B. Fletcher, trustee, etc., et al. Ordered that these cases be placed on the summary docket.

No. 1039. Cornelia G. Goodrich et al., petitioners, *v.* The Houston Oil Company of Texas et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1048. Monongahela River Coal & Coke Company, petitioner, *v.* River and Rail Storage Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1057. Eastern Oregon Land Company, petitioner, *v.* Willow River Land & Irrigation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

The Chief Justice also announced that the court will adjourn to-day until Monday, June 8, when motions and petitions for writs of certiorari 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 Monday, June 15, 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. 686. The United States of America, appellant, *v.* H. U. Bartlett et al. Motion to advance submitted by Mr. Solicitor General Davis for the appellant.

No. 1041. The United States *v.* Hon. Julius M. Mayer, judge, etc. Motion to advance submitted by Mr. Solicitor General Davis for The United States.

No. 1063. The United States, plaintiff in error, *v.* J. A. Renolds; and

No. 1064. The United States, plaintiff in error, *v.* G. W. Broughton, etc. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 597. The United States *ex rel.* Edward L. Chott, plaintiff in error, *v.* E. B. Moore, Commissioner of Patents, et al. Suggestion of the retirement of E. B. Moore, as Commissioner of Patents, and the appointment of Thomas Ewing, as his successor in office, and motion to substitute said Thomas Ewing as a party defendant in error herein, granted, on motion of Mr. John W. Davis, in behalf of Mr. Joshua R. H. Potts for the plaintiff in error.

No. 1076. William H. Hotchkiss et al., petitioners, *v.* L. K. Lynn. Petition for a writ or certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John W. Davis, in behalf of Mr. John Lord O'Brien, for the petitioners.

No. 1051. Warren E. Talbert, 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. Solicitor General Davis for the respondent.

No. 966. John E. Roller, plaintiff in error, *v.* Mary H. Murray et al. Motion to dismiss or affirm submitted by Mr. Holmes Conrad and Mr. Edward S. Conrad for the defendants in error in support of the motion, and by Mr. John E. Roller, pro se, in opposition thereto.

No. 1037. Nichols & Cox Lumber Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Carl E. Mapes, in behalf of Mr. Ganson Taggart for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 1036. The Grand Rapids & Indiana Railway Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. James H. Campbell for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 1070. F. A. Williams, trustee, etc., petitioner, *v.* George C. Friedrichs. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frank Boughton Fox in behalf of Mr. E. D. Saunders, and Mr. Girault Farrar for the petitioner.

No. 1083. Allen Botsford, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Michael G. Heintz and Mr. Theodore F. Horstman for the petitioner, with leave to the Solicitor General to file brief in opposition on or before Friday.

No. —, Original. Ex parte: In the matter of Concepcion Veve y Diaz, Jose Sastrano Belaval, her husband, et al., petitioners. Motion for leave to file petition for writ of mandamus submitted by Mr. Frederick S. Tyler, in behalf of Mr. Paul Charlton and Mr. Jacinto Texidor, for the petitioners.

No. 1058. Louis Steinberger, petitioner, *v.* General Electric Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William G. Johnson and Mr. Charles H. Wilson for the petitioner, and by Mr. Charles Neave and Mr. William G. McKnight for the respondents.

Nos. 1000 and 1001. Henry E. Meeker, etc., petitioner, *v.* Lehigh Valley Railroad Company. Motion to advance submitted by Mr. William A. Glasgow, jr., for the petitioner.

No. 1031. Missouri, Kansas & Texas Railway Company, appellant, *v.* L. E. Goodrich. Motion to dismiss or affirm submitted by Mr. Joseph W. Bailey in behalf of Mr. J. A. L. Wolfe for the appellee in support of the motion, and by Mr. Joseph M. Bryson for the appellant in opposition thereto.

No. 91. A. Emerson Cross, as administrator, etc., et al., plaintiffs in error, *v.* Grays Harbor Boom Company. Motion to set aside judgment of dismissal and reinstate case upon docket submitted by Mr. Charles W. Needham for the plaintiffs in error in support of the motion, and by Mr. Charles T. Hendler for the defendant in error in opposition thereto, with leave to counsel for the plaintiff in error to file reply brief within two days.

No. 1060. William J. Kahn, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Terrence J. McManus for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Wallace for the respondent.

No. 930. The Cincinnati Northern Railroad Company, plaintiff in error, *v.* George E. Dillon. Motion to dismiss or affirm or to place on the summary docket submitted by Mr. W. H. Dailey for the defendant in error in support of the motion, and by Mr. Frank L. Littleton for the plaintiff in error in opposition thereto.

No. 527. Bob Kirkpatrick, 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. 825. Succession of Ramon Perez Villamil, appellant, *v.* Maria de Jesus. Appeal from the Supreme Court of Porto Rico. Dismissed with costs, on motion of counsel for the appellant.

Adjourned until Monday, June 8, at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 8, 1914.

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 Pitney.

Walter C. Benson, of Wilmington, N. C.; Thomas Mannix, of Portland, Oreg.; Charles Warren, of Dedham, Mass.; Wooda N. Carr, of Uniontown, Pa.; Kirby Fitzpatrick, of Oklahoma City, Okla.; James J. Crossley, of Fairbanks, Alaska; Claude U. Stone, of Peoria, Ill.; Herbert M. Griffith, of Washington, D. C.; Walter C. Chandler, of Memphis, Tenn.; H. C. Randolph, of Plainview, Tex.; Edward T. Houghton, of San Francisco, Cal.; William Dewey Loucks, of Schenectady, N. Y.; G. F. De Wein, of Milwaukee, Wis.; F. T. Brittain, of San Francisco, Cal.; Jean Paul Muller, of Washington, D. C.; Roger S. Baldwin, of New York City; Eugene W. Burr, of North Yakima, Wash.; F. Marcou Rivinus, of Philadelphia, Pa.; John A. Rine, of Omaha, Nebr.; Frank B. Shutts, of Miami, Fla.; Charles W. Corey, of Escondido, Cal.; H. P. Andrews, of Red Bluff, Cal.; Felipe Buencamino, jr., of Manila, P. I.; Franklin Kennedy, of Buffalo, N. Y.; Ralph W. Snowden Hill, of Kansas City, Mo.; Joseph Gross, of Philadelphia, Pa.; Richard Morwood McCann, of Portland, Oreg.; Hugh M. Morris, of Wilmington, Del.; and J. A. C. Kennedy, of Omaha, Nebr., were admitted to practice.

No. 207. Silas A. Gilson, appellant, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed and cause remanded to the District Court of the United States for the Eastern District of Washington. Opinion by Mr. Justice Pitney.

No. 325. Henry J. Grannis, plaintiff in error, *v.* Albert L. Ordean, Margaret Sullivan, Alfred Jaques, et al. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 326. Henry J. Grannis, plaintiff in error, *v.* Robert D. White-side et al. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 330. Charles W. Dale et al., appellants, *v.* Edward M. Pattison. 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 Southern District of Ohio. Opinion by Mr. Justice Pitney.

No. 604. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v. S. O. Harris*. In error to the Justice Court, precinct No. 6, Hopkins County, State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 802. W. E. Johnson et al., appellants, *v. Edwin Gearlds et al.* Appeal from the District Court of the United States for the District of Minnesota. Decree reversed with costs and cause remanded with directions to dismiss the bill. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice McKenna and Mr. Justice Lurton.

No. 861. Equitable Surety Company *v. The United States* to the use of W. McMillan & Son. On a certificate from the Court of Appeals of the District of Columbia. Question certified answered in the negative. Opinion by Mr. Justice Pitney.

No. 288. Citizens' Banking Company *v. Ravenna National Bank of Ravenna, Ohio, et al.* On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit. Questions certified answered in the negative. Opinion by Mr. Justice Van Devanter.

No. 337. Louisville & Nashville Railroad Company, appellant, *v. The Western Union Telegraph Company*. Appeal from the District Court of the United States for the Southern District of Mississippi. Decree reversed, with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 98. The Interstate Commerce Commission et al., appellants, *v. Atchison, Topeka & Santa Fe Railway Company et al.* Appeal from the United States Commerce Court. Order of Commerce Court reversed, and cause remanded to the District Court of the United States for the Southern District of California with directions to dismiss the bill. Opinion by Mr. Justice Hughes.

No. 97. The Interstate Commerce Commission et al., appellants, *v. Southern Pacific et al.* Appeal from the United States Commerce Court. Order of Commerce Court reversed, and cause remanded to the District Court of the United States for the Northern District of California with directions to dismiss the bill. Opinion by Mr. Justice Hughes.

No. 225. Point Richmond & Bergen Point Ferry Company, plaintiff in error, *v. The Board of Chosen Freeholders of the County of Hudson*. In error to the Court of Errors and Appeals of the State of New Jersey. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 323. The City of Sault Ste. Marie et al., appellants, *v.* International Transit Company. Appeal from the District Court of the United States for the Western District of Michigan. Decree affirmed with costs. Opinion by Mr. Justice Hughes.

No. 24. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* The State of Georgia. In error to the Court of Appeals of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Hughes.

No. 567. Houston East and West Texas Railway Company et al., appellants, *v.* The United States et al. Appeal from the United States Commerce Court. Decree affirmed, and cause remanded to the District Court of the United States for the Southern District of Texas. Opinion by Mr. Justice Hughes. Dissenting: Mr. Justice Lurton and Mr. Justice Pitney.

No. 568. The Texas & Pacific Railway Company et al., appellants, *v.* The United States et al. Appeal from the United States Commerce Court. Decree affirmed, and cause remanded to the District Court of the United States for the Northern District of Texas. Opinion by Mr. Justice Hughes. Dissenting: Mr. Justice Lurton and Mr. Justice Pitney.

No. 369. The United States, plaintiff in error, *v.* Buffalo Pitts Company. In error 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 Western District of New York. Opinion by Mr. Justice Day.

No. 381. The United States, appellant, *v.* The United Engineering and Contracting Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Day.

No. 873. The United States, appellant, *v.* The First National Bank of Detroit, Minn.;

No. 874. The United States, appellant, *v.* The Nichols-Chisolm Lumber Company et al.; and

No. 875. The United States, appellant, *v.* The Nichols-Chisolm Lumber Company et al. Appeals from the United States Circuit Court of Appeals for the Eighth Circuit. Decrees affirmed, and causes remanded to the District Court of the United States for the District of Minnesota. Opinion by Mr. Justice Day.

No. 1012. Lazarus, Michel, and Lazarus, etc., appellants, *v.* E. P. Prentice, ancillary receiver of A. Musica and Son et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed for want of jurisdiction. Opinion by Mr. Justice Day.

Nos. 276, 291, and 292. International Harvester Company of America, plaintiff in error, *v.* Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Judgments reversed with costs, and causes remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna and Mr. Justice Pitney.

No. 372. Keokee Consolidated Coke Company, plaintiff in error, *v.* W. W. Taylor et al.; and

No. 373. Keokee Consolidated Coke Company, plaintiff in error, *v.* J. P. Kelly et al. In error to the Supreme Court of Appeals of the State of Virginia. Judgments affirmed with costs. Opinion by Mr. Justice Holmes.

No. 263. L. V. Mullen, plaintiff in error, *v.* N. H. Simmons, sheriff of Johnston County, Okla., et al. In error to the Supreme Court of the State of Oklahoma. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna. Dissenting, Mr. Justice Day.

No. 166. International Harvester Company of America, plaintiff in error, *v.* The State of Missouri on the information of its attorney general. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 302. Stone, Sand & Gravel Company et al., plaintiffs in error, *v.* The United States. In error 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 Eastern District of Louisiana with directions to grant a new trial. Opinion by Mr. Justice Lurton. (Announced by Mr. Chief Justice White.)

No. 383. Florida East Coast Railway Company, appellant, *v.* The United States et al. Appeal from the United States Commerce Court. Decree reversed and cause remanded to the District Court of the United States for the Southern District of Florida, with directions to grant the prayer of the East Coast Line and restrain the enforcement of the order in question. Opinion by Mr. Chief Justice White.

No. 160. Manhattan Life Insurance Company of New York et al., plaintiffs in error, *v.* David Cohen, independent executor, etc. In error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 254. New York Life Insurance Company, plaintiff in error, *v.* Mary E. Head. In error to the Supreme Court of the State of Missouri. Judgment reversed with costs and cause remanded for further

proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 255. The New York Life Insurance Company, plaintiff in error, *v.* Richard G. Head, jr., by his next friend, B. F. Deatherage. In error to the Supreme Court of the State of Missouri. Judgment reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 735. Cleve W. Van Dyke, plaintiff in error, *v.* Cordova Copper Company. In error to the Supreme Court of the State of Arizona. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 180. The Texas & Pacific Railway Company, plaintiff in error, *v.* American Tie & Timber Company, Limited. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed with costs and cause remanded to the District Court of the United States for the Northern District of Texas for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 2, Original. The State of Virginia, complainant, *v.* The State of West Virginia. Motion for leave to file supplemental answer granted, and cause re-referred for consideration and report to Charles E. Littlefield, Esq., master. Opinion by Mr. Chief Justice White.

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

Order.—It is ordered by the court that the bond presented by the marshal for the performance of his duties be filed and recorded.

No. —, Original. *Ex parte* In the matter of Concepcion Vevey Diaz et al., petitioners. Motion for leave to file petition for writ of mandamus denied.

No. 91. A. Emerson Cross, as administrator, etc., et al., plaintiffs in error, *v.* Gray's Harbor Boom Company. Motion to vacate judgment of dismissal herein and reinstate the case on the docket denied.

No. 686. The United States of America *v.* H. U. Bartlett et al.;
 No. 1041. The United States *v.* Hon. Julius M. Mayer, judge, etc.;
 No. 1063. The United States, plaintiff in error, *v.* J. A. Reynolds;
 and

No. 1064. The United States, plaintiff in error, *v.* G. W. Broughton, etc. Motions to advance granted, and cases assigned for argument on Tuesday, October 13 next.

Nos. 1000 and 1001. Henry E. Meeker, etc., petitioner, *v.* Lehigh Valley Railroad Company. Motion to advance granted, and cases

assigned for argument on Tuesday, October 13 next, after the cases heretofore assigned for that day.

No. 1036. The Grand Rapids and Indiana Railway Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1037. Nichols & Cox Lumber Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1051. Warren E. Talbert, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1058. Louis Steinberger, petitioner, *v.* General Electric Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1060. William J. Kahn, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1070. F. A. Williams, trustee, etc., petitioner, *v.* George G. Friedrichs. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1076. William H. Hotchkiss et al., petitioners, *v.* L. K. Linn. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1083. Allen Botsford, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 890. The United States, plaintiff in error, *v.* John Wigger, alias "Moose John." Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 1096. The United States, plaintiff in error, *v.* H. A. Salen. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 1108. The United States, appellant, *v.* The Delaware, Lackawanna & Western Railroad Company. Motion to advance submitted by Mr. Solicitor General Davis for the appellant.

No. 1021. The United States, appellant, *v.* Benjamin F. Jones, etc. Motion to advance and assign for first Monday in December next submitted by Mr. Solicitor General Davis for the appellant.

No. 1104. Rail and River Coal Company, appellant, *v.* Wallace D. Yaple et al., etc. Motion for restraining order submitted by Mr. A. C. Dustin for the appellant in support of the motion and by Mr.

Timothy S. Hogan and Mr. Clarence D. Laylin for the appellees in opposition thereto.

No. 1103. Cudahy Packing Company, petitioner, *v.* Grand Trunk Western Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Arthur B. Hayes, Mr. Charles B. Morrison, and Mr. Wells M. Cook for the petitioner.

No. 1105. Holman A. Drew, sheriff of Coss County, State of New Hampshire, appellant, *v.* Harry Kendall Thaw. Motion to admit appellee to bail submitted by Mr. William A. Stone for the appellee in support of the motion, with leave to counsel for the appellant to file brief in opposition on or before Friday next.

No. 1017. W. S. Farish, appellant, *v.* State Banking Board of the State of Oklahoma et al.; and

No. 1018. State Banking Board of the State of Oklahoma et al., appellants, *v.* W. S. Farish. Motion to advance submitted by Mr. Amos L. Beaty for the appellant in No. 1017 and appellee in No. 1018.

No. 1109. Nahona Stayton, 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. Theodore Mack for the petitioner, with leave to the Solicitor General to file brief within three days if so advised.

No. 1095. The Davidson Steamship Company, petitioner, *v.* The Western Transit Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frank S. Masten and Mr. Harvey D. Goulder for the petitioner and by Mr. George Clinton, jr., for the respondent.

No. 409. Joseph F. Guffey et al., petitioners, *v.* James A. Smith et al.; and

No. 410. Joseph F. Guffey et al., petitioners, *v.* Susannah Smith et al. Motion to enter judgments herein in pursuance of stipulation of counsel submitted by Mr. Joseph W. Bailey for the petitioners.

No. 1110. Charles Kaplan and Max Kaplan, petitioners, *v.* Isaac E. Leech, trustees, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Joseph Gross for the petitioner, with leave to the Solicitor General to file a brief for the respondent within three days if so advised.

No. ——. Thomas D. Thomas, petitioner, *v.* South Butte Mining Co. Motion for leave to file petition for writ of certiorari to

the United States Circuit Court of Appeals for the Ninth Circuit in forma pauperis submitted by Mr. P. P. Wells for the petitioner.

No. 469. Mary Genevieve Pennell, administratrix, etc., plaintiff in error, *v.* Philadelphia & Reading Railway Company. Motion to modify mandate herein submitted by Mr. George Demming for the plaintiff in error.

No. 1093. Walker Waldin, petitioner, *v.* Walter R. Comfort. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. A. Boggs for the petitioner, and by Mr. Frank B. Shutts for the respondent.

No. 2. Original. The State of Virginia, complainant, *v.* The State of West Virginia. Motion to modify order of this date as to hearing before the master submitted by Mr. W. A. Anderson for the complainant.

No. 187. Adams Express Company, plaintiff in error, *v.* William H. Windolph, to the use of Leon Weiner et al. In error to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded for further proceedings per stipulation of counsel.

Adjourned until Monday next at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 15, 1914.

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

Horace W. Vaughan, of Texarkana, Tex.; James E. Smitherman, of Shreveport, La.; Arthur R. Wolfe, of Chicago, Ill.; William J. Kyle, of Waynesburg, Pa.; Harry B. Tedrow, of Boulder, Colo.; Frank L. Peckham, of Washington, D. C.; Frank Van Sant, of Washington, D. C.; Clinton D. Boyd, of Middletown, Ohio; Simeon S. Willis, of Ashland, Ky.; James H. Drain, of Washington, D. C.; James P. Dawson, of St. Louis, Mo.; George C. Huebener, of Boise, Idaho; Ross D. Rynder, of Washington, D. C.; W. H. Newbold, of Chester, S. C.; Lewis Henry Machen, of Alexandria, Va.; and Maurice Shurtleff, of Lancaster, N. H., were admitted to practice.

The Chief Justice announced the following orders of the court:

No. 1105. Holman A. Drew, sheriff of Coos County, State of New Hampshire, appellant, *v.* Harry Kendall Thaw. Motion to admit appellee to bail, and motion for order directing Drew, sheriff, to take appellee to the city of Pittsburgh, Pa., as prayed in the supplemental petition filed herein, denied.

No. 1104. Rail and River Coal Company, appellant, *v.* Wallace D. Yaple et al., etc. Motion for restraining order denied.

No. 381. The United States, appellant, *v.* The United Engineering & Contracting Company. Mandate granted, on motion of Mr. John Spalding Flannery for the appellee.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 22, 1914.

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 Pitney.

William Charak, of Boston, Mass.; Marcus S. Hottenstein, of Allentown, Pa.; John J. Lermen, of San Francisco, Cal.; Frederick C. Dezendorf, of Berkeley, Cal.; Jorge V. Dominguez, of San Juan, P. R.; J. Paul Thompson, of Cleveland, Ohio; Walter M. Campbell, of Los Angeles, Cal.; John D. Drake, of Buxton, Iowa; and Henry Mahoney, of Milwaukee, Wis., were admitted to practice.

No. 767. Joseph Hull et al., appellants, *v.* Arthur E. Burr et al. 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 Pitney.

No. 826. Southern Railway Company, plaintiff in error, *v.* D. E. Crockett. In error to the Supreme Court of the State of Tennessee. Judgment affirmed with costs and interest. Opinion by Mr. Justice Pitney.

No. 966. John E. Roller, plaintiff in error, *v.* Mary H. Murray et al., etc., et al. In error to the Supreme Court of Appeals of the State of West Virginia. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Pitney.

No. 82. Chapman & Dewey Lumber Company et al., plaintiffs in error, *v.* The Board of Directors St. Francis Levee District. Leave to file petition for rehearing denied. Opinion by Mr. Justice Van Devanter.

No. 279. Edmund Burke *v.* The Southern Pacific Railroad Company et al.; and

No. 280. J. I. Lamprecht et al., Trustees, *v.* The Southern Pacific Railroad Company et al. On a certificate to the United States Circuit Court of Appeals for the Ninth Circuit. Questions certified answered as stated in the opinion. Opinion by Mr. Justice Van Devanter.

No. 35. Patrick Collins, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 36. Thomas Malone, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Hughes.

No. 361. Arthur L. Selig, plaintiff in error, *v.* Charles E. Hamilton, as receiver of Evans, Johnson, Sloane Company. 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 Hughes.

No. 267. The Order of St. Benedict of New Jersey, petitioner, *v.* Albert Steinhauser, individually and as administrator, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree of the United States Circuit Court of Appeals reversed with costs, and decree of the Circuit Court of the United States for the district of Minnesota affirmed with costs, and cause remanded to the District Court of the United States for the District of Minnesota. Opinion by Mr. Justice Hughes.

No. 339. Will Jones, plaintiff in error, *v.* Marguerite Jones and her husband, Albert Jones. In error to the Supreme Court of the State of Tennessee. Judgment affirmed with costs. Opinion by Mr. Justice Lurton.

No. —, Original. The State of Louisiana, complainant, *v.* William G. McAdoo, Secretary of the Treasury, et al. Motion for leave to file bill of complaint denied. Opinion by Mr. Justice Lurton. The Chief Justice took no part in the decision of this case, Mr. Justice McKenna concurring specially.

No. 358. Moore-Mansfield Construction Company, appellant, *v.* Electrical Installation Company et al. Appeal from the District Court of the United States for the District of Indiana. Dismissed for want of jurisdiction. Opinion by Mr. Justice Lurton.

No. 297. International Harvester Company of America, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 298. International Harvester Company of America, plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Judgment reversed with

costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 322. The Louisville & Nashville Railroad Company, plaintiff in error, *v.* Joe Higdon, doing business under the firm name of Crescent Coal Company. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 511. The Eastern States Retail Lumber Dealers' Association et al., appellants, *v.* The United States; and

No. 550. William C. MacBride, individually and as president of the Retail Lumbermen's Association of Philadelphia, et al., appellants, *v.* The United States. Appeals from the District Court of the United States for the Southern District of New York. Decree affirmed. Opinion by Mr. Justice Day.

No. 355. Western Union Telegraph Company, plaintiff in error, *v.* William Brown et ux. In error to the Supreme Court of the State of South Carolina. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 481. The United States et al., appellants, *v.* The Ohio Oil Company. Appeal from the United States Commerce Court. Decree reversed, and cause remanded to the District Court of the United States for the Southern District of Ohio, with directions to dismiss the petition. Opinion by Mr. Justice Holmes. Mr. Chief Justice White concurring in part. Dissenting: Mr. Justice McKenna.

No. 482. The United States et al., appellants, *v.* Standard Oil Company. Appeal from the United States Commerce Court. Decree reversed, and cause remanded to the District Court of the United States for the District of New Jersey with directions to dismiss the petition. Opinion by Mr. Justice Holmes. Mr. Chief Justice White concurring in part. Dissenting: Mr. Justice McKenna.

No. 483. The United States of America et al., appellants, *v.* Standard Oil Company of Louisiana. Appeal from the United States Commerce Court. Decree reversed, and cause remanded to the District Court of the United States for the Eastern District of Louisiana with directions to dismiss the petition. Opinion by Mr. Justice Holmes. Mr. Chief Justice White concurring in part. Dissenting: Mr. Justice McKenna.

No. 506. The United States et al., appellants, *v.* The Prairie Oil & Gas Company. Appeal from the United States Commerce Court. Decree reversed, and cause remanded to the District Court of the United States for the District of Kansas with directions to dismiss the petition. Opinion by Mr. Justice Holmes. Mr. Chief Justice White concurring in part. Dissenting: Mr. Justice McKenna.

No. 507. The United States of America et al., appellants, *v.* The Uncle Sam Oil Company. Appeal from the United States Commerce Court. Decree affirmed, and cause remanded to the District Court of the United States for the District of Kansas. Opinion by Mr. Justice Holmes.

No. 508. The United States et al., appellants, *v.* Robert D. Benson et al., etc. Appeal from the United States Commerce Court. Decree reversed, and cause remanded to the District Court of the United States for the Western District of Pennsylvania with directions to dismiss the petition. Opinion by Mr. Justice Holmes. Mr. Chief Justice White concurring. Dissenting: Mr. Justice McKenna.

No. 751. Charleston and Western Carolina Railway Company, plaintiff in error, *v.* Lizzie Thompson. In error to the Court of Appeals of the State of Georgia. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 752. Charleston and Western Carolina Railway Company, plaintiff in error, *v.* George Thompson. In error to the Court of Appeals of the State of Georgia. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 889. Franklin K. Lane, Secretary of the Interior, et al., appellants, *v.* Cornelius C. Watts et al. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 179. The people of the State of Illinois on the relation of Edward F. Dunne, governor, et al., etc., plaintiffs in error, *v.* The Economy Light & Power Company. In error to the Supreme Court of the State of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 135. Missouri Pacific Railway Company, plaintiff in error, *v.* F. D. Larabee et al. 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.

Nos. 136 and 162. The United States et al., appellants, *v.* Atchison, Topeka & Santa Fe Railway Company et al. Appeals from the United States Commerce Court. Decrees reversed, and cases remanded to the District Court of the United States for the District of Kansas with directions to dismiss the bill for want of equity. Opinion by Mr. Chief Justice White.

Nos. 137 and 163. The United States et al., appellants, *v.* Union Pacific Railroad Company et al. Appeal from the United States

Commerce Court. Decrees reversed, and cases remanded to the District Court of the United States for the District of Nebraska with directions to dismiss the bill for want of equity. Opinion by Mr. Chief Justice White.

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

No. 930. The Cincinnati Northern Railway Company, plaintiff in error, *v.* George E. Dillon. In error to the Supreme Court of the State of Ohio. *Per curiam*: Judgment affirmed upon the authority of *Southern Ry. Co. v. Carson*, 194 U. S., 136, 140; *Southern Ry. Co. v. Bennett*, 233 U. S., 80, 85; *Grand Trunk Ry. Co. v. Lindsay*, 233 U. S., 42, 49; *Chicago Junction Ry. Co. v. King*, 222 U. S., 222; *Southern Ry. Co. v. Gadd*, — U. S., —.

No. 1031. Missouri, Kansas & Texas Railway Company, appellant, *v.* L. E. Goodrich. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of *York v. Texas*, 137 U. S., 15; *Kauffman v. Waters*, 138 U. S., 285; see *Missouri, K. & T. Ry. Co. v. Goodrich*, 229 U. S., 607.

No. —. Thomas D. Thomas, petitioner, *v.* South Butte Mining Company. Motion for leave to file and prosecute petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit *in forma pauperis* denied.

No. 409. Joseph F. Guffey et al., petitioners, *v.* James A. Smith et al.; and

No. 410. Joseph F. Guffey et al., petitioners, *v.* Susannah Smith et al. Motion to enter judgments of reversal on confession of error by certain of the respondents denied without prejudice to a renewal of the same at the next term, if so advised, after notice to all parties concerned.

No. 469. Mary Genevieve Pennell, adm'x, etc., plaintiff in error, *v.* Philadelphia & Reading Ry. Co. Motion to modify mandate denied without prejudice to an application to the District Court if so advised.

No. 890. The United States, plaintiff in error, *v.* John Wigger, alias Moose John;

No. 1096. The United States, plaintiff in error, *v.* H. A. Salen; and

No. 1108. The United States, appellant, *v.* The Delaware, Lackawanna & Western Railroad Company. Motions to advance granted, and cases assigned for argument on Tuesday, October 13 next, after the cases heretofore assigned for that day.

No. 1021. The United States, appellant, *v.* Benjamin F. Jones et al. Motion to advance granted, and case assigned for argument on the first Monday in December next.

No. 1017. W. S. Farish, appellant, *v.* State Banking Board of the State of Oklahoma et al.; and

No. 1018. State Banking Board of the State of Oklahoma et al., appellants, *v.* W. S. Farish. Motion to advance granted, and cases assigned for argument on Tuesday, October 13 next, with cases Nos. 929 and 978.

No. 1093. Walter Waldin, petitioner, *v.* Waller R. Comfort. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1095. The Davidson Steamship Company, petitioner, *v.* The Western Transit Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1103. Cudahy Packing Company, petitioner, *v.* Grand Trunk Western Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1109. Nahona Stayton, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1110. Charles Kaplain et al., petitioner, *v.* Isaac E. Leech, trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 889. Franklin K. Lane, Secretary, etc., at al., appellants, *v.* Cornelius C. Watts et al. Leave granted to present petition for rehearing within thirty days, on motion of Mr. Solicitor General Davis for the appellants.

No. 180. The Texas & Pacific Railway Company, plaintiff in error, *v.* American Tie & Timber Company (Ltd.). Leave granted to present petition for rehearing within sixty days, on motion of Mr. John W. Davis in behalf of counsel for the defendant in error.

No. 358. Moore-Mansfield Construction Company, appellant, *v.* Electrical Installation Company et al. Leave granted to present petition for rehearing within thirty days, on motion of Mr. Charles L. Frailey in behalf of counsel for the appellant.

No. 274. Erie Railroad Company, plaintiff in error, *v.* John Williams, Commissioner of Labor, etc. Leave granted to present petition for rehearing within thirty days, on motion of Mr. Frederic D. McKenney for the plaintiff in error.

No. 325. Henry J. Grannis, plaintiff in error, *v.* Albert L. Ordean et al.; and

No. 326. Henry J. Grannis, plaintiff in error, *v.* Robert L. Whiteside et al. Leave granted to present petition for rehearing within thirty days, on motion of Mr. Frederic D. McKenney for the plaintiff in error.

No. 802. W. E. Johnson et al., appellants, *v.* Edwin Gearlds et al. Leave granted to present petition for rehearing herein within sixty days, on motion of Mr. Levi Cook in behalf of counsel for the appellees.

No. 297. International Harvester Company of America, plaintiff in error, *v.* The Commonwealth of Kentucky. Leave* granted to present petition for rehearing herein within thirty days, on motion of Mr. John K. Graves in behalf of counsel for the plaintiff in error.

No. 455. Ellen M. Morse et al., appellants, *v.* H. Rozier Dulany, trustee, etc. Appeal from the Court of Appeals of the District of Columbia. Dismissed with costs on motion of counsel for the appellants.

No. 521. The National Counsel, Junior Order United American Mechanics, plaintiff in error, *v.* Martha Brown, formerly Ringo. 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. 841. Antonio Balasquide Gomez, appellant, *v.* Enrique Comacho, etc. Appeal from the Supreme Court of Porto Rico. Dismissed per stipulation.

Order.—It is now here ordered by the court that all the cases on the docket not decided, and all the other business of the term not disposed of, be, and the same are hereby, continued to the next term.

Adjourned to the time and place appointed by law.

