

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 14, 1895.

The court met pursuant to law.

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

The Chief Justice said:

The court reassembles again saddened by a vacant chair. Mr. Justice Jackson died at Nashville, Tenn., on the 8th day of August last. This was followed by the death of Mr. Justice Strong on the 19th day of the same month, who, during his retirement, had maintained his companionship with the members of the bench he had adorned.

It has been the immemorial usage for the court on the first day of the term—or first day upon which a quorum appeared—not to proceed in the transaction of business, but to adjourn to wait upon the President of the United States. The President is absent, and we shall follow the course pursued last year, namely, to dispose of such matters as may be properly brought before us. All motions not submitted to-day may be brought on to-morrow, and the usual order for the call of the docket that day will be entered.

The Hon. Richard Olney then addressed the court as follows:

I ask the indulgence of the court while I present my successor in the office of Attorney-General of the United States—Mr. Judson Harmon.

The Chief Justice responded:

The court parts with the retiring Attorney-General with regret, and is happy to welcome his successor. Let the commission of the Attorney-General of the United States be recorded.

Floyd Hughes, of Norfolk, Va.; Watson Andrews Sudduth, of Louisville, Ky.; William H. Middleton, of Harrisburg, Pa.; Charles A. Willard, of Minneapolis, Minn.; J. Nota McGill, of Washington, D. C.; Charles H. Bergner, of Harrisburg, Pa.; Morris D. Wickersham, of Mobile, Ala.; Abram Ralph Snow, of Washington, D. C.; and James A. D. Richards, of New Philadelphia, Ohio, were admitted to practice.

No. 558.—John Ansbro, plaintiff in error, *v.* The United States.

No. 573 and No. 574.—Warren F. Putnam, plaintiff in error, *v.* The United States. Motions to reassign submitted by Mr. Solicitor-General Conrad, for the defendants in error.

No. 722.—The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky et al. Motion to advance submitted by Mr. W. J. Hendrick, for the defendants in error.

No. ——. Original.—*Ex parte*: In the matter of The Sanford Fork and Tool Company et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. A. H. Snow, for the petitioners.

No. 32.—The City of New Orleans, appellant, *v.* The Texas and Pacific Railway Company et al. Passed for settlement on motion of Mr. William A. Maury, in behalf of counsel.

No. 415.—Charles Davis, plaintiff in error, *v.* The Elmira Savings Bank. Motion to fix day for reargument submitted by Mr. Edward Winslow Paige for the plaintiff in error.

No. 49.—The Dubuque and Sioux City Railroad Company, appellant, *v.* Morris K. Jesup, surviving trustee;

No. 50.—Morris K. Jesup, surviving trustee, appellant, *v.* The Illinois Central Railroad Company et al.; and

No. 54.—The Cedar Falls and Minnesota Railroad Company, appellant, *v.* The Illinois Central Railroad Company. Appearance of Joseph Sampson, trustee, in place of Morris K. Jesup, trustee, as party herein filed and entered, and causes continued on motion of Mr. B. F. Ayer for the Illinois Central Railroad Company. Leave granted to Mr. Francis B. Daniels to withdraw his appearance for the appellant in No. 54, on motion of Mr. B. F. Ayer, in his behalf.

No. 61.—William H. Robertson, collector, etc., plaintiff in error, *v.* Morris J. Drucker; and

No. 64.—Morris J. Drucker, plaintiff in error, *v.* William H. Robertson, collector, etc. In error to the circuit court of the United States for the southern district of New York. Judgment reversed and cause remanded with directions to proceed according to law, per stipulation of counsel, on motion of Mr. Solicitor-General Conrad, for the collector.

No. 106.—The United States, appellant, *v.* Charles Aulick, administrator, etc. Appeal from the Court of Claims. Dismissed on motion of Mr. Solicitor-General Conrad for the appellant.

No. 108.—The United States, appellant, *v.* John Q. Lovell. Appeal from the Court of Claims. Dismissed on motion of Mr. Solicitor-General Conrad for the appellant.

No. 249.—The United States, appellant, *v.* Daniel O. Finch. Appeal from the Court of Claims. Dismissed on motion of Mr. Solicitor-General Conrad for the appellant.

No. 71.—Eugene Beebe et al., plaintiffs in error, *v.* The United States. Appearance of William Beebe, Louisa Beebe, Walter Beebe, Aulia Mason, and Ida Beebe, heirs-at-law, and W. R. Waller, administrator of Eugene Beebe, deceased, filed and entered on motion of Mr. Solicitor-General Conrad, in behalf of counsel for the plaintiffs in error.

No. 162. The St. Louis and San Francisco Railway Company, plaintiff in error, *v.* Edward Lee. In error to the supreme court of the State of Arkansas. Dismissed with costs, on motion of Mr. A. B. Browne, for the plaintiff in error.

No. 163.—The St. Louis and San Francisco Railway Company, plaintiff in error, *v.* William Ryan. In error to the supreme court of the State of Arkansas. Dismissed, with costs, on motion of Mr. A. B. Browne, for the plaintiff in error.

No. 52.—William G. Taaks, surviving partner, etc., plaintiff in error, *v.* The State of North Carolina. Death of William G. Taaks suggested, and appearance of Mattie P. Baltzer and Ernest V. Baltzer, executrix and executor of Hermann R. Baltzer, deceased, and Johanna Taaks, executrix of William G. Taaks, deceased, as the parties plaintiffs in error herein, filed and entered on motion of Mr. A. B. Browne in behalf of counsel for plaintiffs in error.

No. 43.—Joseph Lalone et al., appellants, *v.* The United States. Motion for leave to complete the record herein submitted by Mr. A. B. Browne, for the appellants.

No. 772.—The Barber Asphalt Paving Company, plaintiff in error, *v.* The City of Harrisburg. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. William H. Middleton for the defendant in error in support of the petition and by Mr. A. S. Worthington and Mr. Charles H. Bergner for the plaintiff in error in opposition thereto.

No. 6, Original.—*Ex parte*: In the matter of The Keasbey and Mattison Company, petitioner. Submitted by Mr. Edward K. Jones in support of petition, and by Mr. William A. Abbott in opposition thereto.

No. 28.—The Bate Refrigerating Company, appellant, *v.* Daniel Toffey et al. Appeal from the circuit court of the United States for the district of New Jersey. Dismissed per stipulation.

No. 117.—The Illinois Central Railroad Company, plaintiff in error, *v.* The City of Mattoon. In error to the supreme court of the State of Illinois. Dismissed, with costs, on authority of counsel for plaintiff in error.

No. 122.—T. D. Steed, administrator, etc., plaintiff in error, *v.* The Norfolk and Western Railroad Company. In error to the circuit court of the United States for the western district of Virginia. Dismissed, with costs, on authority of counsel for the plaintiff in error.

No. 178.—The State of Washington *ex rel.* The Columbia and Puget Sound Railway Company, plaintiff in error, *v.* The Board of Harbor Line Commissioners. In error to the supreme court of the State of Washington. Dismissed per stipulation.

No. 192.—The Eastern Railway Company of Minnesota, plaintiff in error, John J. Moran. In error to the supreme court of the State of Minnesota. Dismissed with costs, per stipulation.

No. 222.—Edward Medler, appellant, *v.* The Albuquerque Hotel and Opera House Company et al. Appeal from the supreme court of the Territory of New Mexico. Dismissed, with costs, on authority of counsel for the appellant.

No. 274.—Harvey Booth et al., plaintiffs in error, *v.* William Crawford. In error to the supreme court of the Territory of Utah. Dismissed, with costs, on authority of counsel for plaintiffs in error.

No. 275.—The Western Union Telegraph Company, appellant, *v.* The City Council of Charleston et al. Appeal from the circuit court of the United States for the district of South Carolina. Dismissed with costs, on authority of counsel for appellants.

Adjourned until to-morrow at 12 o'clock.

The court will commence the call of the docket to-morrow, pursuant to the twenty-sixth rule. The day call for Tuesday, October 15, will be as follows: Nos. 1, 2, 3, 4, 5, 9, 15, 16, 17, and 24.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 15, 1895.

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

A. B. Roney, of Philadelphia, Pa.; Richard H. Cunningham, of Henderson, Ky.; Charles E. Joslin, of St. Paul, Minn.; Charles H. Baldwin, of Chicago, Ill.; Cecil H. Smith, of Sherman, Tex., and Joseph C. McAllister, of New Bloomfield, Pa., were admitted to practice.

No. 43.—Joseph Lalone et al., appellants, *v.* The United States. Passed.

No. 548.—James D. Shiver, plaintiff in error, *v.* The United States. Submitted by Mr. M. D. Wickersham and Mr. J. W. Smith for the plaintiff in error, and by Mr. Assistant Attorney-General Dickinson for the defendant in error. Leave granted counsel for the plaintiff in error to file additional brief by Friday.

No. 550.—Stephen M. Folsom, plaintiff in error, *v.* The United States. Submitted by Mr. C. A. Willard, Mr. Neill B. Field, and Mr. F. W. Clancy for the plaintiff in error, and by Mr. Solicitor-General Conrad for the defendant in error.

No. 552.—A. F. McDowell, plaintiff in error, *v.* The United States. Submitted by Mr. Assistant Attorney-General Dickinson for the defendant in error. No brief filed for the plaintiff in error.

No. 648.—George Pierce et al., plaintiffs in error, *v.* The United States;
No. 653.—David S. Stanley et al., plaintiffs in error, *v.* The United States;

No. 681.—John Stevenson, plaintiff in error, *v.* The United States;

No. 692.—Eli Lucas, plaintiff in error, *v.* The United States;

No. 693.—John Allison, plaintiff in error, *v.* The United States;

No. 694.—George W. Post, plaintiff in error, *v.* The United States;

No. 721.—Frank Carver, plaintiff in error, *v.* The United States; and,

No. 724.—The United States *ex rel.*, Charles D. Long, plaintiff in error, *v.* William Lochren, Commissioner of Pensions. Motions to advance submitted by Mr. Solicitor-General Conrad for the defendants in error.

No. 719.—George S. Moore, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Conrad for the defendant in error in support of motion, and by Mr. M. D. Wickersham for the plaintiff in error in opposition thereto.

No. 662.—The Western Union Telegraph Company, plaintiff in error, *v.* Thomas Taggart, auditor of Marion County, Ind., et al. Motion to advance submitted by Mr. William A. Ketcham for the defendants in error.

No. 734.—The Steamship *Centurion*, etc., appellants, *v.* The American Sugar Refining Company et al. Petition for writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. W. W. MacFarland for the appellees in support of the petition, and by Mr. George A. Black and Mr. J. Parker Kirlin for appellants in opposition thereto.

No. 550.—Stephen M. Folsom, plaintiff in error, *v.* The United States. Motion for leave to make oral argument herein submitted by Mr. Charles A. Willard for the plaintiff in error.

No. 776.—Erwin Davis, plaintiff in error, *v.* Angelica Wakelee; and,

No. 777.—Erwin Davis, plaintiff in error, *v.* Pierre B. Cornwall. Petition for writs of certiorari to the United States circuit court of appeals for the second circuit. Submitted by Mr. Walter S. Logan and Mr. Charles M. Demond for the plaintiff in error in support of the petition, and by Mr. Anson Maltby for defendants in error in opposition thereto.

No. 582.—Charles L. Borgmeyer, administrator, etc., plaintiff in error, *v.* William Idler et al. Motions to dismiss or affirm submitted by Mr. Edward H. Weil and Mr. M. Hampton Todd for the defendants in error in support of motions, and by Mr. Samuel F. Phillips, Mr. Frederic D. McKenney, and Mr. Henry R. Edmunds, for the plaintiff in error in opposition thereto.

No. 667.—The State of Missouri ex rel. the Laclede Gaslight Company, plaintiffs in error, *v.* Michael J. Murphy, street commissioner, etc. Motion to advance submitted by Mr. Henry Hitchcock in behalf of counsel for the defendants in error, Mr. Hitchcock for the plaintiffs in error consenting.

No. 4.—The Washington and Idaho Railroad Company, appellant, *v.* The Cœur d'Alene Railway and Navigation Company et al.; and

No. 5.—The Washington and Idaho Railroad Company, appellant, *v.* S. V. William Osborn. Passed for fifteen days on motion of Mr. Samuel Shellabarger, for the appellant.

No. 585.—The Washington and Idaho Railroad Company, plaintiff in error, *v.* The Coeur d'Alene Railway and Navigation Company et al. Advanced to be heard with Nos. 4 and 5 as one case on motion of Mr. Samuel Shellabarger for the plaintiff in error.

No. 759.—Fallbrook Irrigation District et al., appellants, *v.* Maria King Bradley and husband. Motion to advance to be heard with No. 110 submitted by Mr. Harry Hubbard in behalf of counsel.

No. 2—Original.—The State of Indiana, complainant, *v.* The State of Kentucky. Motion for the appointment of commissioners herein submitted by Mr. William A. Ketcham for the complainant and by Mr. Richard H. Cunningham for the defendant.

No. 9.—Harry C. McCarty et al., appellants, *v.* The Lehigh Valley Railroad Company. Passed on motion of Mr. Jerome Cary for the appellants.

No. 559.—The Central Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California; and

No. 560.—The Southern Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California. Motions to advance submitted by Mr. L. T. Michener in behalf of counsel for the defendants in error.

No. 757.—The Canton Insurance Company, Limited, et al., appellants, *v.* John MacIntyre, jr., et al.; and

No. 758. John MacIntyre, jr., et al., appellants, *v.* The Canton Insurance Company, Limited, et al. Petitions for writs of certiorari to the United States circuit court of appeals for the fourth circuit, submitted by Mr. Floyd Hughes and Mr. J. Parker Kirlin for the appellees in No. 757, and by Mr. Robert M. Hughes for the appellants in No. 758, in support of the petitions, and by Mr. Wilhelmus Mynderse for the appellants in No. 757, and appellees in No. 758 in opposition thereto.

No. 242.—The St. Louis and San Francisco Railway Company, plaintiff in error, *v.* Etta James. Submitted by Mr. George R. Peck, Mr. A. T. Britton, Mr. A. B. Browne, and Mr. E. D. Kenna for the plaintiff in error, and by Mr. Frank W. Hackett for the defendant in error.

No. 668.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee, for the use of the city of Memphis;

No. 669.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee and The County of Shelby;

No. 670.—The Mechanics' Savings Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

No. 671.—The Mechanics' Savings Bank et al., plaintiffs in error, *v.* The State of Tennessee and The County of Shelby;

No. 672.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

- No. 673.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee and the county of Shelby;
- No. 674.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;
- No. 675.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;
- No. 676.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;
- No. 677.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;
- No. 678.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;
- No. 679.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee and the county of Shelby;
- No. 690.—The German Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;
- No. 691.—The German Bank et al., plaintiffs in error, *v.* The State of Tennessee and the county of Shelby; and
- No. 766.—The County of Shelby et al., appellants, *v.* The Union and Planters' Bank. Motion to advance submitted by Mr. S. P. Walker, for the defendants in error and appellants.
- No. 746.—The Central Trust Company, of New York, appellant, *v.* The Richmond, Nicholasville, Irvine and Beattyville Railroad Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit. Submitted by Mr. Rozel Weissinger for the appellant in support of the petition, and by Mr. Alexander Pope Humphrey for the appellees in opposition thereto.
- No. 1.—W. W. Dunham, administrator, etc., et al., appellants, *v.* James E. Jones et al. Passed for ten days.
- No. 2.—The Southern Pacific Railroad Company of New Mexico, plaintiff in error, *v.* Teofilo Esquibel. In error to the supreme court of the Territory of New Mexico. Dismissed with costs pursuant to the nineteenth rule.
- No. 3.—Henry Deno, plaintiff in error, *v.* W. E. Griffin. Passed for ten days.
- No. 15.—Frank P. Dickson, appellant, *v.* Richard C. Patterson. Submitted by Mr. W. W. Morsman for the appellant, and by Mr. John L. Webster for the appellee.
- No. 17.—E. Nalle & Co., appellants, *v.* Wade R. Young et al. Submitted by Mr. C. J. Boatner for the appellants and by Mr. Wade R. Young for the appellee.

No. 24.—E. T. Pollard, appellant, *v.* The Bonsack Machine Company. Appeal from the circuit court of the United States for the western district of Virginia. Dismissed with costs, pursuant to the nineteenth rule.

No. 16.—Hymann Sonn et al., plaintiffs in error, *v.* Daniel Magone, collector, etc. Argued by Mr. H. E. Tremain for the plaintiffs in error and by Mr. Assistant Attorney-General Whitney for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 16, will be as follows: Nos. 25, 27, 29, 36, 38 (and 31), 40, 44, 45 (and 136), 53, and 56.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 16, 1895.

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

Percy Roberts, of New Orleans, La., was admitted to practice.

No. 718.—James Murray, alias “Greasy Jim,” plaintiff in error, *v.* The State of Louisiana. Motion for leave to proceed in forma pauperis and that record be printed at public expense, submitted by Mr. Thomas F. Maher, for the plaintiff in error.

No. 634.—Laura P. Duval et al., plaintiffs in error, *v.* The Pullman Palace Car Company. Petition for writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. J. L. Peeler for the plaintiffs in error in support of petition, and by Mr. Percy Roberts for the defendant in error in opposition thereto.

No. 775.—California Fig Syrup Company, appellants, *v.* Kate Gardner Putnam et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit, submitted by Mr. F. W. Lehman and Mr. Paul Bakewell, for the appellant in support of the petition.

No. 25.—Albert Price et al., plaintiffs in error, *v.* Elijah Chism. Passed for settlement.

No. 27.—P. F. Duffy, auditor, etc., et al., appellants, *v.* Alexander B. Green et al. Appeal from the circuit court of the United States for the district of West Virginia. Dismissed with costs pursuant to the tenth rule.

No. 29.—Louis A. Salomon et al., plaintiffs in error, *v.* W. H. Robertson, collector, etc. Passed.

No. 36.—George W. Patton & Co., plaintiffs in error, *v.* The United States. Argued by Mr. F. P. Prichard for the plaintiffs in error and by Mr. Assistant Attorney-General Whitney for the defendant in error.

Nos. 31 and 38.—The Winona and St. Peter Land Company, plaintiff in error, *v.* The State of Minnesota. Argued by Mr. James A. Tawney for the plaintiff in error and by Mr. H. W. Childs for the defendant in error.

No. 40.—The Washington Gaslight Company, plaintiff in error *v.* The District of Columbia. Argument commenced by Mr. Walter D. Davidge for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 17, will be as follows: Nos. 40, 44, 45 (and 136), 53, 56, 60, 62, 63, 65, and 66.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 17, 1895.

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

William H. Baker, of Boston, Mass., was admitted to practice.

No. 168.—George E. Shute, sheriff, etc., et al., appellants, *v.* William Keyser. Appeal from the supreme court of the Territory of Arizona. Dismissed per stipulation, each party to pay one-half the costs in this court.

No. 62.—W. B. Eldridge, appellant, *v.* Peter J. Trezevant et al. Submitted by Mr. Wade R. Young for the appellant and by Mr. M. J. Cunningham for the appellees.

No. 63.—The State of Wisconsin ex rel. John R. Baltzell, plaintiff in error, *v.* Robert G. Siebecker, circuit judge, etc. Passed.

No. 40.—The Washington Gaslight Company, plaintiff in error, *v.* The District of Columbia. Argument continued by Mr. Walter D. Davidge for the plaintiff in error, by Mr. S. T. Thomas and Mr. Andrew B. Duvall for the defendant in error, and concluded by Mr. William B. Webb for the plaintiff in error.

No. 44.—Charles A. Weeks, plaintiff in error, *v.* Coleman Bridgman. Argued by Mr. M. D. Grover for the plaintiff in error. No counsel appeared for the defendant in error.

No. 45.—The United States, appellant, *v.* The State of New York, and

No. 136.—The State of New York, appellant, *v.* The United States. Argument commenced by Mr. David B. Hill for the State of New York.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 18, will be as follows: Nos. 45 (and 136), 53, 56, 60, 65, 66, 67, 69, 70, and 71.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 18, 1895.

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

Richard B. Blake, of Spokane, Wash., was admitted to practice.

No. 162.—The St. Louis and San Francisco Railway Company, plaintiff in error, *v.* Edward Lee; and

No. 163.—The St. Louis and San Francisco Railway Company, plaintiff in error, *v.* William Ryan. Mandates granted on motion of Mr. Rufus C. Garland for the defendants in error.

No. 152.—The Northern Pacific Railroad Company, plaintiff in error, *v.* H. W. Nickels. In error to the United States circuit court of appeals for the eighth circuit. Dismissed per stipulation and cause remanded to the circuit court of the United States for the district of Minnesota.

No. 69.—F. M. Thorp et al., appellants, *v.* The Tenam Ditch Company. Appeal from the supreme court of the State of Washington. Dismissed with costs pursuant to the tenth rule.

No. 45.—The United States, appellant, *v.* The State of New York; and

No. 136.—The State of New York, appellant, *v.* The United States. Argument continued by Mr. Assistant Attorney-General Whitney for the United States, and concluded by Mr. David B. Hill for the State of New York.

No. 53.—The Baltimore and Ohio Railroad Company, plaintiff in error, *v.* Emma Griffith. Argued by Mr. John K. Cowen, for the plaintiff in error, and by Mr. Samuel M. Hunter, for the defendant in error.

No. 60.—The Farmers' Loan and Trust Company, appellant, *v.* The Chicago, Portage and Superior Railway Company et al. One hour additional time allowed each side in the argument of this cause, on motion of Mr. Thomas Ewing, for the appellant. Argument commenced by Mr. Milton I. Southard, for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 21, will be as follows: Nos. 60, 67, 378, 391, 3, original; 429, 196, 528 (and 529), 573, 424, and all other cases which have been specially assigned for that day.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 21, 1895.

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

William N. Cohen, of New York City; Morton Jourdan, of Jefferson City, Mo.; Luman F. Parker, of St. Louis, Mo.; Edwin W. Spalding, of Washington, D. C.; Winfield S. Strawn, of Omaha, Nebr.; George Hebard Maxwell, of San Francisco, Cal.; Robert W. Stewart, of Pierre, S. Dak.; Charles F. Consaul, of Washington, D. C., and Cornelius J. Jones, of Greenville, Miss., were admitted to practice.

No. 11.—Charles E. Simmons, trustee, et al., appellants, *v.* The Burlington, Cedar Rapids and Northern Railway Company et al.; and

No. 12.—The Burlington, Cedar Rapids and Northern Railway Company, appellant, *v.* Charles E. Simmons, trustee. Appeals from the circuit court of the United States for the southern district of Iowa. Decree under the amended and supplemental crossbill reversed, the costs in the circuit court and in this court to be paid by the appellants in No. 11, Charles E. Simmons, trustee, et al., and cause remanded with directions to enter a decree in accordance with the opinion of this court. Opinion by Mr. Justice Shiras. (Mr. Justice Brewer took no part in the hearing or decision of this case.)

No. 59.—The Dr. S. A. Richmond Nervine Company, appellant, *v.* Samuel A. Richmond. Appeal from the circuit court of the United States for the southern district of Illinois. Decree reversed with costs, and cause remanded for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Brown.

No. 26.—James Gilfillan et al., appellants, *v.* Henry E. McKee et al.; and

No. 46.—John D. McPherson, executor and appellant, *v.* Henry E. McKee et al. Appeals from the supreme court of the District of Columbia. Decree reversed and cause remanded for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Brown.

No. 33.—Henry E. McKee, appellant, *v.* Robert Lamon, administrator, etc., and

No. 34.—Robert Lamon, administrator, etc., et al., appellants, *v.* Henry E. McKee. Appeals from the supreme court of the District of Columbia. Decree reversed. Each appellant to pay one-half of the costs in this court, and cause remanded for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Brown.

No. 35.—Henry E. McKee, appellant, *v.* Charlotte V. Latrobe, executrix, etc. Appeal from the supreme court of the District of Columbia. Decree affirmed, with costs and interest. Opinion by Mr. Justice Brown.

No. 20.—The Sioux City and St. Paul Railroad Company et al., appellants, *v.* The United States. Appeal from the circuit court of the United States for the northern district of Iowa. Decree affirmed. Opinion by Mr. Justice Harlan.

No. 47.—The Chicago, Milwaukee and St. Paul Railway Company, appellant, *v.* The United States et al. Appeal from the circuit court of the United States for the northern district of Iowa. Decree affirmed. Opinion by Mr. Justice Harlan.

No. 30.—The Sioux City and St. Paul Railroad Company, plaintiff in error, *v.* Lewis Countryman et al. In error to the supreme court of the State of Iowa. Judgment affirmed, with costs. Opinion by Mr. Justice Harlan.

No. 37.—Robert McCormick, plaintiff in error, *v.* J. D. Hayes. In error to the supreme court of the State of Iowa. Judgment reversed, with costs, and cause remanded for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 18.—William A. Sweet et al., plaintiffs in error, *v.* Christian Rechel. In error to the circuit court of the United States for the district of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

The Chief Justice announced the following orders of the court:

No. 614.—Brooke Mackall, appellant, *v.* Westel Willoughby. Motion to vacate supersedeas granted.

No. 638.—William Law et al., appellants, *v.* The Steamship *Trave*, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 639.—Josephine W. Wupperman, appellant, *v.* The Steamship *Carib Prince*, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 415.—Charles Davis, plaintiff in error, *v.* The Elmira Savings Bank. Assigned for reargument on the first Monday of January next after the cases already set down for that day.

No. 550.—Stephen M. Folsom, plaintiff in error, *v.* The United States. Motion for leave to make oral argument herein granted, and cause assigned for hearing on the third Monday in November next, after the case already set down for that day.

No. 558.—John Ansbro, plaintiff in error, *v.* The United States. Reassigned for argument on the third Monday of November next, after the cases already set down for that day.

No. 573.—Warren F. Putnam, plaintiff in error, *v.* The United States; and

No. 574.—Warren F. Putnam, plaintiff in error, *v.* The United States. Reassigned for argument on the first Monday in January next, after the cases already set down for that day.

No. 722.—The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky et al. Motion to advance granted and cause assigned for argument on the first Monday in January next, after the cases already set down for that day.

No. 772.—The Barber Asphalt Paving Company, plaintiff in error, *v.* The City of Harrisburg. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. —. Original. *Ex parte*: In the matter of The Sanford Fork and Tool Company et al., petitioners. Motion for leave to file petition for a writ of mandamus granted, and rule to show cause awarded, returnable on the fourth Monday of November next.

No. 559.—The Central Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California; and

No. 560.—The Southern Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California. Motion to advance granted, and cases assigned for argument on the first Monday in January next, after the cases already set down for that day.

No. 653.—David S. Stanley et al., plaintiffs in error, *v.* Mary U. Schwalby et al. Motion to advance granted, and cause assigned for argument on the first Monday in January next, after the cases already set down for that day.

No. 648.—George Pierce et al., plaintiffs in error, *v.* The United States;

No. 681.—John Stevenson, plaintiff in error, *v.* The United States;

No. 692.—Eli Lucas, plaintiff in error, *v.* The United States;

No. 693.—John Allison, plaintiff in error, *v.* The United States; and

No. 721.—Frank Carver, plaintiff in error, *v.* The United States. Motions to advance granted, and cases assigned for argument on the third Monday of November next, after the cases already set down for that day.

No. 694.—George W. Post, plaintiff in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on the third Monday of January next.

No. 724.—The United States *ex rel.* Charles D. Long, plaintiff in error, *v.* William Lochren, Commissioner of Pensions. Motion to advance granted and cause assigned for argument on the third Monday in January next, after the case already set down for that day.

No. 662.—The Western Union Telegraph Company, plaintiff in error, *v.* Thomas Taggart, auditor of Marion County, Ind., et al. Motion to advance granted and cause assigned for argument on the first Monday in January next, after the cases already set down for that day.

No. 667.—The State of Missouri *ex rel.* The Laclede Gaslight Company, plaintiff in error, *v.* Michael J. Murphy, street commissioner, etc. Motion to advance granted, and cause assigned for argument on the first Monday of January next after the cases already set down for that day.

No. 668.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee, for the use of the city of Memphis;

No. 669.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee and The County of Shelby;

No. 670.—The Mechanics' Savings Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

No. 671.—The Mechanics' Savings Bank et al., plaintiffs in error, *v.* The State of Tennessee and The County of Shelby;

No. 672.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

No. 673.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 674.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

No. 675.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 676.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

No. 677.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 678.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

No. 679.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee and the county of Shelby;

No. 690.—The German Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

No. 691.—The German Bank et al., plaintiffs in error, *v.* The State of Tennessee and the county of Shelby; and

No. 766.—The County of Shelby et al., appellants, *v.* The Union and Planters' Bank. Motion to advance granted, and cases assigned for argument as one case on the first Monday of January next after the cases already set down for that day.

No. 719.—George S. Moore, plaintiff in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on the third Monday of November next, after the cases already set down for that day.

No. 734.—The Steamship Centurion, etc., appellant, *v.* The American Sugar Refining Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 757.—The Canton Insurance Company, Limited, et al., appellants, *v.* John MacIntyre, jr., et al.;

No. 758.—John MacIntyre, jr., et al., appellants, *v.* The Canton Insurance Company, Limited, et al. Petitions for writs of certiorari to the United States circuit court of appeals for the fourth circuit granted.

No. 110.—William Tregoe, plaintiff in error, *v.* The Board of Directors of the Modesto Irrigation District. Assigned for reargument on the first Monday of January next, after the cases already set down for that day.

No. 759.—Fallbrook Irrigation District et al., appellants, *v.* Maria King Bradley et vir. Motion to advance granted and cause assigned for argument with No. 110, on the first Monday of January next.

No. 776.—Erwin Davis, plaintiff in error, *v.* Angelica Wakelee; and

No. 777.—Erwin Davis, plaintiff in error, *v.* Pierce B. Cornwall. Petition for writs of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 634.—Laura P. Duval et al., plaintiffs in error, *v.* The Pullman Palace Car Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 775.—California Fig Syrup Company, appellant, *v.* Kate Gardner Putnam et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 718.—James Murray, alias "Greasy Jim," plaintiff in error, *v.* The State of Louisiana. Motion for leave to proceed in forma pauperis and that record be printed at public expense granted.

No. 342.—William M. Fishback et al., appellants, *v.* The Pacific Express Company. Submission set aside and cause assigned for oral argument on the first Monday of January next, after the cases already set down for that day.

No. 2.—Original. The State of Indiana, complainant, *v.* The State of Kentucky. Motion to appoint commissioners granted, and Gustave V. Menzies, Gaston M. Alves, and Amos Stickney appointed commissioners to ascertain and run the boundary line between the said States of Indiana and Kentucky, as designated in the opinion of this court heretofore filed and judgment and decree heretofore entered herein.

No. 619.—George E. Whitten, appellant, *v.* Charles A. Tomlinson, sheriff, etc. Motion to advance submitted by Mr. Edward H. Rogers, for the appellee, in support of motion.

No. 94.—John Keane, plaintiff in error, *v.* Ann Sophia Brygger, executrix, etc., et al. Motions to dismiss or affirm submitted by Mr. M. D. Brainard, Mr. Charles K. Jenner, and Mr. Louis Henry Legg in support of motion, and by Mr. Samuel F. Phillips and Mr. Frederic D. McKenney in opposition thereto.

No. 434.—The Raven Gold Mining Company, appellant, *v.* The Miners' Union of the town of Altman et al. Advanced for submission as under the thirty-second rule on motion of Mr. Frederic D. McKenney, in behalf of counsel.

No. 771.—Theodore Lambert, appellant, *v.* George Barrett, sheriff, etc. Motion to advance submitted by Mr. Wilson H. Jenkins, for the appellee, in support of motion.

No. 1.—William W. Dunham, administrator, etc., et al., appellants, *v.* James E. Jones et al. Stipulation to make new parties submitted by Mr. W. Hallett Phillips, in behalf of counsel.

No. 391.—Charlotte Ewer, plaintiff in error, *v.* The People of the State of New York. Passed.

No. 246.—Daniel A. Bucklin, appellant, *v.* The United States; and

No. 572.—Daniel A. Bucklin, plaintiff in error, *v.* The United States. Submitted by Mr. Thomas T. Taylor for the appellant and plaintiff in error, and by Mr. Assistant Attorney-General Dickinson for the appellee and defendant in error.

No. 567.—Dan K. Swearingen, plaintiff in error, *v.* The United States. Submitted by Mr. J. D. McCleverty for the plaintiff in error, and by Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 620.—Crawford Goldsby, alias "Cherokee Bill," plaintiff in error, *v.* The United States. Submitted with leave to counsel for plaintiff in error to file briefs within twenty days, and to counsel for the defendant in error to file brief within ten days thereafter.

No. 633.—Charles Thiede, plaintiff in error, *v.* The People of the Territory of Utah. Submitted by Mr. Assistant Attorney-General Dickinson for the defendants in error. No brief filed for the plaintiff in error.

No. 60.—The Farmers' Loan and Trust Company, appellant, *v.* The Chicago, Portage and Superior Railway Company et al. Argument continued by Mr. Milton I. Southard for the appellant and by Mr. Thomas Wilson for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 22, will be as follows: Nos. 60, 67, 378, 3 (original), 429, 196, 528 (and 529), 424, 547, and 479.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 22, 1895.

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

J. Duross O'Bryan, of Pittsburg, Pa., was admitted to practice.

The Chief Justice announced the following order of the court:

No. 771.—Theodore Lambert, appellant, *v.* George Barrett, sheriff, etc. Motion to advance granted and cause assigned for argument on the first Monday of November next.

No. 765.—Theodore F. Brown, appellant, *v.* John W. Walker, United States marshal, etc. Motion to advance submitted by Mr. Assistant Attorney-General Dickinson for the appellee.

No. 366.—James Stewart, plaintiff in error, *v.* Daniel S. C. McHarry. Submitted pursuant to the twentieth rule, by Mr. E. W. McGraw and Mr. Theodore Wagner for the plaintiff in error, and by Mr. Charles E. Wilson for the defendant in error.

No. 479. Clay Peters, plaintiff in error, *v.* The United States. In error to the supreme court of the Territory of Oklahoma. Dismissed pursuant to the tenth rule.

No. 60. The Farmers' Loan and Trust Company, appellant, *v.* The Chicago, Portage and Superior Railway Company et al. Argument continued by Mr. Thomas Wilson for the appellees and concluded by Mr. Thomas Ewing and Mr. Milton I. Southard for the appellant.

No. 67.—H. T. Cowley, appellant, *v.* The Northern Pacific Railroad Company. Argued by Mr. R. B. Blake for the appellant, and submitted by Mr. A. H. Garland and Mr. W. J. Curtis for the appellee.

No. 378.—The United States, appellant, *v.* Benjamin Healy. Argument commenced by Mr. Assistant Attorney-General Dodge for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 23, will be as follows: Nos. 378, 3 (original), 429, 196, 528 (and 529), 424, 547, 514, 517, and 493.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 23, 1895.

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

B. H. Moss, of Orangeburg, S. C.; John M. Chretien, of San Francisco, Cal., and Surville J. De Lan, of Glenwood Springs, Colo., were admitted to practice.

No. 514.—The Flournoy Live Stock and Real Estate Company, appellant, *v.* William H. Beck. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed with costs pursuant to the tenth rule, and cause remanded to the circuit court of the United States for the district of Nebraska.

No. 609.—Webber Isaacs, plaintiff in error, *v.* The United States. Submitted by Mr. Assistant Attorney-General Dickinson for the defendant in error. No appearance for the plaintiff in error.

No. 378.—The United States, appellant *v.* Benjamin Healy. Argument continued by Mr. Harvey Spalding for the appellee, and concluded by Mr. Assistant Attorney-General Dodge for the appellant.

No. 3, original.—The United States, complainant, *v.* The State of Texas. Two hours' additional time allowed each side in the argument of this case, and leave granted to three counsel to be heard on each side on motion of Mr. Attorney-General Harmon for the complainant. Argument commenced by Mr. Attorney-General Harmon for the complainant and continued by Mr. George Clark for the defendant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 24, will be as follows: Nos. 3 (original), 429, 196, 528 (and 529), 424, 547, 517, 493, 571, and 593.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 24, 1895.

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

Eddy Knapp, of San Francisco, Cal., was admitted to practice.

No. 571.—George L. Wheeler, plaintiff in error, *v.* The United States. Submitted by Mr. Assistant Attorney-General Whitney for the defendant in error. No counsel appeared for the plaintiff in error.

No. 3 (original).—The United States, complainant, *v.* The State of Texas. Argument continued by Mr. George Clark for the defendant, by Mr. Solicitor-General Conrad for the complainant, and by Mr. M. M. Crane for the defendant.

Adjourned until to-morrow, at 12 o'clock.

The day call for Friday, October 25, will be as follows: Nos. 3 (original), 429, 196, 528 (and 529), 424, 547, 517, 493, 593, and 623.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 25, 1895.

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

No. 3 (original).—The United States, complainant, *v.* The State of Texas. Argument continued by Mr. M. M. Crane and Mr. A. H. Garland for the defendant, and concluded by Mr. Edgar Allan for the complainant.

No. 429.—Santiago Ainsa, administrator, etc., et al., appellants, *v.* The United States. Leave to three counsel to be heard for the appellee in the argument of this case on motion of Mr. Solicitor-General Conrad for the appellee. Argument commenced by Mr. Rochester Ford for the appellant.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, October 28, will be as follows: Nos. 429, 196, 528 (and 529), 424, 547, 517, 493, 593, 623, and 1.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 28, 1895.

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

Branch K. Miller, of New Orleans, La., was admitted to practice.

The Chief Justice announced the following orders of the court:

No. 746.—The Central Trust Company of New York, appellant, *v.* The Richmond, Nicholasville, Irvine and Beattyville Railroad Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 1.—William W. Dunham, administrator, etc., et al., appellants, *v.* James E. Jones et al. C. C. Burr and Jacob Bigler, administrator of James E. Jones, deceased, made parties appellees herein, per stipulation of counsel.

No. 94.—John Keane, plaintiff in error, *v.* Anna Sophia Brygger, executrix, etc., et al. Motions to dismiss or affirm postponed to the hearing on the merits.

No. 619.—George E. Whitten, appellant, *v.* Charles A. Tomlinson, sheriff, etc. Motion to advance granted, and cause assigned for argument on the third Monday of November next, after the cases already set down for that day.

No. 765.—Theodore F. Brown, appellant, *v.* John W. Walker, United States marshal, etc. Motion to advance granted and cause assigned for argument on the first Monday of March next.

No. 771.—Theodore Lambert, appellant, *v.* George Barrett, sheriff, etc. Reassigned for argument on the second Monday in November next.

No. 582.—Charles L. Borgmeyer, administrator of the estate of Alexander Chataing, deceased, plaintiff in error, *v.* William Idler and John W. Hazeltine, administrators de bonis non of Jacob Idler, deceased. In error to the United States circuit court of appeals for the third circuit. Dismissed for the want of jurisdiction, and cause remanded to the circuit court of the United States for the eastern district of Pennsylvania. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced to the bar that the court would take a recess from Friday, November 1, to Monday, November 11, next.

No. 514.—The Flournoy Live Stock and Real Estate Company, appellant, *v.* William H. Beck. Mandate granted on motion of Mr. Solicitor-General Conrad for the appellee.

No. 551.—Chin Yuen Sing, appellant, *v.* James T. Kilbreth, collector, etc. Motion to advance submitted by Mr. Solicitor-General Conrad for the appellee.

No. 227.—Bob Talton, appellant, *v.* Wash. Mayes, high sheriff, etc. Motion for leave to proceed in forma pauperis submitted by Mr. L. D. Yarrell for the appellant.

No. 643.—E. J. Peck et al., trustees, plaintiffs in error, *v.* Christian Heurich. Motion to advance submitted by Mr. Franklin H. Mackey for the plaintiffs in error.

No. 631.—John D. Warner, appellant, *v.* The City of New Orleans. Submitted, as under the thirty-second rule, by Mr. Richard De Gray, Mr. J. D. Rouse, and Mr. William Grant for the appellant, and by Mr. B. K. Miller for the appellee. Motion for leave to make oral argument herein submitted by Mr. B. K. Miller for the appellee.

No. 637.—W. J. Faust, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Rufus C. Garland for the plaintiff in error.

No. 255.—Benjamin R. Forman, plaintiff in error, *v.* Mrs. Rose Chopin et al. Suggestion of diminution of the record herein and motion for a writ of certiorari submitted by Mr. William A. Maury for the plaintiff in error.

No. 710.—Charley Smith, plaintiff in error, *v.* The State of Mississippi;

No. 711.—John Gibson, plaintiff in error, *v.* The State of Mississippi. Motion for leave to proceed in forma pauperis in these cases submitted by Mr. E. M. Hewlett for the plaintiffs in error.

No. 684.—The Detroit Citizens' Street Railway Company et al., appellants, *v.* The City of Detroit. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit, submitted by Mr. C. A. Kent and Mr. Benton Hanchett for the appellee in support of the petition, and by Mr. H. M. Duffield, Mr. Michael Brennan, Mr. John C. Donnelly, Mr. Ashley Pond, Mr. Fred. A. Baker, and Mr. James C. Carter for the appellants in opposition thereto.

No. 745.—The United States, appellant, *v.* The American Bell Telephone Company et al. Motion to dismiss submitted by Mr. James J. Storrow and Mr. F. P. Fish in support of motion, and by Mr. Causten Browne and Mr. R. S. Taylor in opposition thereto.

No. 732.—Lawrence P. Mills, appellant, *v.* W. Briggs Green. Motion to dismiss submitted by Mr. William A. Barber and Mr. Edward McCrady in support of motion, and by Mr. Henry N. Obear in opposition thereto.

No. 1.—William W. Dunham, administrator, etc., et al., appellants, *v.* C. C. Burr et al. Submitted by Mr. S. S. Gregory, Mr. W. M. Booth, and Mr. James S. Harlan for the appellants, and by Mr. N. S. Harwood, Mr. John H. Ames, and Mr. C. O. Whedon for the appellees.

No. 429.—Santiago Ainsa, administrator, etc., et al., appellants, *v.* The United States. Argument continued by Mr. Rochester Ford for the appellants, by Mr. Solicitor-General Conrad, Mr. Matt G. Reynolds, and Mr. L. F. Parker for the appellee, and concluded by Mr. Rochester Ford for the appellants.

No. 196.—The United States, appellant, *v.* Juan Chaves et al. Argued by Mr. Matt G. Reynolds and Mr. Solicitor-General Conrad for the appellant. No counsel appeared for the appellees.

No. 547. A. W. Ballew, plaintiff in error, *v.* The United States. Argued by Mr. W. C. Glenn for the plaintiff in error, and by Mr. Assistant Attorney-General Whitney for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 29, will be as follows: Nos. —, 424, 528 (and 529), 517, 493, 593, 623, 588, 325, 352, and 3.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 29, 1895.

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

John L. Thomas, of De Soto, Mo., and Elbridge R. Anderson, of Boston, Mass., were admitted to practice.

No. 402 and No. 403.—The Chicago, Burlington and Quincy Railroad Company, plaintiff in error, *v.* The City of Chicago. Advanced to be heard with No. 104 as one case, and in the time of one case, on motion of Mr. A. B. Browne in behalf of counsel.

No. 104.—The Chicago and Northwestern Railway Company, plaintiff in error, *v.* The City of Chicago. Passed subject to the provisions of section 9 of rule 26 on motion of Mr. A. B. Browne in behalf of counsel.

No. 645.—Elverton R. Chapman, appellant and plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. A. A. Hoehling for the appellant and plaintiff in error.

No. 3.—Henry Deno, plaintiff in error, *v.* W. E. Griffin. In error to the supreme court of the State of Nevada. Dismissed with costs, the case having abated.

No. 424.—Lew Rosen, plaintiff in error, *v.* The United States. Argued by Mr. William N. Cohen for the plaintiff in error and by Mr. Assistant Attorney-General Whitney for the defendant in error.

Nos. 528 and 529.—John H. Durland, plaintiff in error, *v.* The United States. Argued by Mr. Hampton L. Carson and Mr. James M. Beck for the plaintiff in error and by Mr. Assistant Attorney-General Whitney and Mr. Attorney-General Thomas for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 30, will be as follows: Nos. 517, 493, 593, 623, 588, 325, 352, 413, 608, and 616.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 30, 1895.

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

William A. McLean, of Jacksonville, Fla., was admitted to practice.

No. 531.—John G. Moore, appellant, *v.* Joseph S. Miller, Commissioner of Internal Revenue. Appeal from the court of appeals of the District of Columbia. Dismissed with costs, on motion of Mr. Samuel Shellabarger, for the appellant.

No. 219.—Rufus E. Graves, plaintiff in error, *v.* The United States. Continued on motion of Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 156.—John H. McBride, appellant, *v.* The Grand Detour Plow Company et al. Continued per stipulation.

No. 297.—The Minneapolis, St. Paul and Sault Ste. Marie Railway Company, plaintiff in error, *v.* The Farwell Farmers' Warehouse Association. In error to the supreme court of the State of Minnesota. Dismissed per stipulation.

No. 608.—Charles Smith, plaintiff in error, *v.* The United States. Reassigned for argument on the third Monday of November after cases already set down for that day, on motion of Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 517.—W. H. Clune et al., plaintiffs in error, *v.* The United States. Argued by Mr. Robert Christy for the plaintiffs in error and by Mr. Attorney-General Harmon for the defendant in error.

No. 493.—Frank Moore, plaintiff in error, *v.* The State of Missouri. Argued by Mr. Charles T. Noland for the plaintiff in error, and submitted by Mr. R. F. Walker and Mr. Morton Jourdan for the defendant in error.

No. 593.—Dennis Davis, plaintiff in error, *v.* The United States. Submitted by Mr. Assistant Attorney-General Dickinson for the defendant in error. No counsel appeared for the plaintiff in error.

No. 623.—Louis F. Streep, plaintiff in error, *v.* The United States.
Argument commenced by Mr. C. C. Lancaster for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 31, will be as follows: Nos. 623,
588, 325, 352, 413, 616, 4 (and 5 and 585), 9, 56, and 65.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 31, 1895.

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

E. Burke Holladay and Frank P. Kelly, of San Francisco, Cal., and L. H. Poole, of Washington, D. C., were admitted to practice.

No. 623.—Louis F. Streep, plaintiff in error, *v.* The United States. Argument continued by Mr. Assistant Attorney-General Dickinson for the defendant in error, and concluded by Mr. C. C. Lancaster for the plaintiff in error.

No. 588.—Rose L. Saltonstall et al., executors, etc., plaintiffs in error, *v.* Joseph Birtwell. Argument commenced by Mr. Assistant Attorney-General Whitney for the plaintiffs in error, and continued by Mr. J. P. Tucker for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 1, will be as follows: Nos. 588, 616, 56, 325, 352, 413, 4 (and 5 and 585), 9, 65, and 66.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 1, 1895.

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

No. 566.—The People of the State of California, plaintiff in error, *v.* S. W. Holladay et al. Motion to dismiss submitted by Mr. S. W. Holladay and Mr. E. Burke Holladay in support of motion, and by Mr. William Matthews and Mr. William Craig in opposition thereto.

No. 588.—Rose L. Saltonstall et al., executors, etc., plaintiffs in error, *v.* Joseph Birtwell. Argument continued by Mr. J. P. Tucker and Mr. Edward Hartley for defendant in error, and concluded by Mr. Assistant Attorney-General Whitney for the plaintiffs in error.

No. 616.—George Goode, plaintiff in error, *v.* The United States. Argued by Mr. Elbridge R. Anderson for the plaintiff in error, and by Mr. Assistant Attorney-General Whitney for the defendant in error. Leave granted to counsel for plaintiff in error to file additional on or before Wednesday next.

No. 56.—Louis Dejonge et al., plaintiffs in error, *v.* Daniel Magone, collector, etc. Argued by Mr. Albert Comstock for the plaintiffs in error, and by Mr. Assistant Attorney-General Whitney for the defendant in error.

Adjourned until Monday, November 11, at 12 o'clock.

The day call for Monday, November 11, will be as follows: Nos. 325, 352, 413, 4 (and 5 and 585), 9, 65, 66, 771, 70, and 71.



SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 11, 1895.

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

H. S. K. Morison, of Gate City, Va.; Henry C. Willcox, of New York City; S. M. Gardenhire, of Topeka, Kans.; Leon Tobriner, of Washington, D. C.; Charles C. Burlingham, of New York City; Frank M. Estes, of St. Louis, Mo., and Lebbeus R. Wilfley, of St. Louis, Mo., were admitted to practice.

No. 57.—The Thorn Wire Hedge Company, appellant, *v.* The Washburn and Moen Manufacturing Company; and

No. 58.—The Washburn and Moen Manufacturing Company, appellant, *v.* The Thorn Wire Hedge Company. Appeals from the circuit court of the United States for the northern district of Illinois. Decree affirmed, the costs in this court to be paid by the appellant in each case. Opinion by Mr. Justice Shiras.

No. 196.—The United States, appellant, *v.* Juan Chaves et al. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice Shiras.

No. 310 of 1894.—Edward S. Richards, appellant, *v.* The Chase Elevator Company et al.;

No. 311 of 1894.—Edward S. Richards, appellant, *v.* The Michigan Central Railroad Company et al.; and

No. 312 of 1894.—Edward S. Richards, appellant, *v.* The Chicago and Grand Trunk Railroad Company et al. Petitions for rehearing denied, and order withholding the mandates vacated. Opinion by Mr. Justice Brown.

No. 10.—The Consolidated Electric Light Company, appellant, *v.* The McKeesport Light Company. Appeal from the circuit court of the United States for the western district of Pennsylvania. Decree affirmed with costs. Opinion by Mr. Justice Brown.

No. 36.—George W. Patton et al., plaintiffs in error, *v.* The United States. In error to the circuit court of the United States for the eastern district of Pennsylvania. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 548.—James D. Shiver, plaintiff in error, *v.* The United States. On a certificate from the United States circuit court of appeals for the fifth circuit. First question answered in the negative, and the second in the affirmative. Opinion by Mr. Justice Brown.

No. 609.—Webber Isaacs, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 571.—George L. Wheeler, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the eastern district of Texas. Judgment affirmed. Opinion by Mr. Justice Brewer.

No. 633.—Charles Thiede, plaintiff in error, *v.* The People of the Territory of Utah. In error to the supreme court of the Territory of Utah. Judgment affirmed. Opinion by Mr. Justice Brewer.

No. 31.—The Winona and St. Peter Land Company, plaintiff in error, *v.* The State of Minnesota. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 38.—The Winona and St. Peter Land Company, plaintiff in error, *v.* The State of Minnesota. In error to the supreme court of the State of Minnesota. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brewer.

No. 239 of 1894.—The Central Land Company of West Virginia, plaintiff in error, *v.* John B. Laidly. Order staying mandate vacated. Announced by Mr. Justice Gray.

No. 566.—The People of the State of California, plaintiffs in error, *v.* S. W. Holladay et al. In error to the supreme court of the State of California. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 16.—Hyman Sonn et al., etc., plaintiffs in error, *v.* Daniel Magone, collector of the port of New York. In error to the circuit court of the United States for the southern district of New York. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 44.—Charles A. Weeks, plaintiff in error, *v.* Coleman Bridgman. In error to the supreme court of the State of Minnesota. Judgment affirmed, with costs. Opinion by Mr. Chief Justice Fuller.

No. 745.—The United States, appellant, *v.* The American Bell Telephone Company et al. Motion to dismiss denied. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Gray took no part in the consideration and decision of this motion.)

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

No. 631.—John D. Warner, appellant, *v.* The City of New Orleans. Motion for leave to make oral argument herein granted.

No. 227.—Bob Talton, appellant, *v.* Wash. Mayes, high sheriff, etc. Motion for leave to proceed in forma pauperis and that record be printed at public expense granted.

No. 255.—Benjamin R. Forman, plaintiff in error, *v.* Mrs. Rose Chopin et al. Motion for writ of certiorari to bring up additional record granted, subject to all objections to the record when returned in obedience to the writ.

No. 551.—Chin Yuen Sing, appellant, *v.* James T. Kilbreth, collector, etc. Motion to advance granted, and cause assigned for argument on the first Monday of March next, after the case already set down for that day.

No. 637.—W. J. Faust, plaintiff in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on the first Monday of January next, after the cases already set down for that day.

No. 643.—E. J. Peck et al., trustees, plaintiffs in error, *v.* Christian Heurich. Motion to advance denied.

No. 684.—The Detroit Citizens' Street Railway Company et al., appellants, *v.* The City of Detroit. Petition for writ of certiorari to the United States circuit court of appeals for the sixth circuit denied. (Mr. Justice Brown took no part in the consideration and determination of this petition.)

No. 710.—Charley Smith, plaintiff in error, *v.* The State of Mississippi; and

No. 711.—John Gibson, plaintiff in error, *v.* The State of Mississippi. Motions for leave to proceed in forma pauperis granted and records ordered to be printed at public expense.

No. 645.—Elverton R. Chapman, appellant and plaintiff in error, *v.* The United States. Motion to advance denied.

No. 783.—The United States, appellant, *v.* Jane L. Stanford, executrix. Advanced and assigned for argument on the first Monday in January next, after the cases already set down for that day, and one hour additional time granted to each side on motion of Mr. Attorney-General Harmon, for the appellant.

No. 710.—Charley Smith, plaintiff in error, *v.* The State of Mississippi; and

No. 711.—John Gibson, plaintiff in error, *v.* The State of Mississippi. Motions to advance submitted by Mr. C. J. Jones for the plaintiffs in error.

No. 681.—John Stevenson, plaintiff in error, *v.* The United States. Reassigned for argument on the first Monday in January next, after the cases already set down for that day, on motion of Mr. Solicitor-General Conrad, for the defendant in error.

No. 617.—The Lehigh Mining and Manufacturing Company, plaintiff in error, *v.* J. J. Kelly, jr., et al. Submitted by Mr. R. A. Ayers, Mr. J. F. Bullitt, jr., and Mr. R. C. Dale for the plaintiff in error, and by Mr. F. S. Blair and Mr. H. S. K. Morison for the defendants in error.

No. 278.—The Bertha Zinc and Mineral Company, appellants, *v.* Elbert Carrico et al. Appeal from the circuit court of the United States for the western district of Virginia. Dismissed with costs on motion of Mr. F. S. Blair for the appellant.

No. 790.—The Franklin Sugar Refining Company, appellant, *v.* The Steamship *Silvia*, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit. Submitted by Mr. Harrington Putnam and Mr. Charles C. Burlingham for the appellant in support of petition, and by Mr. J. Parker Kirlin for the appellee in opposition thereto.

No. 797.—The *Ætna* Life Insurance Company, plaintiff in error, *v.* Nancy L. Florida. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit. Submitted by Mr. Frank M. Estes for the plaintiff in error in support of petition, and by Mr. L. R. Wilfly for the defendant in error in opposition thereto.

No. 650.—Henry Kohl, appellant, *v.* Herman Lehlback, sheriff, etc. Motion to advance submitted by Mr. Elvin W. Crane for the appellee in support of motion, and by Mr. Thomas S. Henry and Mr. Arthur English in answer thereto.

No. 370.—J. S. Noble et al., plaintiffs in error, *v.* S. M. Mitchell. Motion to dismiss submitted by Mr. Charles Wilkinson in support of motion, and by Mr. J. M. Chilton and Mr. A. A. Wiley in opposition thereto.

No. 661.—J. N. Gillis et al., plaintiffs in error, *v.* A. W. Stinchfield. Motions to dismiss or affirm submitted by Mr. M. A. Wheaton and Mr. F. J. Kierce in support of motions, and by Mr. J. C. Campbell in opposition thereto.

No. 704.—The State of South Carolina, appellant, *v.* The Port Royal and Augusta Railway Company. Motion to dismiss submitted by Mr. H. C. Cunningham and Mr. H. A. M. Smith in support of motion, and by Mr. W. A. Barber and Mr. Alexander C. King in opposition thereto.

No. 771.—Theodore Lambert, appellant, *v.* George Barrett, sheriff, etc. Submitted by Mr. John L. Semple, for the appellant, and by Mr. Wilson H. Jenkins, for the appellee.

No. 70.—John F. McGlensey, appellant, *v.* James Van Vranken. Submitted by Mr. Solicitor-General Conrad for the appellant. No counsel appeared for appellee.

No. —.—Original. *Ex-parte*: In the matter of George F. Emblen, petitioner. Motion for leave to file petition for a writ of mandamus. Submitted by Mr. Henry B. O'Reilly for the petitioner.

No. 325.—Benjamin H. Johnson, appellant, *v.* The United States et al. Argued by Mr. John Wharton Clark for the appellant, and by Mr. Assistant Attorney-General Howry for the appellees.

Adjourned until to-morrow, at 12 o'clock.

The day call for Tuesday, November 12, will be as follows: Nos. 352, 413, 4 (and 5 and 585), 9, 65, 66, 71, 72, 73, and 74.

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 12, 1895.

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

The Chief Justice announced the following order:

No. 765.—Theodore F. Brown, appellant, *v.* John W. Walker, United States marshal. Reassigned for argument on the first Monday of January next after the cases already set down for that day.

No. 352.—Samuel Marks et al., appellants, *v.* The United States et al. Argued by Mr. C. A. Keigwin and Mr. A. H. Garland for the appellants, and by Mr. Assistant Attorney-General Howry for the appellees.

No. 413.—Alvin C. Leighton, appellant, *v.* The United States et al. Argument commenced by Mr. William B. King for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 13, will be as follows: Nos. 413, 4 (and 5 and 585), 9, 65, 66, 71, 72, 73, 74, and 75.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 13, 1895.

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

No. 413.—Alvin C. Leighton, appellant, *v.* The United States et al. Argument continued by Mr. William B. King for the appellant, by Mr. Assistant Attorney-General Howry for the appellees, and concluded by Mr. William B. King for the appellant.

No. 4.—The Washington and Idaho Railroad Company, appellant, *v.* The Cœur d'Alene Railway and Navigation Company et al.;

No. 5.—The Washington and Idaho Railroad Company, appellant, *v.* S. V. William Osborn; and

No. 585.—The Washington and Idaho Railroad Company, plaintiff in error, *v.* The Cœur d'Alene Railway and Navigation Company et al. Argument commenced by Mr. A. A. Hoehling, jr., for the appellant and plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 14, will be as follows: Nos. 4 (5 and 585), 9, 65, 66, 71, 72, 73, 74, 75, and 76.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 14, 1895.

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

No. 103.—The Union Pacific Railway Company, plaintiff in error, *v.* Gladwys Jones. In error to the United States circuit court of appeals for the eighth circuit. Dismissed with costs, on motion of Mr. John F. Dillon, for the plaintiff in error, and cause remanded to the circuit court of the United States for the district of Colorado.

No. 250.—The Union Pacific Railway Company, plaintiff in error, *v.* The Colorado Eastern Railway Company. In error to the United States circuit court of appeals for the eighth circuit. Dismissed with costs, on motion of Mr. John F. Dillon, for the plaintiff in error, and cause remanded to the circuit court of the United States for the district of Colorado.

No. 114.—The Texas and Pacific Railway Company, plaintiff in error, *v.* The Rosedale Street Railway Company. In error to the court of appeals of the State of Texas. Dismissed with costs, on motion of Mr. John F. Dillon, for the plaintiff in error.

No. 4.—The Washington and Idaho Railroad Company, appellant, *v.* The Cœur d'Alene Railway and Navigation Company;

No. 5.—The Washington and Idaho Railroad Company, appellant, *v.* S. V. William Osborn, and

No. 585.—The Washington and Idaho Railroad Company, plaintiff in error, *v.* The Cœur d'Alene Railway and Navigation Company et al. Argument continued by Mr. A. A. Hoehling, jr., for the appellant and plaintiff in error, by Mr. A. B. Browne, for the appellee in No. 4 and defendant in error in No. 585, and concluded by Mr. Samuel Shellabarger, for the appellant and plaintiff in error.

No. 65.—The Little Rock and Memphis Railroad Company, appellant, *v.* The East Tennessee, Virginia and Georgia Railroad Company et al. Argued by Mr. John F. Dillon, for the appellees, and submitted by Mr. N. M. Rose and Mr. G. B. Rose, for the appellant.

No. 9.—Harry C. McCarty et al., appellants, *v.* The Lehigh Valley Railroad Company. Argument commenced by Mr. Jerome Carty, for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 15, will be as follows: Nos. 9, 66, 71, 72, 73, 74, 75, 76, 77, and 78.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 15, 1895.

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

No. 77.—The Michigan Dairy Company et al., appellants, v. C. C. Converse, executor, etc. Appeal from the circuit court of the United States for the western district of Michigan. Dismissed with costs, pursuant to the tenth rule.

No. 9.—Harry C. McCarty et al., appellants, v. The Lehigh Valley Railroad Company. Argument continued by Mr. Robert J. Fisher for the appellee and concluded by Mr. R. A. Parker for the appellants.

No. 66.—William Haws et al., appellants, v. The Victoria Copper Mining Company. Argument commenced by Mr. Frederic D. McKenney for the appellants and continued by Mr. Charles H. Armes and Mr. Arthur A. Birney for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 18, will be as follows: Nos. 66, 71, 72, 73, 74, 75, 76, 78, 544, and 550.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 18, 1895.

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

W. H. McIntosh, of Mobile, Ala., and Albert A. Wray, of New York City, were admitted to practice.

No. 56.—Louis Dejonge *et al.*, plaintiffs in error, *v.* Daniel Magone, collector of the port of New York. In error to the circuit court of the United States for the southern district of New York. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 23.—Daniel Magone, collector of the port of New York, plaintiff in error, *v.* Peter Wiederer *et al.*; in error to the circuit court of the United States for the southern district of New York; judgment affirmed, with costs and interest. Opinion by Mr. Justice White.

No. 1.—William W. Dunham, administrator, *etc.*, *et al.*, appellants, C. C. Burr *et al.*; appealed from the circuit court of the United States for the district of Nebraska; decree affirmed, with costs. Opinion by Mr. Justice Brown.

No. 67.—Henry T. Cowley, appellant, *v.* The Northern Pacific Railroad Company. Appeal from the circuit court of the United States for the district of Washington. Decree reversed, with costs, and cause remanded for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Brown.

No. 552.—A. F. McDowell, plaintiff in error, *v.* The United States. On a certificate from the United States circuit court of appeals for the fourth circuit. First question answered in the affirmative. Opinion by Mr. Justice Brewer.

No. 517.—W. H. Clune *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. Judgment affirmed. Opinion by Mr. Justice Brewer.

No. 354.—George W. Folsom, plaintiff in error, *v.* The Township of Ninety-six, in the county of Abbeville, State of South Carolina. On a

certificate from the United States circuit court of appeals for the fourth circuit. First question answered in the negative, and the second and third questions in the affirmative. Opinion by Mr. Justice Gray.

Nos. 51 and 472.—The Rutland Railroad Company, plaintiff in error, *v.* The Central Vermont Railroad Company et al. In error to the chancery court of Franklin County, State of Vermont. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Gray.

No. 246.—Daniel A. Bucklin, appellant, *v.* The United States. Appeal from the district court of the United States for the district of Kansas. Dismissed. Opinion by Mr. Justice Harlan.

No. 572.—Daniel A. Bucklin, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Kansas. Judgment reversed and cause remanded, with directions to grant a new trial. Opinion by Mr. Justice Harlan.

No. 334.—The United States, appellant, *v.* The Union Pacific Railway Company et al. Appeal from the United States circuit court of appeals for the eighth circuit. Decree of January 29, 1894, reversed and set aside, and the decree of the circuit court of the United States for the district of Nebraska of October 11, 1892, affirmed, and cause remanded to said circuit court with directions to make a supplemental decree enlarging the period within which the defendants may make such arrangements, adjustments, and changes as shall become necessary by reason of the annulling of the contracts of October 1, 1866, September 1, 1869, December 14, 1871, and July 1, 1881, and to carry out the provisions of the final decree of that court. Opinion by Mr. Justice Harlan. (Mr. Justice Brewer took no part in the hearing or decision of this case on the present appeal.)

No. 19.—The United States, plaintiff in error, *v.* The Western Union Telegraph Company et al. In error to the circuit court of the United States for the southern district of New York. Judgment affirmed. Opinion by Mr. Justice Harlan.

No. 366.—James Stewart, plaintiff in error, *v.* Daniel S. C. McHarry. In error to the supreme court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Field.

No. 53.—The Baltimore and Ohio Railroad Company, plaintiff in error, *v.* Emma Griffith. In error to the circuit court of the United States for the southern district of Ohio. Judgment affirmed with costs and interest. Opinion by Mr. Chief Justice Fuller.

No. 771.—Theodore Lambert, appellant, *v.* George Barrett, sheriff, etc. Appeal from the circuit court of the United States for the district of New Jersey. Order affirmed with costs, and mandate ordered to be issued at once. Opinion by Mr. Chief Justice Fuller.

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

No. 370.—J. S. Noble et al., plaintiffs in error, *v.* S. M. Mitchell. Motion to dismiss denied.

No. 650.—Henry Kohl, appellant, *v.* Herman Lehlback, sheriff, etc. Motion to advance granted, and cause assigned for argument on the second Monday of December next.

No. 704.—The State of South Carolina, appellant, *v.* The Port Royal and Augusta Railway Company. Motion to dismiss denied, and cause advanced for submission as under the thirty-second rule.

No. 710.—Charley Smith, plaintiff in error, *v.* The State of Mississippi;

No. 711.—John Gibson, plaintiff in error, *v.* The State of Mississippi. Motions to advance granted, and cases assigned for argument on the second Monday of December next, after the case already set down for that day.

No. 790.—The Franklin Sugar Refining Company, appellant, *v.* The Steamship *Silvia*, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 797.—The *Ætna* Life Insurance Company, plaintiff in error, *v.* Nancy L. Florida. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. —, Original.—*Ex parte* in the matter of George F. Emblen, petitioner. Motion for leave to file petition for a writ of mandamus granted, and rule to show cause awarded, returnable on the third Monday in December next.

No. 70.—John F. McGlensy, appellant, *v.* James Van Vranken. Appeal from the circuit court of the United States for the eastern district of Virginia. Order reversed on the authority of *Johnson v. Sayre*, 158 U. S., 109, and cause remanded with directions to remand Van Vranken to custody.

No. 215.—The steamship *Bayonne*, etc., et al., appellants, *v.* The United States. Motion to dismiss submitted by Mr. Solicitor-General Conrad in support of motion, and by Mr. J. Parker Kirlin in opposition thereto. Motion to remand or permit of certiorari. Submitted by Mr. J. Parker Kirlin in support of motion, and by Mr. Solicitor-General Conrad in opposition thereto.

No. 770.—The Southern Pacific Railroad Company et al., appellants, *v.* The United States; and

No. 794.—The United States, plaintiff in error, *v.* Samuel Zucker et al. Motions to advance submitted by Mr. Solicitor-General Conrad in support of motions.

No. 207.—Augustus R. S. Foote et al., plaintiffs in error, *v.* The Women's Board of Missions et al.; and

No. 284.—William Gray Brooks, administrator, etc., et al., plaintiffs in error, *v.* Robert Codman, administrator, etc., et al. Motion to advance these cases to be heard with No. 177 as one case submitted by Mr. James H. Webb in support of motion, and motion granted.

No. 799.—Mary F. McConnell, appellant, *v.* The Provident Savings Life Assurance Society of New York. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit. Submitted by Mr. Edwin B. Smith for the appellee in support of petition, and by Mr. Tully R. Cornick for the appellant in opposition thereto.

No. 795.—Alexander S. Hooe, jr., et al., plaintiffs in error, *v.* Jacob Werner et al.; and

No. 796.—Alexander S. Hooe, jr., et al., plaintiffs in error, *v.* Hugh Jamieson et al. Advanced under the thirty-second rule on motion of Mr. Frederick D. McKenney for the plaintiffs in error.

No. 787.—The Atchison, Topeka and Santa Fe Railroad Company, plaintiff in error, *v.* Patrick Mulligan, alias Patrick Guiver. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit. Submitted by Mr. E. D. Kenna, Mr. A. T. Britton, and Mr. A. B. Browne for the plaintiff in error in support of petition.

No. 544.—William H. Markham, plaintiff in error, *v.* The United States. Submitted by Mr. Samuel McKee for the plaintiff in error, with leave to Mr. Assistant Attorney-General Whitney to file brief for defendant in error on or before Friday next.

No. 602.—Charles A. Gregory, appellant, *v.* Mary H. Pike; and

No. 603.—Charles A. Gregory, appellant, *v.* Thomas H. Talbot. Motions to dismiss submitted by Mr. Thomas H. Talbot and Mr. John Lowell in support of the motions, and by Mr. F. A. Brooks in opposition thereto.

No. 773.—J. W. Bull, appellant, *v.* Charles E. Dickerman et al. Motions to dismiss or affirm submitted by Mr. R. R. Briggs in support of motions, and by Mr. A. A. Harris in opposition thereto.

No. 76.—The New York and New England Railroad Company, plaintiff in error, *v.* Harriet S. Rumsey et al. In error to the supreme court of the State of New York. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 66.—William Haws et al., appellants, *v.* The Victoria Copper Mining Company. Argument concluded by Mr. Arthur A. Birney for the appellee.

No. 71.—William Beebe et al., etc., plaintiffs in error, *v.* The United States. Argued by Mr. H. C. Tompkins for the plaintiffs in error, and by Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 72.—Zeph T. Hill, plaintiff in error, *v.* John Corcoran. Argument commenced by Mr. W. C. Beecher for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 19, will be as follows: Nos. 72, 73, 74, 75, 78, 550, 558, 608, 648, and 692.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 19, 1895.

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

No. 663.—Edward M. Willis et al., plaintiffs in error, *v.* The Eastern Trust and Banking Company. Motions to dismiss or affirm submitted by Mr. B. F. Leighton in support of motions and by Mr. Calderon Carlisle in opposition thereto.

No. 648.—George Pierce et al., plaintiffs in error, *v.* The United States. Submitted on the record by the plaintiffs in error, and by Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 692.—Eli Lucas, plaintiff in error, *v.* The United States. Submitted on the record by the plaintiff in error, and by Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 72.—Zeph. T. Hill, plaintiff in error, *v.* John Corcoran. Argument continued by Mr. Frederic D. McKenney for the defendant in error, and concluded by Mr. W. C. Beecher for the plaintiff in error.

No. 74.—Lewis P. Kelsey et al., appellants, *v.* W. J. Crowther et al. Submitted by Mr. P. L. Williams and Mr. Orlando W. Powers for the appellants, and by Mr. Arthur Brown for the appellees.

No. 75.—The United States, plaintiff in error, *v.* William P. Sayward et al. Submitted by Mr. Solicitor-General Conrad for the plaintiff in error. No counsel appeared for the defendants in error.

No. 550.—Stephen M. Folsom, plaintiff in error, *v.* The United States. Argued by Mr. Charles A. Willard for the plaintiff in error and submitted by Mr. Solicitor-General Conrad for the defendant in error.

No. 558.—John Ansbro, plaintiff in error, *v.* The United States; argued by Mr. Albert A. Wray for the plaintiff in error, and by Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 608.—Charles Smith, plaintiff in error, *v.* The United States; argued by Mr. Assistant Attorney-General Whitney for the defendant in error, and submitted by Mr. William M. Cravens for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 20, will be as follows: Nos. 693, 721, 719, 619, 73, 78, 79, 80, 81, and 82.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 20, 1895.

Present: The Chief Justice, Mr. Justice Field, Mr. Justice Harlar, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, and Mr. Justice White.

Selden P. Spencer, of St. Louis, Mo., was admitted to practice.

No. 721.—Frank Carver, plaintiff in error, *v.* The United States; submitted by Mr. William M. Cravens for the plaintiff in error, with leave to defendant in error to file brief within one week.

No. 719.—George S. Moore, plaintiff in error, *v.* The United States. Submitted by Mr. M. D. Wickersham and Mr. W. H. McIntosh for the plaintiff in error and by Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 78.—The Baltimore and Ohio and Chicago Railway Company, plaintiff in error, *v.* John Yarde, jr., administrator, etc. In error to the circuit court of the United States for the district of Indiana. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 693.—John Allison, plaintiff in error, *v.* The United States. Submitted by Mr. William M. Cravens for the plaintiff in error and by Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 619.—George E. Whitten, appellant, *v.* Charles A. Tomlinson, sheriff, etc. Argued by Mr. William H. Baker for the appellant and by Mr. Edward H. Rogers for the appellee.

No. 73.—Eddy B. Townsend, appellant, *v.* Mary C. Vanderwerker et al. Argued by Mr. John Goode and Mr. Ben Butterworth for the appellant, and by Mr. Jacob H. Lichliter for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 21, will be as follows: Nos. 79, 80, 81 (and 82), 83, 84, 85, 86, 87, 88, and 89.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 21, 1895.

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

No. 84.—John G. Lybarger, plaintiff in error, *v.* The State of Washington. In error to the supreme court of the State of Washington. Dismissed with costs, pursuant to the tenth rule.

No. 79.—Ella L. Laing, plaintiff in error, *v.* Thomas G. Rigney. Argued by Mr. J. Hubley Ashton, for the plaintiff in error and submitted by Mr. Hamilton Wallis for the defendant in error.

No. 80.—The Jacksonville, Mayport, Pablo Railway and Navigation Company, plaintiff in error, *v.* Mary J. Hooper et al. Submitted by Mr. J. C. Cooper for the plaintiff in error, with leave to counsel for defendants in error to file brief within ten days.

No. 81.—Harvey Spalding, plaintiff in error, *v.* William F. Vilas; and

No. 82.—Harvey Spalding, plaintiff in error, *v.* Don M. Dickinson. Argued by Mr. W. Willoughby for the plaintiff in error and by Mr. Assistant Attorney-General Dickinson for the defendants in error.

No. 83.—Frank W. Smith et al., plaintiffs in error, *v.* Gordon McKay, as trustee, etc. Passed to be heard, with No. 139, on motion of Mr. W. A. Day in behalf of counsel.

No. 85.—Jabez H. Gill, appellant, *v.* The United States. Argument commenced by Mr. H. E. Paine for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 22, will be as follows: Nos. 85, 86, 87, 88, 89, 90, 91, 92, 93 (and 52), and 94.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 22, 1895.

Present: The Chief Justice, Mr. Justice Field, Mr. Justice Harlar, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, and Mr. Justice White.

James E. Shepherd, of Raleigh, N. C., was admitted to practice.

No. 90.—John J. Shipman et al., plaintiffs in error, *v.* James W. Magarity. In error to the supreme court of the District of Columbia. Dismissed with costs pursuant to the tenth rule.

No. 92.—The City of New Orleans, plaintiff in error, *v.* The United States ex rel., William W. Whitney, administrator, etc. In error to the circuit court of the United States for the eastern district of Louisiana. Dismissed with costs pursuant to the tenth rule.

No. 85.—Jabez H. Gill, appellant, *v.* The United States. Argument continued by Mr. H. E. Paine for the appellant, by Mr. Assistant Attorney-General Dickinson for the appellee, and concluded by Mr. H. E. Paine for the appellant.

No. 87.—Edgar M. Geer, plaintiff in error, *v.* The State of Connecticut. Argued by Mr. H. A. Hall for the plaintiff in error, and by Mr. Solomon Lucas for the defendant in error.

No. 88.—The Board of Flour Inspectors, etc., et al., appellants, *v.* Booth F. Glover et al. Argument commenced by Mr. J. R. Beckwith for the appellants.

Adjourned until Monday next at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 25, 1895.

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

No. 616.—George Goode, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Massachusetts. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 732.—Laurence P. Mills, appellant, *v.* W. Briggs Green. Appeal from the United States circuit court of appeals for the fourth circuit. Dismissed without costs to either party, and cause remanded to the circuit court of the United States for the district of South Carolina. Opinion by Mr. Justice Gray.

No. 661.—J. N. Gillis et al., plaintiffs in error, *v.* A. W. Stinchfield. In error to the supreme court of the State of California. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 493.—Frank Moore, plaintiff in error, *v.* The State of Missouri. In error to the supreme court of the State of Missouri. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced the following orders of the court:

ORDER.

It is ordered that the following additional rule of practice of this court be, and the same is hereby, adopted:

Rule 39.—Mandates.—Mandates shall issue as of course after the expiration of thirty days from the day the judgment or decree is entered, unless the time is enlarged by order of the court, or of a justice thereof when the court is not in session, but during the term.

No. 770.—The Southern Pacific Railroad Company et al., appellants, *v.* The United States; and

No. 794.—The United States, plaintiff in error, *v.* Samuel Zucker et al. Motions to advance granted, and cases assigned for argument on the first Monday in January next, after the cases already set down for that day.

No. 773.—J. W. Bull, appellant, *v.* Charles E. Dickerman et al. Motions to dismiss or affirm postponed to the hearing on the merits.

No. 787.—The Atchison, Topeka and Santa Fe Railroad Company, plaintiff in error, *v.* Patrick Mulligan, alias Patrick Guiver. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 799.—Mary F. McConnell, appellant, *v.* The Provident Savings Life Assurance Society, of New York. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 663.—Edward M. Willis et al., plaintiffs in error, *v.* The Eastern Trust and Banking Company. Motions to dismiss or affirm postponed to the hearing on the merits.

No. 602.—Charles A. Gregory, appellant, *v.* Mary H. Pike; and

No. 603.—Charles A. Gregory, appellant, *v.* Thomas H. Talbot. Appeals from the United States circuit court of appeals for the first circuit. Dismissed for the want of jurisdiction and causes remanded to the circuit court of the United States for the district of Massachusetts.

Mr. Attorney-General Harmon addressed the Court as follows:

It is with more than a sense of official propriety that I comply with the request of the bar by presenting to the court their resolutions relating to the late Justice Jackson. We of his home circuit knew him best. There were his birthplace and his home. There his first regular judicial work was done, by which he made the reputation that led to the call from across the party wall to a seat beside your honors.

The active bar always feel some misgivings when a man in public life, even though he has won distinction there, is called to the bench, especially when he has reached middle age. But they soon found that Howell Edmonds Jackson was not so much a senator who had been appointed judge as a judge who had served for a time as senator. His mind, naturally broad and strong, symmetrically developed, controlled by steady purpose, and directed by industry which seemed almost weariless, would have enabled him to fill with credit any place which requires such qualities. He had so filled the high positions to which the resolutions refer, but he was peculiarly fitted for the duties of a judge. He had in high degree patience to hear and consider, and firmness to decide. He had an even temper, judgment unprejudiced toward men or things, and a logical turn of mind which naturally shed irrelevance and sophistry and inclined to accuracy of fact and correctness of conclusion. He loved justice in the concrete as well as in the abstract and felt the pleasure a strong judge always takes in applying the principles of law to the redress of wrongs; but he knew and loved the system of judicial science too well to wrench or impair it, and unsettle the rights of the great body of the people, in

seeking to avoid those occasional hardships against which human law, being necessarily general, can not provide. So his decisions were of the kind which build and perfect our jurisprudence, and not a series of mere arbitrary judgments. There are few among them which the legal mind hesitates to adopt among the precedents which keep the law in healthful life and growth.

He was never chargeable with the blunders of a careless man or the vacillations of a weak one, but won respect even when he failed to convince, because he reached his conclusions by the broad highways and not by indirection or evasion.

Some have excelled him in extent of learning and others in mere force of intellect, but few have equaled him in the comprehensive perception and abiding sagacity which result from a harmony of powers. His vigorous practical understanding was not to be bewildered by details, confused by doubtful or conflicting precedents, nor misled by refinements of reasoning. His decisions always bore the stamp of his own mind and character.

Absorbed as he was in the exacting duties of the circuit, his health was shaken before he realized it, but he never lost patience or resolution. The vigor he showed as a member of this court in the number and promptness of his opinions, as well as by their lucid thoroughness, was in spite of the dragging of disease. And one of the most striking instances of the calm heroism of peace was the resumption of his place when the public interest required it in the income tax case. However opinion, legal and lay, was and may remain divided on the questions involved in that case, there is, and will be, no divided judgment about the high qualities shown by the opinion of Mr. Justice Jackson, which all feared would be, and which was, his last. Though the effort required undoubtedly hastened the end, no true friend or patriot can feel regret, because it has put on imperishable record an example of devotion to public duty whose worth can not be too highly esteemed.

The feeling of personal bereavement which prevails to a very unusual extent among those who knew Justice Jackson seems to me the highest tribute to his memory. There is no warmth in mere mental power or acquirement, nor in the most careful correctness. These may kindle admiration or envy, but not the affection which is the best tribute of man to man. I do not mean the mere result of pleasant ways, but the sturdy liking implied in the line—

“He makes no friends who never made a foe.”

He had a kind and considerate nature, but it did not blind him to his duty, nor swerve him from it; and he was free from that morbid excess of virtue which makes some good men unjust to their friends.

Reputation and honors did not affect his quiet simplicity, nor add to the unobtrusive dignity which needed no assertion.

The entire life of Justice Jackson illustrates the efficiency of steadfast devotion to duties which come without selfseeking and are met with diligence, earnestness, and sincerity of mind and purpose. His seven years as circuit judge gave him time to accomplish a most honorable career. Few positions put capacity and character to so severe a test as the office of judge of a court of first resort and general jurisdiction. This applies with great fitness to the sixth circuit whose four States, reaching from Lake Superior to the Appalachian Range, like a cross section of the great Republic, present almost every variety of population, business and laws. Such a judge must admit and exclude evidence, sift, discern, and analyze facts, and apply legal principles generally, all without the advantage of associates, sometimes with slight aid from counsel, and often with little opportunity for study and reflection. Many of his judgments are final, and few are open to complete review; but every act and utterance undergo the impartial and unerring scrutiny of the bar and the people.

The powers of this highest of all tribunals are too great to be committed to one man alone. Their exercise is placed beyond the reach and above the need of review by the association of minds which stimulate, aid, and correct each other. Who may fitly join in the deliberations of such a court but those who have stood the highest tests which the profession affords?

Justice Jackson's career as a member of this court was cut short by his untimely death; but he served long enough to vindicate the fitness of his selection and sharpen still further our sense of loss. Whoever shall be called to take that vacant place will find it none the easier to fill because it was last held by Justice Jackson.

The resolutions are as follows:

The committee appointed at a meeting of the bar of the Supreme Court of the United States, held in the Supreme Court room at the city of Washington, October 14, 1895, in memory of Mr. Justice Jackson, to draft resolutions to be reported at an adjourned meeting, present for consideration the following:

On August 8, 1895, Mr. Justice Howell Edmonds Jackson departed this life at his home, near Nashville, Tennessee.

He was born at Paris, Tennessee, in 1832, obtained his academic education in his native State, graduated at the University of Virginia, and took the degree of bachelor of laws at the Cumberland University, in Tennessee.

He practiced law at Jackson and Memphis before the civil war, and at once displayed those qualities which gave promise of the high rank which he subsequently attained in the profession.

He was an earnest believer in the doctrines of the Whig party, was devoted to the Union, and opposed secession. After his native State passed the ordinance of secession and was threatened with invasion, he, like so many others who would have sacrificed their lives, if by this they could have removed the cause of strife and assured a happy union, adhered, with all of the ardor of his nature, to the side his people had chosen in the conflict. The war suspended the activities of civil life, and holding an office under the Confederate Government, which, while one of great trust, left him much leisure, he devoted himself throughout the war to the most laborious and systematic study of the law, thus acquiring an accuracy and breadth of legal knowledge which made him so fully equipped for all of the responsible duties which came to him.

After the close of the civil war he practiced law in Jackson and Memphis, and achieved a reputation second to none of his competitors. His practice was varied, embracing office work of the most delicate and responsible character, and litigation in all of the State and Federal courts, and while his services were justly prized as a counsellor and as a chancery and supreme court lawyer, he was no less successful in the severest jury contests, where he achieved great triumphs, not by the graces of oratory, which he never cultivated, nor the meretriciousness of cunning advocacy, which he scorned, but by candor and earnestness, which won the confidence of the jury, and clear, forcible, and logical arguments, which convinced them.

On account of his reputation as a man and lawyer, he was called to a seat upon the court of referees of Tennessee, which was a provisional supreme court created to assist the regular court to dispose of the vast accumulation of cases occasioned by the civil war. He served on this court with great credit until its term expired.

Though never having taken any active part in politics, he consented, on account of his great interest in the question of the settlement of the State debt of Tennessee, to become a candidate on the State Credit ticket for the State senate.

Following the custom established by immemorial usage in Tennessee, he met his opponent in joint debate and made the canvass with so much ability and persuasiveness as to win his election in a heated contest, in which he advocated high taxes, the most unwelcome cause that could be championed.

This, though not suspected by him, was the initial point of his national career. A deadlock in the selection of a United States Senator, for

which position he was not a candidate, was suddenly solved by his political opponents, who, moved by an estimate of his character like that which, on a later occasion, caused the President to nominate him to the Supreme bench, came to his support as soon as his friends put his name before the legislature; and, cooperating with a majority of his own party, elected him on the first ballot. The offices of United States Senator, Circuit Judge, and Justice of the Supreme Court all came to him in unbroken succession and without expectation or effort on his part.

His career in these honorable and responsible positions is too well known to need recapitulation.

His performance of the labors of his office, even when the hand of death rested heavily upon him, will always remain a pathetic and inspiring picture in the memory of those who saw his heroic efforts.

He was profoundly religious, and an elder in the Presbyterian Church.

His manner was reserved, and yet no one found him difficult of approach. He was frank and courageous in expressing his opinions of men and measures, yet free from bitterness and personal invective. He was serious in affairs, but in the company of friends was always jovial, enlivening conversation with sprightly humor and pointed anecdote. He felt and maintained the dignity of his office and yet with those amenities which in a judge invest the intercourse between bench and bar with an atmosphere which is as wholesome as it is gracious.

He displayed exact learning, laborious investigation, unfaltering courage, absolute impartiality, and broad patriotism; therefore, be it

Resolved, That the members of the bar of the Supreme Court of the United States, profoundly impressed with the great loss sustained by the profession and the nation in the untimely death of Mr. Justice Jackson, desire to record their esteem for the qualities which distinguished his short career on the Supreme Bench, and which gave such perfect assurance that he was a worthy successor of those distinguished judges who have administered, with such fidelity and ability, the greatest trust ever confided by a nation.

Resolved, That we deeply sympathize with the bereaved family of Mr. Justice Jackson and that a copy of these resolutions be presented to them by the secretary of this meeting.

Resolved, That the Attorney-General be requested to present these resolutions to the Supreme Court in session and request that they be recorded.

The Chief Justice responded:

Mr. Justice Jackson took his seat as a member of this court on the 4th of March, 1893, serving for the remainder of the current term, which

closed on the 15th of May; sat through the next term, the month of March excepted; and heard argument in a few cases at October term, 1894.

Perhaps no greater eulogium can be passed on him than to say that, brief as was the period during which he was permitted to be with us, he impressed himself upon his colleagues and the country as possessed of the highest attributes of the judicial officer, and left enduring evidence of judicial eminence on the records of the court.

There was no eccentricity in his success. He came here with a mind disciplined by years of experience in business and political activities, in an extensive professional practice and in the discharge of judicial duties and stored with knowledge of affairs as well as of books, knowledge qualifying him to deal with questions promptly and with practical wisdom, rather than knowledge of things "remote from use, obscure and subtle."

Patience in hearing; assiduity in examination; quickness in grasp; clearness in thought; facility, simplicity, and directness in expression; all these he had, and they enabled him to find the clew in records however lost in wandering mazes and make it plain for guidance to correct results.

He profoundly realized that the administration of justice is the great end of human society, and that upon the conscientious labors of those to whom that administration is committed the protection of life and liberty and property depends, and so the endeavor to do justice ran like a golden thread through all his work. Added and superior to all other grounds of praise, it could well be said of him, as an eminent English judge said of himself, that there was one merit to which he could boldly lay claim—the determination to do what was right, whenever that could be discovered.

Of the cordial relations between Mr. Justice Jackson and his brethren, which his engaging qualities of mind and heart rendered of the closest, I do not care to speak. We part with him with a keen sense of personal bereavement as he takes his place in the goodly company of those who have gone before, though still remaining with us one in the blood of common traditions and common labors.

There is little in the performance of judicial duty to attract popular attention or to win popular applause, but the influence of faithful service such as his—of labors so abundant—of a life shortened by effort in the public interest, "cut, like the diamond, with its own dust"—can scarcely be overestimated, and sooner or later will receive its meed of recognition.

The pathetic incident at the close of Mr. Justice Jackson's career, referred to by the Attorney-General, was characteristic of the man.

Devotion to duty had marked his course throughout, and he found in its inspiration the strength to overcome the weakness of the outward man, as, weary and languid, he appeared in his seat for the last time in obedience to the demand of public exigency. The response to the roll call under such circumstances gives complete assurance—though, indeed, it was not needed—that when, a few weeks later, he came to the passage of the river, Good Conscience, to whom in his lifetime he had spoken to meet him there, lent him his hand and so helped him over.

The resolutions and the remarks by which they have been accompanied will be entered on our records, and the court will now adjourn to Monday next.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 2, will be as follows: Nos. 88, 86, 89, 91, 93 (and 52), 94, 95, 96, 97, and 98.



SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 2, 1895.

Present: The Chief Justice, Mr. Justice Field, Mr. Justice Harlar, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, and Mr. Justice White.

Horace M. Jackson, of Atchison, Kans.; V. W. Hale, of Paris, Tex., and Alonzo C. Raymond, of Detroit, Mich., were admitted to practice.

No. 620.—Crawford Goldsby, alias Cherokee Bill, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment affirmed. Opinion by Mr. Justice White.

No. 585.—The Washington and Idaho Railroad Company, plaintiff in error, *v.* The Cœur d'Alene Railway and Navigation Company et al. In error to the United States circuit court of appeals for the ninth circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the district of Idaho. Opinion by Mr. Justice Shiras.

No. 4.—The Washington and Idaho Railroad Company, appellant, *v.* The Cœur d'Alene Railway and Navigation Company et al. Appeal from the supreme court of the Territory of Idaho. Decree affirmed with costs, and cause remanded to the supreme court of the State of Idaho. Opinion by Mr. Justice Shiras.

No. 5.—The Washington and Idaho Railroad Company, appellant, *v.* S. V. William Osborn. Appeal from the supreme court of the Territory of Idaho. Decree affirmed with costs, and cause remanded to the supreme court of the State of Idaho. Opinion by Mr. Justice Shiras.

No. 9.—Harry C. McCarty et al., appellants, *v.* The Lehigh Valley Railroad Company. Appeal from the circuit court of the United States for the eastern district of Pennsylvania. Decree affirmed with costs. Opinion by Mr. Justice Brown.

No. 623.—Louis F. Streep, 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 affirmed. Opinion by Mr. Justice Gray.

No. 378.—The United States, appellant, *v.* Benjamin Healey. Appeal from the Court of Claims. Judgment reversed and cause remanded with directions to dismiss the claimant's petition. Opinion by Mr. Justice Harlan.

No. 65.—The Little Rock and Memphis Railroad Company, appellant, *v.* The East Tennessee, Virginia and Georgia Railroad Company et al. Appeal from the circuit court of the United States for the western district of Tennessee. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 215.—The steamship Bayonne, etc., appellant, *v.* The United States. Appeal from the district court of the United States for the southern district of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 558.—John Ansbro, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the southern district of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 550.—Stephen M. Folsom, plaintiff in error, *v.* The United States. On a certificate from the United States circuit court of appeals for the eighth circuit. Question certified answered in the negative. Opinion by Mr. Chief Justice Fuller.

No. 91.—Thomas C. Chappell, plaintiff in error, *v.* The United States. Suggestion of diminution of record, and motion for a writ of certiorari submitted by Mr. Thomas C. Chappell for the plaintiff in error.

No. 338.—Carrie E. T. Knox, appellant, *v.* Margaret L. Gaddis. Appeal from the court of appeals of the District of Columbia. Dismissed with costs on motion of Mr. J. J. Johnson for the appellant.

No. 584.—*Ex parte*: In the matter of James Lennon, appellant. Motion to advance submitted by Mr. Walter H. Smith for the appellant.

No. 30.—The Sioux City and St. Paul Railroad Company, plaintiff in error, *v.* Lewis Countryman et al. Mandate granted on motion of Mr. J. Hubley Ashton in behalf of counsel.

No. 770.—The Southern Pacific Railroad Company et al., appellants, *v.* The United States. Reassigned for argument on the first Monday in March next, after the case already set down for that day, on motion of Mr. J. Hubley Ashton for the appellants.

No. 743.—A. B. Kahnweiler & Bro., plaintiffs in error, *v.* The Phenix Insurance Company, of Brooklyn, N. Y. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit, submitted by Mr. Horace M. Jackson and Mr. Henry Elliston for the defendant in error in support of petition.

No. 645.—Elverton R. Chapman, appellant and plaintiff in error, *v.* The United States. Motion for an order to the supreme court of the District of Columbia and to the court of appeals of said District, commanding stay of proceedings until this case shall have been heard in this court and until the further order of this court, submitted by Mr. H. B. Wilson in behalf of counsel for Chapman.

No. 101.—Russell Sage, substituted, etc., appellant, *v.* The St. Paul, Stillwater and Taylors Falls Railway Company. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed with costs on motion of Mr. A. B. Browne for the appellant, and cause remanded to the circuit court of the United States for the district of Minnesota.

No. 474.—Russell Sage, substituted, etc., appellant, *v.* The Winona and St. Peter Railroad Company et al. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed with costs on motion of Mr. A. B. Browne for the appellant, and cause remanded to the circuit court of the United States for the district of Minnesota.

No. 532.—Arthur D. Andrews, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. A. B. Browne in behalf of counsel for the plaintiff in error.

No. 779.—William Graver, appellant, *v.* Benjamin C. Faurot. Motion to advance submitted by Mr. A. B. Browne, in behalf of counsel.

No. 717.—The Lyons-Thomas Hardware Company et al., plaintiffs in error, *v.* The Perry Stove Manufacturing Company et al. Motion to dismiss submitted by Mr. V. W. Hale and Mr. H. D. McDonald in support of motion, and by Mr. J. G. Dudley, Mr. A. H. Garland, and Mr. R. C. Garland in opposition thereto.

No. 392.—The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, plaintiff in error, *v.* Millard F. Brown. Submitted, as under the thirty-second rule, by Mr. John T. Dye for the plaintiff in error, and by Mr. Samuel P. Wheeler for the defendant in error. Motion for oral argument herein submitted by Mr. John T. Dye for plaintiff in error.

No. 510.—Luther R. Graves et al., appellants, *v.* The County of Saline. Submitted as under the thirty-second rule by Mr. George A. Sanders and Mr. T. C. Mather for the appellants and by Mr. S. P. Wheeler for the appellee.

No. 8.—Original. Ex-parte: In the matter of The Sanford Fork and Tool Company et al., petitioners. Submitted by Mr. A. H. Snow and Mr. George A. Knight for the petitioners and by Mr. C. F. McNutt for the respondent.

No. 97.—The Jersey City and Bergen Railroad Company, plaintiff in error, *v.* James E. Morgan. Submitted by Mr. A. Q. Garretson for the plaintiff in error and by Mr. Thomas J. Kennedy for the defendant in error.

No. 88.—The Board of Flour Inspectors, etc., et al., appellants, *v.* Booth F. Glover et al. No further argument desired by the court in this case.

No. 86.—William P. Spalding, plaintiff in error, *v.* William Chandler. Argued by Mr. J. C. Donnelly and by Mr. A. C. Raymond for the plaintiff in error, and by Mr. John H. Goff for the defendant in error.

No. 89.—Charles H. Geldersleeve, appellant, *v.* The New Mexico Mining Company. Argument commenced by Mr. Thomas Smith for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 3, will be as follows: Nos. 89, 91, 93 (and 52), 94, 95, 96, 98, 99, 100 (and 115), and 102.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 3, 1895.

Present: Mr. Justice Field, Mr. Justice Harlar, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, and Mr. Justice White.

Henry W. Goodrich, of New York City, was admitted to practice.

No. 102.—John Pitts, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the northern district of Florida. Dismissed pursuant to the tenth rule.

No. 89.—Charles H. Gildersleeve, appellant, *v.* The New Mexico Mining Company. Argument continued by Mr. Thomas Smith for the appellant, and by Mr. Joseph Larocque for the appellee, and concluded by Mr. Thomas Smith for the appellant.

No. 91.—Thomas C. Chappell, plaintiff in error, *v.* The United States. Submitted by Mr. Thomas C. Chappell for the plaintiff in error, and by Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 93 and No. 52.—Mattie P. Baltzer, executrix, etc., et al., plaintiffs in error, *v.* The State of North Carolina. Passed and assigned for argument on the 27th of January next at the head of the call.

No. 95.—Edward B. Bartlett et al., plaintiffs in error, *v.* William Lockwood et al. Death of Edward B. Bartlett suggested and appearance of Maria H. N. Bartlett, executrix, etc., as a party plaintiff in error herein filed and entered on motion of Mr. Henry W. Goodrich for the plaintiffs in error. Death of William Lockwood suggested and appearance of Emory W. McClintock, surviving partner, as defendant in error herein filed and entered on motion of Mr. C. W. Bangs for defendant in error.

No. 95.—Maria H. N. Bartlett, executrix, etc., plaintiff in error, *v.* Emory W. McClintock, etc. Argument commenced by Mr. Henry W. Goodrich for the plaintiff in error, and continued by Mr. C. W. Bangs for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 4, will be as follows: Nos. 95, 94, 96, 98, 99, 100 (and 115), 105, 107, 109, and 111.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 4, 1895.

Present: Mr. Justice Field, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, and Mr. Justice White.

John T. Richards, of Chicago, Ill., and William C. Hall, of Salt Lake City, Utah, were admitted to practice.

No. 91.—Thomas C. Chappell, plaintiff in error, *v.* The United States. Leave granted to plaintiff in error to file additional brief herein within ten days, on motion of Mr. Thomas C. Chappell in propria persona.

No. 109.—James Allen, appellant, *v.* Frank J. Cannon et al. Appeal from the supreme court of the Territory of Utah. Dismissed with costs pursuant to the tenth rule.

No. 95.—Maria H. N. Bartlett, executrix, etc., et al., plaintiffs in error, *v.* Emory W. McClintock, surviving partner. Argument continued by Mr. C. W. Bangs for the defendant in error and concluded by Mr. Henry W. Goodrich for the plaintiffs in error.

No. 94.—John Keane, plaintiff in error, *v.* Anna Sophia Brygger, executrix, etc., et al. Argument commenced by Mr. J. K. Redington for the plaintiff in error, and continued by Mr. Charles K. Jenner for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 5, will be as follows: Nos. 94, 96, 98, 99, 100 (and 115), 105, 107, 111 (and 112), 113, and 116.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 5, 1895.

Present: Mr. Justice Field, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, and Mr. Justice White.

Clarence A. Knight, of Chicago Ill., was admitted to practice.

No. 645.—Elverton R. Chapman, appellant and plaintiff in error, *v.* The United States. Leave granted to file brief in opposition to motion for order for stay, on motion of Mr. Solicitor-General Conrad for the United States.

No. 94.—John Keane, plaintiff in error, *v.* Anna Sophia Brygger, executrix, etc., et al. Argument continued by Mr. Charles K. Jumer for the defendants in error, and concluded by Mr. Samuel F. Phillips for the plaintiff in error.

No. 96.—William Wallace Kirby, appellant, *v.* Maria E. Tallmadge. Argued by Mr. W. Willoughby and Mr. John T. Morgan for the appellant, and by Mr. John C. Fay for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 6, will be as follows: Nos. 98, 99, 100 (and 115), 105, 107, 111 (and 112), 113, 116, 119, and 120.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 6, 1895.

Present: Mr. Justice Field, Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, Mr. Justice Shiras, and Mr. Justice White.

Joseph Thompson McCullough, of New Philadelphia, Ohio, was admitted to practice.

No. 645.—Elverton R. Chapman, appellant and plaintiff in error, *v.* The United States. Leave granted to file brief herein in support of motion for order for stay and additional brief within five days, on motion of Mr. A. A. Hoehling, jr., for Chapman.

No. 98.—Peter Dougherty, plaintiff in error, *v.* The Nevada Bank of San Francisco. Argued by Mr. James G. Maguire for the defendant in error, and submitted by Mr. J. C. Bates for the plaintiff in error.

No. 99.—The Interior Construction and Improvement Company, plaintiff in error, *v.* John C. Gibney et al. Argued by Mr. John C. Donnelly for the plaintiff in error. No counsel appeared for the defendants in error.

No. 100.—The Prairie State National Bank, etc., appellants, *v.* The United States; and

No. 115.—The United States, appellant, *v.* Charles A. Hitchcock et al. Argued by Mr. Howard Henderson and Mr. A. B. Browne for the appellant in No. 100, and by Mr. George A. King for the appellees in No. 115, and submitted by Mr. Assistant Attorney-General Dodge for the United States.

No. 105.—The Great Western Telegraph Company, plaintiff in error, *v.* Hiram Purdy. Argument commenced by Mr. Thomas J. Sutherland for the plaintiff in error.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, December 9, will be as follows: Nos. 105, 107, 111 (and 112), 113, 116, 119, 120, 650, 710, and 711.



SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 9, 1895.

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

Charles S. Todd, of Texarkana, Tex.; W. E. Arthur, of Pasadena, Cal.; C. C. Clements, of Washington, D. C., and J. L. Jackson, of Chicago, Ill., were admitted to practice.

No. 48.—Bamberger, Bloom & Co., plaintiffs in error, *v.* W. W. Schoolfield et al., etc. In error to the circuit court of the United States for the northern district of Alabama. Judgment affirmed with costs. Opinion by Mr. Justice White.

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

No. 100.—The Prairie State National Bank, of Chicago, Ill., appellant, *v.* The United States; and

No. 115.—The United States, appellant, *v.* Charles A. Hitchcock et al. Ordered that these cases be restored to the docket for reargument in due course, but they will be taken on submission on printed briefs at any time during the term after the bench is full, if counsel shall be so advised.

No. 98.—Peter Dougherty, plaintiff in error, *v.* The Nevada Bank of San Francisco. In error to the supreme court of the State of California. Judgment affirmed with costs.

The Chief Justice announced the following orders of the court:

No. 532.—Arthur D. Andrews, plaintiff in error, *v.* The United States. Motion to advance granted, and cause assigned for argument on the first Monday of January next, after the cases already set down for that day.

No. 717.—The Lyons-Thomas Hardware Company et al., plaintiffs in error, *v.* The Perry Stove Manufacturing Company et al. In error to the supreme court of the State of Texas. Dismissed for the want of jurisdiction.

No. 392.—The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, plaintiff in error, *v.* Millard F. Brown. Motion for leave to argue this case orally denied.

No. 743.—A. B. Kahnweiler & Bro., plaintiffs in error, *v.* The Phenix Insurance Company, of Brooklyn, N. Y. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 779.—William Graver, appellant, *v.* Benjamin C. Faurot. Motion to advance granted, and cause advanced as under the thirty-second rule, to be submitted on printed briefs.

No. 588.—Rose L. Saltonstall et al., executors, etc., plaintiffs in error, *v.* Joseph Birtwell. Ordered to be restored to the docket for reargument before a full bench.

No. 88.—The Board of Flour Inspectors for the Port of New Orleans et al., appellants, *v.* Booth F. Glover et al. Appeal from the circuit court of the United States for the eastern district of Louisiana. Dismissed without costs to either party. Opinion by Mr. Chief Justice Fuller.

No. 760.—The United States, plaintiff in error, *v.* Martin T. McMahon; and

No. 761.—Martin T. McMahon, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Conrad for the United States.

No. 814.—The United States, appellant, *v.* James Harden, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Solicitor-General Conrad for the appellant in support of petition, and by Mr. Charles Curie, Mr. W. Wickham Smith, and Mr. David Ives Mackie for the appellee in opposition thereto.

No. 816.—Jose Albino Baca et al., appellants, *v.* The United States et al. Appeal from the Court of Private Land Claims. Docketed and dismissed on motion of Mr. Solicitor-General Conrad, for the appellees.

No. 817.—George H. Fletcher et al., appellants, *v.* The United States et al. Appeal from the Court of Private Land Claims. Docketed and dismissed on motion of Mr. Solicitor-General Conrad, for the appellees.

No. 582.—Charles L. Borgmeyer, administrator, etc., plaintiff in error, *v.* William Idles et al. Motion for mandate to issue submitted by Mr. Edward H. Weil for the defendants in error in support of motion.

No. 184.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Hugh Charless. Death of Hugh Charless suggested and appearance of R. J. Dawson, administrator, etc., as defendant in error herein, filed and entered on motion of Mr. Reese H. Voorhees for the defendant in error.

No. 103.—The Union Pacific Railway Company, plaintiff in error, *v.* Gladwys Jones. Motion to re-form the judgment herein submitted by Mr. R. T. McNeal for the defendant in error, in support of motion, and by Mr. John M. Thurston, for the plaintiff in error, in opposition thereto.

No. 780.—The Kildare Lumber Company, appellant, *v.* The National Bank of Commerce, of Kansas City, Mo., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit; submitted by Mr. Charles S. Todd and Mr. M. L. Crawford for the appellant, in support of the petition, and by Mr. Elijah Robinson for the appellees, in opposition thereto.

No. 180.—The Seneca Nation of Indians, plaintiff in error, *v.* Harrison B. Christy. Motions to dismiss or affirm submitted by Mr. Norris Morey, in support of motions, and by Mr. James C. Strong, in opposition thereto.

No. 627.—The Missouri Pacific Railway Company, plaintiff in error, *v.* Mary Fitzgerald, administratrix, etc., et al. Motions to dismiss or affirm submitted by Mr. J. M. Woolworth, in support of motions, and by Mr. John F. Dillon, Mr. W. S. Pierce, and Mr. B. P. Waggener, in opposition thereto.

No. 105.—The Great Western Telegraph Company, plaintiff in error, *v.* Hiram Purdy. Argument continued by Mr. Thomas J. Sutherland for the plaintiff in error, by Mr. S. L. Glasgow for the defendant in error, and concluded by Mr. Thomas J. Sutherland for the plaintiff in error.

No. 107.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Junius G. Sanders et al. Argument commenced by Mr. A. B. Browne for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 10, will be as follows: Nos. 107, 111 (and 112), 113, 116, 119, 120, 650, 710, 711, and 121.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 10, 1895.

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

John J. Butts, of Cisco, Tex., was admitted to practice.

No. 821.—The Southern Pacific Railroad Company, appellant, *v.* John L. Tilley and Mrs. M. J. Tilley. Appeal from the circuit court of the United States for the southern district of California. Docketed and dismissed with costs on motion of Mr. S. M. Stockslager for the appellees, and mandate granted.

No. 822.—The Southern Pacific Railroad Company, appellant, *v.* William B. Walker. Appeal from the circuit court of the United States for the southern district of California. Docketed and dismissed with costs, on motion of Mr. S. M. Stockslager for the appellee, and mandate granted.

No. 823.—The Southern Pacific Railroad Company, appellant, *v.* J. M. Patterson et al. Appeal from the circuit court of the United States for the southern district of California. Docketed and dismissed with costs, on motion of Mr. S. M. Stockslager for the appellees, and mandate granted.

No. 107.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Junius G. Sanders et al. Argument continued by Mr. A. B. Browne for the plaintiff in error, by Mr. S. S. Burdett for the defendants in error, and concluded by Mr. A. B. Browne for the plaintiff in error.

Nos. 111 and 112.—The Chicago, St. Paul, Minneapolis and Omaha Railway Company, plaintiff in error, *v.* John Roberts. Argument commenced by Mr. Thomas Wilson for the plaintiff in error and continued by Mr. J. L. Macdonald for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 11, will be as follows: Nos. 111 (and 112), 113, 116, 119, 120, 650, 710, 711, 121, and 123.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 11, 1895.

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

Robert A. Friederich, of San Francisco, Cal., Wellington C. Burnett, of San Francisco, Cal., and Frank L. Wean, of Chicago, Ill., were admitted to practice.

No. 130.—George A. Eddy et al., plaintiffs in error, *v.* Benjamin F. Lafayette et al. Death of Eddy & Cross, receivers, suggested, and case passed on motion of Mr. A. B. Browne in behalf of counsel for the plaintiffs in error.

No. 131.—George A. Eddy et al., plaintiffs in error, *v.* William J. Wallace. Passed for settlement.

No. 824.—The Travelers' Insurance Company, of Hartford, Conn., appellant, *v.* Fannie L. Henderson. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. J. J. Darlington for the appellee, in support of petition, and by Mr. T. F. Burke and Mr. B. D. Lee for the appellant, in opposition thereto.

No. 123.—Robert R. Williams, plaintiff in error, *v.* James B. Wilbur. In error to the circuit court of the United States for the district of Kansas. Dismissed with costs pursuant to the tenth rule.

Nos. 111 and 112.—The Chicago, St. Paul, Minneapolis and Omaha Railway Company, plaintiff in error, *v.* John Roberts. Argument continued by Mr. J. L. Macdonald for the defendant in error, and concluded by Mr. Thomas Wilson for the plaintiff in error.

No. 113.—Theodore Hansen, plaintiff in error, *v.* James E. Boyd et al. Argument commenced by Mr. Charles E. Flandrau for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 12, will be as follows: Nos. 113, 116, 119, 120, 650, 710, 711, 121, 124, and 125.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 12, 1895.

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

William J. Lardner, of New York City, and George R. Daley, of Chicago, Ill., were admitted to practice.

No. 125.—E. M. Hukill, plaintiff in error, *v.* James M. Guffey et al. In error to the supreme court of appeals of the State of West Virginia. Dismissed with costs pursuant to the tenth rule.

No. 113.—Theodore Hansen, plaintiff in error, *v.* James E. Boyd et al. Argument continued by Mr. Charles E. Flandran for the plaintiff in error, by Mr. Ralph Whelan for the defendants in error, and concluded by Mr. Charles E. Flandran for the plaintiff in error.

No. 120.—William Henry, appellant, *v.* The Alabama and Vicksburg Railroad Company. Passed.

No. 116.—George W. Cochran, appellant, *v.* Isaac L. Blout, trustee, et al. Argument commenced by Mr. Samuel Maddox for the appellant and continued by Mr. Leon Tobriner and Mr. A. B. Duvall for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 13, will be as follows: Nos. 116, 119, 650, 710, 711, 121, 124, 126, 127, and 128.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 13, 1895.

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

Edwin D. McGuinness, of Providence, R. I., was admitted to practice.

No. 129.—Jane Lynch, appellant, *v.* Christeina Murphy, executrix, etc., et al. Death of Christeina Murphy suggested, and appearance of John Henry Murphy, sole devisee, etc., as a party appellee in this cause, filed and entered on motion of Mr. A. S. Worthington for the appellees.

No. 126.—Knut Aslesen, plaintiff in error, *v.* The State of Minnesota; and

No. 127.—Charles M. Bassett, plaintiff in error, *v.* The State of Minnesota. Passed for settlement.

No. 116.—George W. Cochran, appellant, *v.* Isaac L. Blout, trustee, et al. Argument continued by Mr. A. B. Duvall for the appellees and concluded by Mr. A. S. Worthington for the appellant.

No. 119.—The Union Pacific Railway Company, plaintiff in error, *v.* Nora O'Brien. Argued by Mr. John M. Thurston for the plaintiff in error and submitted by Mr. C. S. Thomas for the defendant in error.

No. 650.—Henry Kohl, appellant, *v.* Herman Lehlback, sheriff, etc. Argued by Mr. Arthur English for the appellant and by Mr. E. W. Crane for the appellee.

No. 711.—John Gibson, plaintiff in error, *v.* The State of Mississippi. Argued by Mr. E. M. Hewlett for the plaintiff in error, with leave to counsel for the defendant in error to file brief within one week.

No. 710.—Charley Smith, plaintiff in error, *v.* The State of Mississippi. Argument commenced by Mr. C. J. Jones for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 16, will be as follows: Nos. 710, 121, 124, 128, 129, 132, 133, 134, 135, and 137.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 16, 1895.

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

St. George R. Fitzhugh, of Fredericksburg, Va.; Milton Remley, of Iowa City, Iowa; George Chandler, of Washington, D. C.; Homer C. Mechem, of Fort Smith, Ark.; J. Collin George, of Stephenville, Tex.; E. H. Sellers, of Detroit, Mich., and A. S. Churchill, of Omaha, Nebr., were admitted to practice.

No. 547.—A. W. Ballew, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the northern district of Georgia. Judgment reversed and cause remanded, with directions to enter judgment upon the second count of the indictment, and for such proceedings with reference to the first count as may be in conformity to law. Opinion by Mr. Justice White.

No. 73.—Eddy B. Townsend, appellant, *v.* Mary C. Vanderwerker et al. Appeal from the supreme court of the District of Columbia. Decree reversed with costs, and cause remanded, with directions to overrule the demurrer, and for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brown.

No. 619.—George E. Whitten, appellant, *v.* Charles A. Tomlinson, sheriff, etc. Appeal from the circuit court of the United States for the district of Connecticut. Order affirmed, with costs. Opinion by Mr. Justice Gray.

No. 99.—The Interior Construction and Improvement Company, plaintiff in error, *v.* John C. Gibney et al. In error to the circuit court of the United States for the district of Indiana. Judgment reversed, with costs, and cause remanded with directions to sustain the demurrer to the plea, and for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Gray.

No. 6.—Original. *Ex parte.* In the matter of The Keasbey and Mattison Company, petitioner. Petition for a writ of mandamus denied. Opinion by Mr. Justice Gray.

No. 544.—William H. Markham, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Kentucky. Judgment affirmed. Opinion by Mr. Justice Harlan.

No. 593.—Dennis Davis, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed and cause remanded, with directions to grant a new trial, and for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 617.—The Lehigh Mining and Manufacturing Company, plaintiff in error, *v.* J. J. Kelly, jr., et al. In error to the circuit court of the United States for the western district of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. Dissenting, Mr. Justice Shiras, Mr. Justice Field, and Mr. Justice Brown.

No. 693.—John Allison, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed and cause remanded, with a direction to set aside the verdict and grant a new trial. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced the following orders of the court:

No. 103.—The Union Pacific Railway Company, plaintiff in error, *v.* Gladwys Jones. Motion to modify, amend, or vacate. Judgment of dismissal herein denied.

No. 180.—The Seneca Nation of Indians, plaintiff in error, *v.* Harrison B. Christy. Motions to dismiss or affirm postponed to the hearing of the case on its merits.

No. 645.—Elverton R. Chapman, appellant and plaintiff in error, *v.* The United States. Motion for an order to stay proceedings in the lower courts denied.

No. 760.—The United States, plaintiff in error, *v.* Martin T. McMahon; and

No. 761.—Martin T. McMahon, plaintiff in error, *v.* The United States. Motion to advance granted and cases assigned for argument on the second Monday of the next term, or they will be taken on printed briefs at any time during this term if counsel shall be so advised.

No. 780.—The Kildare Lumber Company, appellant, *v.* The National Bank of Commerce of Kansas City, Mo., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 814.—The United States, appellant, *v.* James Harden. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 824.—The Travelers' Insurance Company of Hartford, Conn., appellant, *v.* Fannie L. Henderson. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 442.—Mary McCullough, administratrix, etc., appellant, *v.* The New York, New Haven and Hartford Railroad Company et al. On a certificate from the United States circuit court of appeals for the second circuit. Dismissed on motion of Mr. Mason N. Richardson in behalf of counsel for the appellant.

No. 10, Original.—The State of Missouri, complainant, *v.* The State of Iowa. Leave granted to file bill of complaint. Answer and replication herein on motion of Mr. R. F. Walker for the complainant.

No. 269.—The Phoenix Fire and Marine Insurance Company of Memphis et al., plaintiffs in error, *v.* The State of Tennessee, for the use of the city of Memphis. Motion to advance submitted by Mr. Josiah Patterson in behalf of counsel.

No. 826.—The Society of Shakers at Pleasant Hill, Ky., et al., appellants, *v.* Oliver Watson et al. Petition for writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Watson A. Sudduth for the appellants in support of the petition, and by Mr. St. George R. Fitzhugh for the appellees in opposition thereto.

No. 462.—Count Joseph Telfener, plaintiff in error, *v.* George W. Russ. Assigned for argument on the first Monday in March next, after the cases already set down for that day, on motion of Mr. J. L. Peeler for the plaintiff in error.

No. 806.—Climace Calderon, appellant, *v.* The Atlas Steamship Company, Limited. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. J. Langdon Ward for the appellant in support of the petition, and by Mr. Everett P. Wheeler for the appellee in opposition thereto.

No. 685.—A. S. Churchill, Attorney-General, et al., appellants, *v.* Oliver Ames et al.;

No. 686.—A. S. Churchill, Attorney-General, et al., appellants, *v.* George Smith et al.; and

No. 787.—A. S. Churchill, Attorney-General, et al., appellants, *v.* Henry L. Higginson et al. Motions to advance submitted by Mr. A. S. Churchill for the appellants.

No. 652.—Caroline Southworth, executrix, etc., appellants, *v.* The United States. Motion to advance submitted by Mr. George A. King for the appellant.

No. 131.—George A. Eddy et al., plaintiffs in error, *v.* William J. Wallace. In error to the United States circuit court of appeals for the eighth circuit. Dismissed with costs on motion of Mr. A. B. Brown for the plaintiffs in error, and cause remanded to the United States court for the Indian Territory.

No. 768.—Thomas W. Pearsall, appellant, *v.* The Great Northern Railway Company. Submitted pursuant to the twentieth rule by Mr. Henry J. Horn, for the appellant, by Mr. H. W. Childs, for the State of Minnesota, and by Mr. M. D. Grover, Mr. C. K. Davis, F. B. Kellogg, and C. A. Severance, for the appellee.

No. 666.—Alexander Lazard et al., plaintiffs in error, *v.* The Merchants' and Miners' Transportation Company. Motion to dismiss submitted by Mr. William Pinckney White in support of motion, and by Mr. Jefferson Chandler and Mr. Eugene G. Kremer in opposition thereto.

No. 710.—Charley Smith, plaintiff in error, *v.* The State of Mississippi. Argument concluded by Mr. C. J. Jones for the plaintiff in error, with leave to counsel for the defendant in error to file brief on or before Friday next.

No. 9.—Original. *Ex parte*: In the matter of George F. Emblen, petitioner. Petition for a writ of mandamus argued by Mr. Henry B. O'Reilly for the petitioner, by Mr. Assistant Attorney-General Whitney for the respondent, and by Mr. S. M. Stockslager (by special leave) for the Lincoln Land Company et al.

No. 121.—Martha Hopkins et al., appellants, *v.* William H. Grimshaw et al. Argument commenced by Mr. Franklin H. Mackey for the appellants, and continued by Mr. J. J. Darlington for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 17, will be as follows: Nos. 121, 124, 128, 129, 132, 133, 134, 135, 137, and 138.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 17, 1895.

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

James A. Connolly of Springfield, Ill., was admitted to practice.

No. 10, Original.—The State of Missouri, complainant, *v.* The State of Iowa. Leave granted to file stipulation as to submission of cause and appointment of commissioners, on motion of Mr. R. F. Walker for the complainant. Submitted on the pleadings by Mr. R. F. Walker for the complainant and by Mr. Milton Remley for the defendant.

No. 126.—Knut Aslesen, plaintiff in error, *v.* The State of Minnesota. In error to the supreme court of the State of Minnesota. Dismissed per stipulation.

No. 127.—Charles M. Bassett, plaintiff in error, *v.* The State of Minnesota. In error to supreme court of the State of Minnesota. Dismissed per stipulation.

No. 121.—Martha Hopkins et al., appellants, *v.* William H. Grimshaw et al. Argument continued by Mr. J. J. Darlington for the appellees and concluded by Mr. H. O. Claughton for the appellants.

No. 124.—The United States, appellant, *v.* Philip Roettinger, administrator, etc. Argument commenced by Mr. Assistant Attorney-General Dodge for the appellant and continued by Mr. J. W. Warrington for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 18, will be as follows: Nos. 124, 128, 129, 132, 133, 134, 135, 137, 138, 139 (and 83).

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 18, 1895.

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

The Chief Justice announced that the court would take a recess from Monday, the 23d instant, to Monday, January 6, 1896.

No. 133.—The New Orleans City and Lake Railroad Company, plaintiff in error, *v.* The City of New Orleans. In error to the supreme court of the State of Louisiana. Dismissed with costs on motion of Mr. E. B. Whitney in behalf of counsel for the plaintiff in error.

No. 471.—Thomas Ball, plaintiff in error, *v.* Julia F. Halsell, executrix, etc. Submitted pursuant to the twentieth rule by Mr. John J. Weed for the plaintiff in error and by Mr. Henry C. Coke for the defendant in error.

No. 124.—The United States, appellant, *v.* Philip Roettinger, administrator, etc. Argument continued by Mr. J. W. Warrington for the appellee and concluded by Mr. Assistant Attorney-General Dodge for the appellant.

No. 128.—The Iowa Central Railway Company, plaintiff in error, *v.* The State of Iowa. Submitted by Mr. Anthony C. Daly for the plaintiff in error and by Mr. Milton Remley for the defendant in error.

No. 129.—Jane Lynch, appellant, *v.* John Henry Murphy, sole devisee etc. et al. Argument commenced by Mr. William G. Johnson for the appellant, and continued by Mr. A. S. Worthington and Mr. Henry E. Davis for the appellees and by Mr. Calderon Carlisle for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 19, will be as follows: Nos. 129, 132, 134, 135, 137, 138, 139 (and 83) 140, 141 and 142.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 19, 1895.

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

James J. Myers of Boston, Mass., H. H. Buckman of Jacksonville, Fla., Albert G. Crawford of Pittsfield, Ill., Thomas F. Ferne of Jerseyville, Ill., and Samuel V. Hayden of Washington, D. C., were admitted to practice.

No. 83.—Frank W. Smith et al., plaintiffs in error, *v.* Gordon McKay as trustee, etc. Ordered that this cause be argued in place of No. 139, on motion of Mr. Causten Browne for the plaintiffs in error.

No. 341.—William M. Fishback et al., appellants, *v.* The Western Union Telegraph Company. Advanced to be heard with No. 342 on motion of Mr. R. C. Garland for the appellants.

No. 198.—T. J. Bryan, appellant, *v.* M. W. Kales, and

No. 200.—T. J. Bryan, appellant, *v.* George T. Brasius et al. Submitted pursuant to the twentieth rule by Mr. William A. McKenney for the appellant and by Mr. A. H. Garland and Mr. R. C. Garland for the appellees.

No. 129.—Jane Lynch, appellant, *v.* John Henry Murphy, sole devisee etc., et al. Argument concluded by Mr. Calderon Carlisle for the appellant.

No. 132.—The Union Mutual Life Insurance Company, plaintiff in error, *v.* Elizabeth Kirchoff. Argued by Mr. E. Parmalee Prentice for the plaintiff in error and by Mr. George R. Daley for the defendant in error.

No. 134.—Joshua M. Dushane, assignee, etc., plaintiff in error, *v.* Alpheus Beall. Argued by Mr. Edward Campbell for the plaintiff in error and by Mr. Leoni Melick for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday December 20, will be as follows: Nos. 135, 83, 138, 140, 141, 142, 143, 144, 145 and 146.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 20, 1895.

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

Oscar W. Underwood of Birmingham, Ala., George A. Evans of Birmingham, Ala., Charles M. Campbell of Ardmore, Ind. T., Francis J. Heney of Tucson, Ariz., Albert J. Pearson of Woodsfield, Ohio, and Wickliffe E. Mallory of Woodsfield, Ohio, were admitted to practice.

No. 144.—The State of Missouri *ex rel.* John S. Lemon *et al.*, plaintiffs in error, *v.* The Board of Equalization of Buchanan County, Mo. In error to the circuit court of Buchanan County, Mo. Dismissed with costs on authority of counsel for the plaintiffs in error.

No. 145.—John G. Gohlman *et al.*, plaintiffs in error, *v.* William Barton *et al.*, etc. In error to the United States Court for the Indian Territory. Dismissed with costs pursuant to the tenth rule.

No. 83.—Frank W. Smith *et al.*, plaintiffs in error, *v.* Gordon McKay, as trustee, etc. Argued by Mr. Cansten Browne for the plaintiffs in error and by Mr. J. J. Meyers for the defendant in error.

No. 135.—The District of Columbia, plaintiff in error, *v.* Isaac S. Lyon. Argued by Mr. Isaac S. Lyon the defendant in error in propria persona and submitted by Mr. S. T. Thomas and Mr. A. B. Duvall for the plaintiff in error.

No. 138.—The United States, appellant, *v.* Robert Thornton. Submitted on printed argument by Mr. Assistant Attorney-General Dodge for the appellant and on the record by Mr. Robert Thornton, the appellee.

No. 139.—Henry H. Tucker, appellant, *v.* Gordon McKay, trustee, etc. Passed.

No. 140.—Sarah Van Wagenen *et al.*, appellants, *v.* Rufus K. Sewall. Argued by Mr. H. H. Buckman for the appellants and submitted by Mr. Rufus K. Sewall, the appellee.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 23, 1895.

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

P. L. Soper, of Muscogee, Ind. T., was admitted to practice.

No. 66.—William Haws et al., appellants, *v.* The Victoria Copper Mining Company. Appeal from the supreme court of the Territory of Utah. Decree affirmed with costs. Opinion by Mr. Justice White. (Mr. Justice Gray took no part in the decision of this case.)

No. 373.—The Central Railroad Company of New Jersey, plaintiff in error, *v.* Bernard Keegan. On a certificate from the United States circuit court of appeals for the second circuit. First question answered in the affirmative and the second in the negative. Opinion by Mr. Justice White. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Field and Mr. Justice Harlan.

No. 719.—George S. Moore, plaintiff in error, *v.* The United States. In error to the district court of the United States for the southern district of Alabama. Judgment reversed and cause remanded with directions to quash the indictment. Opinion by Mr. Justice Brown.

No. 8, original.—*Ex parte*: In the matter of The Sanford Fork and Tool Company et al., petitioners. Petition for a writ of mandamus denied. Opinion by Mr. Justice Gray.

No. 75.—The United States, plaintiff in error, *v.* William P. Sayward et al. In error to the circuit court of the United States for the district of Washington. Judgment reversed and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 94.—John Keane, plaintiff in error, *v.* Anna Sophia Brygger, executrix, et al. In error to the supreme court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Field.

No. 97.—The Jersey City and Bergen Railroad Company, plaintiff in error, *v.* James E. Morgan. In error to the supreme court of the State of New Jersey. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 650.—Henry Kohl, appellant, *v.* Herman Lehlback, sheriff, etc. Appeal from the circuit court of the United States for the district of New Jersey. Order affirmed with costs. Opinion by Mr. Chief Justice Fuller. Ordered that the mandate issue at once.

The Chief Justice announced the following orders of the court :

No. 269.—The Phœnix Fire and Marine Insurance Company of Memphis et al., plaintiffs in error, *v.* The State of Tennessee for use of the city of Memphis. Motion to advance granted and cause assigned for argument on the first Monday of January with No. 668 and other like cases.

No. 652.—Caroline Southworth, executrix, etc., appellant, *v.* The United States. Motion to advance granted and cause assigned for argument on the first Monday of March next after the cases already set down for that day.

No. 666.—Alexander Lazard et al., plaintiffs in error, *v.* The Merchants and Miners' Transportation Company. Motion to dismiss denied for want of a printed record or the essential parts thereof.

No. 685.—A. S. Churchill, attorney-general, et al., etc., appellants, *v.* Oliver Ames et al.;

No. 686.—A. S. Churchill, attorney-general, et al., etc., appellants, *v.* George Smith et al., and

No. 687.—A. S. Churchill, attorney-general, et al., etc., appellants, *v.* Henry L. Higginson et al. Motions to advance granted and causes assigned for argument on the first Monday of March next after the cases already set down for that day.

No. 806.—Climace Calderon, appellant, *v.* The Atlas Steamship Company, Limited. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 826.—The Society of Shakers at Pleasant Hill, Ky., et al., appellants, *v.* Oliver Watson et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 72.—Zeph. T. Hill, plaintiff in error, *v.* John Corcoran. Restored to the docket for reargument, but will be taken on resubmission on printed briefs at any time during the term.

Nos. 111 and 112.—The Chicago, St. Paul, Minncapolis and Omaha Railway Company, plaintiff in error, *v.* John Roberts. Restored to the docket for reargument but will be taken on resubmission on printed briefs at any time during the term.

No. 731.—Jerry Wallace, plaintiff in error, *v.* The United States ;
 No. 778.—John Matthews, plaintiff in error and appellant, *v.* The United States ;

No. 792.—Rufus Buck et al., plaintiffs in error, *v.* The United States ;

No. 801.—Francis A. Coffin, plaintiff in error, *v.* The United States, and

No. 809.—Ed. Wilkey alias Davis, plaintiff in error, *v.* The United States. Motions to advance submitted by Mr. Solicitor-General Conrad for the United States.

No. 588.—Rose L. Saltonstall et al., executors etc., plaintiffs in error, *v.* Joseph Birtwell. Assigned for reargument on the first Monday in March next after the cases already set down for that day, on motion of Mr. Assistant Attorney-General Whitney for the plaintiffs in error.

No. 803.—John A. Andrews et al., appellants, *v.* Otto and William Thun. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. William H. Doolittle and Mr. T. J. Johnston for the appellees in support of petition.

No. 642.—S. W. Carey et al., appellants, *v.* The Houston and Texas Central Railway Company et al. Motion to dismiss submitted by Mr. J. Hubley Ashton, Mr. A. H. Joline and Mr. E. B. Kruttschnitt in support of the motion and by Mr. Jefferson Chandler, Mr. George Clark, Mr. A. J. Dittenhoefer and Mr. R. H. Landale in opposition thereto.

No. 601.—Charles A. Gregory, appellant, *v.* John C. Kemp Van Ee. Motion to dismiss submitted by Mr. Russell Gray in support of the motion and by Mr. E. J. Phelps and Mr. F. A. Brooks in opposition thereto.

No. 554.—Alexander Willman, plaintiff in error, *v.* S. M. Friedman. In error to the supreme court of the State of Idaho. Dismissed with costs per stipulation.

Adjourned until Monday, January 6, 1896, at 12 o'clock.

The day call for Monday, January 6, 1896, will be as follows: Nos. 376, 504, 599 (and 629), 569, 570 (and 555), 622, 415, 573 (and 574), 722, and 559 (and 560).

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 6, 1896.

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

The Chief Justice said:

It gives me pleasure to announce the appointment of Mr. Rufus W. Peckham, of New York, to a seat on this bench. Mr. Peckham is present and prepared to take the oath. Let his commission be read and the oath be administered accordingly.

The commission was then read and the oath administered by the clerk, and Mr. Justice Peckham took his seat on the bench.

William H. Pope, of Santa Fe, N. Mex.; Joseph V. Graff, of Pekin, Ill., and Charles Heebner, of Philadelphia, Pa., were admitted to practice.

No. 21.—The Southern Pacific Company, plaintiff in error, *v.* Malola Pool, administratrix, etc. In error to the supreme court of the Territory of Utah. Judgment reversed with costs and cause remanded to the supreme court of the State of Utah with directions to grant a new trial. Opinion by Mr. Justice White.

No. 128.—The Iowa Central Railway Company, plaintiff in error, *v.* The State of Iowa. In error to the supreme court of the State of Iowa. Dismissed for the want of jurisdiction. Opinion by Mr. Justice White.

No. 86.—William P. Spalding, plaintiff in error, *v.* William Chandler. In error to the supreme court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 491.—Sam. Downing, alias Sam. Hickory, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed and cause remanded with directions to grant a new trial. Opinion by Mr. Justice White.

No. 62.—W. B. Eldridge, appellant, *v.* Peter J. Trezevant et al. Appeal from the circuit court of the United States for the western district of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Brewer.

No. 85.—Jabez H. Gill, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 95.—Maria H. N. Bartlett, executrix, etc., et al., plaintiffs in error, *v.* Emory W. McClintock, surviving partner, etc. In error to the supreme court of the State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 96.—William Wallace Kirby, appellant, *v.* Maria E. Tallmadge. Appeal from the supreme court of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Brown.

No. 648.—George Pierce et al., plaintiffs in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgments affirmed. Opinion by Mr. Justice Brown.

No. 132.—The Union Mutual Life Insurance Company, plaintiff in error, *v.* Elizabeth Kirchoff. In error to the supreme court of the State of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 138.—The United States, appellant, *v.* Robert Thornton. Appeal from the Court of Claims. Judgment reversed and cause remanded with directions to dismiss the petition. Opinion by Mr. Justice Brown.

No. 140.—Sarah Van Wagenen et al., appellants, *v.* Rufus K. Sewall. Appeal from the district court of the United States for the northern district of Florida. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 91.—Thomas C. Chappell, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Maryland. Judgment affirmed. Opinion by Mr. Justice Gray.

No. 15.—Frank P. Dickson, appellant, *v.* Richard C. Patterson. Appeal from the circuit court of the United States for the district of Nebraska. Decree reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 45.—The United States, appellant, *v.* The State of New York.

No. 136.—The State of New York, appellant, *v.* The United States. Appeals from the Court of Claims. Judgment reversed and cause remanded with directions for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Harlan.

The Chief Justice announced the following orders of the court:

No. 113.—Theodore Hansen, plaintiff in error, *v.* James E. Boyd et al. Counsel given two weeks in which to present suggestions as to the seasonableness of the allowance of the bill of exceptions herein.

No. 584.—*Ex parte*: In the matter of James Lennon, appellant. Motion to advance denied, but case will be taken on printed briefs at any time during the term if counsel shall be so advised.

No. 792.—Rufus Buck et al., plaintiffs in error, *v.* The United States;

No. 801.—Francis A. Coffin, plaintiff in error, *v.* The United States;

No. 731.—Jerry Wallace, plaintiff in error, *v.* The United States;

No. 778.—John Matthews, plaintiff in error and appellant, *v.* The United States;

No. 809.—Ed. Wilkey alias One Davis, plaintiff in error, *v.* The United States. Motions to advance granted and cases assigned for argument on the first Monday of March next after the cases already set down for that day.

No. 803.—John A. Andrews et al., appellants, *v.* Otto and William Thum. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 394.—The Cincinnati, New Orleans and Texas Pacific Railway Company et al., appellants, *v.* The Interstate Commerce Commission, and

No. 473.—The Interstate Commerce Commission, appellant, *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company et al. Assigned for reargument on the 20th instant, at the head of the call, on motion of Mr. Attorney-General Harmon for the Interstate Commerce Commission.

No. 747.—James S. Davenport, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Conrad for the defendant in error.

No. 837.—Will Cooper, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the northern district of Alabama. Docketed and dismissed on motion of Mr. Solicitor-General Conrad for the defendant in error.

No. 794.—The United States, plaintiff in error, *v.* Samuel Zucker et al. Substituted for Nos. 573 and 574 in the call of the assigned list, on motion of Mr. Assistant Attorney-General Whitney for the plaintiff in error.

No. 722.—The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky. Motion for additional time in the argument of this case denied. Leave granted to the counsel for the plaintiff in error to make oral argument herein on motion of Mr. Helm Bruce for the plaintiff in error.

No. 337.—The United States, plaintiff in error, *v.* Charles R. Allen. Motion to advance submitted by Mr. L. E. Payson for the defendant in error.

No. 7.—Original of October term, 1894. The State of California, complainant, *v.* Southern Pacific Company. Motion for leave to file motions to set aside taxation of costs herein and for retaxation of costs, submitted by Mr. J. P. Langhorne for the complainant.

No. 557.—Alex. W. Crain, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Rufus C. Garland for the plaintiff in error.

No. 623.—Louis F. Streep, plaintiff in error, *v.* The United States. Motion to extend time for issuing the mandate herein for thirty days submitted by Mr. C. C. Lancaster for the plaintiff in error.

No. 434.—The Raven Gold Mining Company, appellant, *v.* The Miners' Union of the town of Altman et al. Submitted by Mr. C. S. Thomas and Mr. W. H. Bryant for the appellant. No counsel appeared for the appellees.

No. 568.—The Central National Bank of Boston et al., plaintiffs in error, *v.* Aaron R. Stevens et al. Motions to dismiss or affirm submitted by Mr. Edward Winslow Paige in support of motions and by Mr. Matthew Hale and Mr. Henry D. Hyde in opposition thereto.

No. 376.—The Berwind-White Coal Mining Company, appellant, *v.* The Steamship *Kate* etc. Argument commenced by Mr. George Bethune Adams for the appellant and continued by Mr. J. Parker Kirlin for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 7, will be as follows: Nos. 376, 504, 599 (and 629) 569, 570 (and 555) 622, 415, 794, 722, and 559 (and 560).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 7, 1896.

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

Warwick Massey Hough of St. Louis, Mo., Benjamin S. Grosscup of Tacoma, Wash., and Lafayette H. De Friese of New York City were admitted to practice.

No. 29.—Louis A. Salomon et al., plaintiffs in error, *v.* W. H. Robertson, collector, etc. In error to the circuit court of the United States for the southern district of New York. Dismissed with costs on the authority of counsel for the plaintiffs in error.

No. 333.—The Chicago, Rock Island and Pacific Railway Company, plaintiff in error, *v.* E. S. Stahley. In error to the circuit court of the United States for the district of Kansas. Dismissed with costs on the authority of counsel for the plaintiff in error.

No. 446.—The First National Bank of Garnett, plaintiff in error, *v.* R. H. Ayers, sheriff of Anderson County, Kans., et. al. Submitted pursuant to the twentieth rule by Mr. J. W. Glead for the plaintiff in error and by Mr. Abram Bergen for the defendant in error.

No. 735.—The Chemical National Bank of Chicago, plaintiff in error, *v.* Hartford Deposit Company. Submitted pursuant to the twentieth rule by Mr. Hiram T. Gilbert for the plaintiff in error and by Mr. Charles H. Baldwin for the defendant in error.

No. 736.—The Chemical National Bank of Chicago, plaintiff in error, *v.* City Bank of Portage. Submitted pursuant to the twentieth rule by Mr. Hiram T. Gilbert for the plaintiff in error and by Mr. S. P. McConnell and Mr. D. K. Tenney for the defendant in error.

No. 376.—The Berwind-White Coal Mining Company, appellant, *v.* The Steamship *Kate*, etc. Argument continued by Mr. J. Parker Korlin for the appellee and concluded by Mr. W. P. Williams for the appellee. Leave granted counsel for the appellant to file supplemental brief by the 10th instant.

No. 504.—The United States, appellant, *v.* The City of Santa Fe. Argument commenced by Mr. Assistant Attorney-General Dickinson for the appellant and continued by Mr. William H. Pope for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 8, will be as follows: Nos. 504, 599, (and 629) 569, 570 (and 555), 622, 415, 794, 722, 559 (and 560), and 653.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 8, 1896.

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

Stephen Mortimer Coon of Oswego N. Y. was admitted to practice.

No. 582.—Charles L. Borgmeyer, administrator etc., plaintiff in error, *v.* William Idler et al. Motion that mandate issue granted.

No. 504.—The United States, appellant, *v.* The City of Santa Fe. Argument continued by Mr. T. B. Catron for the appellee and concluded by Mr. Matt. G. Reynolds for the appellant.

Nos. 599 and 629.—The United States, plaintiff in error, *v.* A certain tract of land in Cumberland Township, Adams County, Pa. Argument commenced by Mr. Solicitor General Courad for the plaintiff in error and continued by Mr. Thomas Hart, jr. for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday January 9, will be as follows: Nos. 599 (and 629) 569, 570 (and 555) 622, 415, 794, 722, 559 (and 560) 653 and 662.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 9, 1896.

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

No. 637.—W. J. Faust, plaintiff in error, *v.* The United States. Submitted by Mr. A. H. Garland and Mr. R. C. Garland for the plaintiff in error and by Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 458.—A. T. Schroeder et ux., appellants, *v.* John M. Young. Submitted pursuant to the twentieth rule by Mr. A. T. Schroeder for the appellants and by Mr. Parley L. Williams for the appellee.

No. 805.—The United States, appellant, *v.* Henry C. Fuller. Submitted pursuant to the twentieth rule by Mr. Assistant Attorney-General Dodge and Mr. Charles C. Binney for the appellant and by Mr. R. B. Lines and Mr. John Paul Jones for the appellee.

Nos. 599 and 629.—The United States, plaintiff in error, *v.* A Certain Tract of Land in Cumberland Township, Adams County, Pa. Argument continued by Mr. Thomas Hart, jr., for the defendant in error and concluded by Mr. Attorney-General Harmon for the plaintiff in error.

No. 569.—Robert B. Dashiell, appellant, *v.* James B. M. Grosvenor et al. Argument commenced by Mr. William G. Wilson for Grosvenor et al., and continued by Mr. William A. Jenner for Grosvenor et al. and by Mr. Samuel F. Phillip for Dashiell.

No. 48.—Bamberger, Bloom & Co., plaintiffs in error, *v.* W. W. Schoolfield et al. Leave granted to Mr. Joseph Wheeler, in behalf of counsel for the plaintiffs in error, to file motion for stay of mandate herein for thirty days.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 10, will be as follows: Nos. 569, 570 (and 555), 622, 415, 794, 722, 559 (and 560), 653, 662, and 667.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 10, 1896.

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

W. F. Guthrie, of Atchison, Kans.; Charles F. Bishop, of Brooklyn, N. Y.; Samuel Norris, jr., of Bristol, R. I., and Peter Zucker, of New York City were admitted to practice.

No. 623.—Louis F. Streep, plaintiff in error, *v.* The United States. Motion to enlarge time for issuing mandate herein denied. Announced by Mr. Chief Justice Fuller.

No. 729.—Thomas J. Thornton, plaintiff in error, *v.* The United States. Confession of errors submitted by Mr. Solicitor-General Conrad, Mr. Assistant Attorney-General Whitney, and Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 653.—David S. Stanley et al., plaintiffs in error, *v.* Mary U. Schwalby et al. Submitted on printed argument by Mr. Solicitor-General Conrad for the plaintiffs in error, and on the record by Mr. A. H. Garland and Mr. R. C. Garland for the defendants in error.

No. 350.—Santiago Ainsa, administrator, etc., appellant, *v.* The New Mexico and Arizona Railroad Company. Submitted pursuant to the twentieth rule by Mr. Rochester Ford for the appellant, and on the record by Mr. William Herring for the appellee.

No. 569.—Robert B. Dashiell, appellant, *v.* James B. M. Grosvenor et al. Argument continued by Mr. William H. Singleton for Dashiell, and concluded by Mr. William G. Wilson for Grosvenor et al.

Nos. 555 and 570.—The Steamship Delaware, appellant, *v.* Charles H. Winnett et al. Argued by Mr. J. Parker Kirlin for the appellant and by Mr. Harrington Putnam for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 13, will be as follows: Nos. 622, 415, 794, 722, 559 (and 560), 662, 667, 269 (and 668, etc.), 110 (and 759) and 341 (and 342).



SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 13, 1896.

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

Arthur Guyon Moseley of Denison, Tex., Edgar H. Gans of Baltimore, Md., Henry A. Forster of New York City, Thomas M. Scruggs of Memphis, Tenn., Charles Wall Truslow of New York City, Napoleon B. Maxey of Muscogee, Ind. T., and T. Mayhew Cunningham, jr., of Savannah, Ga., were admitted to practice.

No. 79.—Ella L. Laing, plaintiff in error, *v.* Thomas G. Rigney. 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 Shiras.

No. 80.—The Jacksonville, Mayport, Pablo Railway and Navigation Company, plaintiff in error, *v.* Mary J. Hooper et al. In error to the circuit court of the United States for the northern district of Florida. Judgment affirmed, with costs and interest. Opinion by Mr. Justice Shiras.

No. 325.—Benjamin H. Johnson, appellant, *v.* The United States and The Ute Tribe or Nation of Indians. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brewer.

No. 721.—Frank Carver, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed and cause remanded with a direction to set aside the verdict and grant a new trial. Opinion by Mr. Chief Justice Fuller.

No. 627.—The Missouri Pacific Railway Company, plaintiff in error, *v.* Mary Fitzgerald, administratrix, etc., *et al.* In error to the supreme court of the State of Nebraska. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced the following orders of the court:

No. 337.—The United States, plaintiff in error, *v.* Charles R. Allen. Motion to advance denied.

No. 557.—Alex. W. Crain, plaintiff in error, *v.* The United States. Motion to advance granted and cause assigned for argument on the first Monday of March next after the cases already set down for that day.

No. 568.—The Central National Bank of Boston et al., plaintiffs in error, *v.* Aaron R. Stevens et al. Motions to dismiss or affirm postponed to the hearing on the merits.

No. 747.—James S. Davenport, plaintiff in error, *v.* The United States. Motion to advance granted and cause assigned for argument on the second Monday of the next term.

No. 729.—Thomas J. Thornton, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed and cause remanded with a direction to set aside the verdict and grant a new trial, upon confession of errors by counsel for defendant in error.

No. 134.—Joshua M. Dushane, assignee, etc., plaintiff in error, *v.* Alpheus Beall. Case restored to the docket for reargument, with leave to counsel to submit the same on the printed briefs already filed, or which may be filed, at any time during the term.

No. 434.—The Raven Gold Mining Company, appellant, *v.* The Miners' Union of the Town of Altman et al. Ordered by the court, before the consideration of this cause, that affidavits be filed, stating the facts in respect of the matters therein involved upon which counsel rely as showing that there is now an actual controversy between the parties to the record, arising in said cause, a decision of which by this court can be carried into effect by its judgment.

No. 689.—James Compton, appellant, *v.* James R. Jesup et al., trustees et al. Motion to advance submitted by Mr. Judson Harmon for the appellant.

No. 698.—The United States, appellant, *v.* The Oregon and California Railroad Company et al. Motion to advance submitted by Mr. Solicitor-General Conrad for the appellant.

No. 769.—Caleb W. Durham, appellant, *v.* John S. Seymour, Commissioner of Patents. Motion to dismiss submitted by Mr. Levin H. Campbell in support of motion, with leave to counsel for the appellant to file brief in opposition within two weeks.

No. 770.—The Southern Pacific Railroad Company et al., appellants, *v.* The United States. Reassigned for argument on the third Monday in March next on motion of Mr. Joseph H. Choate for the appellants.

No. 317.—W. B. Grimes Dry Goods Company, plaintiff in error, *v.* John Malcolm, and Paul Waples, trustee. Motion to advance submitted by Mr. N. B. Maxey for the plaintiff in error.

No. 13.—Amos Woodruff, trustee, et al., plaintiffs in error, *v.* The State of Mississippi et al. Assigned for argument on the first Monday in March next after the cases already set down for that day, on motion of Mr. Calderon Carlisle for the plaintiffs in error.

No. 847.—The Boyden Power Brake Company et al., appellants, *v.* George Westinghouse, jr., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. George H. Christy, Mr. Frederic H. Betts, Mr. J. Snowden Bell, and Mr. Bernard Carter for the appellees in support of petition, with leave to Mr. Hector T. Fenton for the appellants to file brief in opposition thereto on or before Monday next.

No. 848.—The Virginia and Alabama Coal Company, etc., appellant, *v.* The Central Railroad and Banking Company of Georgia et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. T. M. Cunningham, jr., for the appellees in support of petition and by Mr. Walter B. Hill for the appellant in opposition thereto.

No. 355.—G. W. Mayes, high sheriff, etc., appellant, *v.* Ball Christie. Appeal from the United States court for the Indian Territory. Dismissed, the cause having abated owing to the death of the appellee, on motion of Mr. R. C. Garland in behalf of counsel for the appellant.

No. 130.—George A. Eddy et al., plaintiffs in error, *v.* Ben F. Lafayette et al. Appearance of Henry C. Rouse, receiver, etc., as the party plaintiff in error herein filed and entered on motion of Mr. A. B. Browne for the plaintiff in error.

No. 487.—James H. Walker et al., appellants, *v.* Anna L. Brown, administratrix, etc., et al. Submitted pursuant to the twentieth rule by Mr. Henry S. Robbins for the appellants and by Mr. N. T. Guernsey for the appellees.

No. 622.—Plutarco Ornelas, consul of the Republic of Mexico, appellant, *v.* Inez Ruiz et al. Argued by Mr. James H. McLeary for the appellant and submitted by Mr. T. J. McMinn for the appellees.

No. 415.—Charles Davis, plaintiff in error, *v.* The Elmira Savings Bank. Argument commenced by Mr. Edward Winslow Paige for the plaintiff in error and continued by Mr. James C. Carter for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 14, will be as follows: Nos. 415, 794, 722, 559 (and 560), 662, 667, 269 (and 668, etc.), 110 (and 759), 341 (and 342) and 783.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 14, 1896.

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

H. W. Bruce of Louisville, Ky., and U. L. Ettinger of Colfax, Wash., were admitted to practice.

No. 415.—Charles Davis, plaintiff in error, v. The Elmira Savings Bank. Argument continued by Mr. James C. Carter and Mr. Edward G. Herendeen for the defendant in error and concluded by Mr. Edward Winslow Paige for the plaintiff in error.

No. 794.—The United States, plaintiff in error, v. Samuel Zucker et al. Argued by Mr. Assistant Attorney-General Whitney for the plaintiff in error and by Mr. Abram J. Rose for the defendant in error.

No. 722.—The Louisville and Nashville Railroad Company, plaintiff in error, v. The Commonwealth of Kentucky et al. Argument commenced by Mr. Helm Bruce for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 15, will be as follows: Nos. 722, 559 (and 560), 662, 667, 269 (and 668, etc.), 110 (and 759), 341 (and 342), 783, 681 and 765.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 15, 1896.

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

O. C. McGilvra of Seattle, Wash. was admitted to practice.

No. 722.—The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky et al. Argument continued by Mr. Helm Bruce for the plaintiff in error; by Mr. George M. Davie for the defendants in error; by Mr. Ed. Baxter for the plaintiff in error; by Mr. Alexander P. Humphrey for the defendant in error, and concluded by Mr. James P. Helm for the plaintiff in error.

No. 559.—The Central Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California, and

No. 560.—The Southern Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California. Argument commenced by Mr. J. Hubley Ashton for plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 16, will be as follows: Nos. 559 (and 560), 662, 667, 269 (and 668, etc.), 110 (and 759), 341 (and 342), 783, 681, 765 and 573 (and 574).

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 16, 1896.

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

F. P. Poston, of Memphis, Tenn., was admitted to practice.

No. 690.—The German Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis. In error to the supreme court of the State of Tennessee. Dismissed with costs, per stipulation, on motion of Mr. S. P. Walker for the defendant in error.

No. 691.—The German Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby. In error to the supreme court of the State of Tennessee. Dismissed with costs, per stipulation, on motion of Mr. S. P. Walker for the defendants in error.

No. 670.—The Mechanics' Savings Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis. In error to the supreme court of the State of Tennessee. Dismissed with costs, per stipulation, on motion of Mr. S. P. Walker for the defendant in error.

No. 671.—The Mechanics' Savings Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby. In error to the supreme court of the State of Tennessee. Dismissed with costs, per stipulation, on motion of Mr. S. P. Walker for the defendants in error.

No. 559.—The Central Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California, and

No. 560.—The Southern Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California. Argument continued by Mr. J. Hubley Ashton for the plaintiff in error, by Mr. J. P. Langhorne and Mr. J. H. Miller for the defendants in error, and concluded by Mr. J. Hubley Ashton for the plaintiff in error.

No. 662.—The Western Union Telegraph Company, plaintiff in error, *v.* Thomas Taggart, auditor of Marion County, Ind., et al. Argument commenced by Mr. John F. Dillon for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 17, will be as follows: Nos. 662, 667, 269 (and 668, etc.), 110 (and 759), 341 (and 342), 783, 681, 765, 573 (and 574) and 532.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 17, 1896.

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

Henry J. Goldsmith of New York City, F. G. Allen of Moline, Ill. and J. B. Somerville of Wheeling W. Va., were admitted to practice.

No. 271.—The Union Pacific Railway Company, plaintiff in error, *v.* James Callaghan. Death of James Callaghan suggested, and appearance of Anna Callaghan, administratrix etc. as the defendant in error herein, filed and entered, on motion of Mr. Frederic D. McKenney for the defendant in error.

No. 7, Original, of October term, 1894.—The State of California, complainant, *v.* Southern Pacific Company. Leave granted to file brief of Mr. Harvey S. Brown for the defendant, on question of taxation of costs herein, on motion of Mr. J. Hubley Ashton for the defendant.

No. 662.—The Western Union Telegraph Company, plaintiff in error, *v.* Thomas Taggart, auditor of Marion County, Ind., et al. Argument continued by Mr. John F. Dillon for the plaintiff in error, by Mr. Judson Harmon and Mr. William A. Ketcham for the defendants in error, and concluded by Mr. John F. Dillon for the plaintiff in error.

No. 667.—The State of Missouri *ex rel:* The Laeclde Gaslight Company, plaintiff in error, *v.* Michael J. Murphy, Street Commissioner etc. Argument commenced by Mr. Isaac H. Lionberger for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 20, will be as follows: Nos. 667, 269 (and 668, etc.), 110 (and 759), 341 (and 342), 783, 681, 765, 573 (and 574), 532 and 321.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 20, 1896.

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

A. W. Hastic of Seattle, Wash., D. M. Valentine of Topeka, Kans., Thomas F. Doran of Topeka, Kans., Noel W. Barksdale of Washington, D. C., Ledyard Lincoln of Cincinnati, Ohio, Daniel W. Burchard of San Jose, Cal., and E. L. Kelley of Lamoni, Iowa, were admitted to practice.

No. 805.—The United States, appellant, *v.* Henry C. Fuller. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 17.—E. Nalle & Co., appellants, *v.* Wade R. Young and Mrs. B. F. Young. Appeal from the circuit court of the United States for the western district of Louisiana. Decree of June 9, 1890, reversed with costs, and cause remanded with directions to enter a decree overruling the objections to the sale of July 30, 1887; dissolving the injunction; adjudicating the property to Mrs. Mary Nalle, wife of Eustis F. Golson, and ordering the delivery of possession to her. Opinion by Mr. Chief Justice Fuller.

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

No. 317.—W. B. Grimes Dry Goods Company, plaintiff in error, *v.* John Malcolm, and Paul Waples, trustee. Motion to advance denied.

No. 689.—James Compton, appellant, *v.* James R. Jesup et al., trustees, et al. Motion to advance for oral argument granted, and cause assigned for hearing on the second Monday of the next term, after the cases already set down for that day, but it will be taken on submission on printed briefs at any time during this term, if counsel shall be so advised.

No. 698.—The United States, appellant, *v.* The Oregon and California Railroad Company et al. Motion to advance granted and cause assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 848.—The Virginia and Alabama Coal Company et al., appellants, *v.* The Central Railroad and Banking Company of Georgia et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit granted.

No. 48.—Bamberger, Bloom & Co., plaintiff in error, *v.* W. W. Schoolfield et al. Motion for enlargement of time granted, and it is ordered that mandate be not issued for thirty days after the expiration of the time allowed by rule 39.

No. 392.—The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, plaintiff in error, *v.* Millard F. Brown. Submission of this cause set aside, and cause remanded to the United States circuit court of appeals for the seventh circuit, with leave to file a more explicit certificate or otherwise to proceed in the cause according to law.

No. 841.—John H. Ward, sheriff, etc., appellant, *v.* Race Horse. Motion to advance submitted by Mr. Attorney-General Harmon for the appellee.

No. 556.—Curtis W. Holcomb, appellant, *v.* Irvin B. Wright et al., and

No. 577.—Irvin B. Wright et al., appellants, *v.* Curtis W. Holcomb. Appeals from the court of appeals of the District of Columbia. Dismissed, costs to be paid by Curtis W. Holcomb per stipulations, and mandate granted, on motion of Mr. Walter H. Smith for Holcomb.

No. 488.—The Gulf, Colorado and Santa Fe Railroad Company, plaintiff in error, *v.* A. B. Raff. Motion to dismiss or affirm submitted by Mr. John J. Weed in support of motions and by Mr. A. T. Britton, Mr. A. B. Browne and Mr. P. L. Soper in opposition thereto.

No. 862.—William Henry Elder et al., appellants, *v.* Sarah E. McClaskey et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. S. T. Crawford and Mr. John J. Crawford for the appellees in support of the petition and by Mr. R. A. Harrison, Mr. Ledyard Lincoln and Mr. J. C. Harper for the appellant in opposition thereto. Leave granted to Mr. J. J. Crawford to file additional brief within five days.

No. 863.—Martha Barnitz, plaintiff in error, *v.* John L. Beverly. Motion to advance submitted by Mr. D. M. Valentine for the plaintiff in error.

No. 269.—The Phœnix Fire and Marine Insurance Company of Memphis, Tenn. et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 668.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 669.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 672.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 673.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 674.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 675.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 676.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 677.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 678.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

No. 679.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby; and

No. 766.—The County of Shelby et al., appellants, *v.* The Union and Planters' Bank. Three hours additional time and leave to four counsel to be heard for the plaintiffs in error and appellee on the argument, (the cases to be heard together as one case) granted on motion of Mr. R. J. Morgan for the Bank of Commerce et al.

No. 839.—The Mayor and City Council of Columbus, Miss., plaintiffs in error, *v.* John M. Dennison, et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. A. H. Garland and Mr. R. C. Garland for the plaintiffs in error and by Mr. R. C. Beckett for the defendants in error.

No. 849.—The Church of Christ at Independence, Mo., et al., appellants, *v.* The Reorganized Church of Jesus Christ of Latter Day Saints. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Frank Hagerman, Mr. Smith and Mr. McPherson for the appellee in support of the petition and by Mr. C. O. Tichenor for the appellants in opposition thereto.

No. 100.—The Prairie State National Bank &c., appellant, *v.* The United States, and

No. 115.—The United States, appellant, *v.* Charles A. Hitchcock et al. Motion to fix day for the re-argument of these cases submitted by Mr. A. B. Browne for the Prairie State National Bank.

No. 635.—Charles W. Nordstrom, plaintiff in error, *v.* The State of Washington. Motion to advance submitted by Mr. A. W. Hastie for the defendant in error, with leave to Mr. James Hamilton Lewis, for the plaintiff in error, to file brief in opposition to the motion.

No. 667.—The State of Missouri *ex rel.* The Laeclde Gaslight Company, plaintiff in error, *v.* Michael J. Murphy, Street Commissioner, etc. Argument continued by Mr. Henry Hitchcock for the plaintiff in error, and by Mr. W. C. Marshall for the defendant in error and concluded by Mr. Henry Hitchcock for the plaintiff in error.

No. 269.—The Phoenix Fire and Marine Insurance Company of Memphis et al. plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis;

No. 668.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee, for the use of the City of Memphis;

No. 669.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 672.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 673.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 674.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 675.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 677.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 678.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 679.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby; and

No. 766.—The County of Shelby et al., appellants, *v.* The Union and Planters' Bank. Argument commenced by Mr. S. P. Walker for the State of Tennessee and the County of Shelby.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 21, will be as follows: Nos. 269 (and 668, etc.), 110 (and 759), 341 (and 342), 783, 681, 765, 573 (and 574), 532, and 321, 394 (and 473).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 21, 1896.

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

R. Percy Wright of San Francisco, Cal., Benjamin F. Dos Passos of New York City and John A. Barham of Santa Rosa, Cal. were admitted to practice.

No. 110.—William Tregea, plaintiff in error, *v.* The Board of Directors of the Modesto Irrigation District and

No. 759.—Fallbrook Irrigation District et al., appellants, *v.* Maria King Bradley et al. Ordered that Nos. 341 and 342 be substituted for these cases in the call of the assigned cases, by consent of counsel and on motion of Mr. A. L. Rhodes for the defendant in error and appellants.

No. 356.—The Texas and Pacific Railway Company, plaintiff in error, *v.* Vic. Bloom. Death of Vic. Bloom suggested and appearance of Charles Morton, administrator etc., as defendant in error herein, filed and entered on motion of Mr. R. C. Garland for the defendant in error.

No. 269.—The Phoenix Fire and Marine Insurance Company of Memphis, Tenn. et al., plaintiffs in error, *v.* The State of Tennessee, for the use of the City of Memphis;

No. 668.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee, for the use of the City of Memphis;

No. 669.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 672.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee, for the use of the City of Memphis;

No. 673.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 674.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 675.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 676.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 677.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 678.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 679.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby; and

No. 766.—The County of Shelby et al., appellants, *v.* The Union and Planters' Bank. Argument continued by Mr. S. P. Walker for the State of Tennessee and the County of Shelby; by Mr. B. M. Estes for the Phœnix Fire and Marine Insurance Company of Memphis, Tenn., et al.; by Mr. William H. Carroll and Mr. R. J. Morgan for the Bank of Commerce et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 22, will be as follows: Nos. 269 (and 668, etc.), 341 (and 342), 110 (and 759), 783, 681, 765, 573 (and 574), 532, 321, and 394 (and 473).



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 22, 1896.

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

Frederick W. Holls of New York City was admitted to practice.

No. 271.—The Union Pacific Railroad Company, plaintiff in error, *v.* Anna Callaghan, administratrix, etc. Motion to dismiss submitted by Mr. C. S. Thomas and Mr. W. H. Bryant in support of motion and by Mr. John F. Dillon and Mr. John M. Thurston in opposition thereto.

No. 707—A. Backus, jr. & Sons et al., plaintiffs in error, *v.* The Fort Street Union Depot Company. Motion to dismiss submitted by Mr. Fred. A. Baker in support of motion and by Mr. Don M. Dickinson in opposition thereto.

No. 269.—The Phoenix Fire and Marine Insurance Company of Memphis, Tenn. et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 668.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 669.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 672.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee, for the use of the City of Memphis;

No. 673.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 674.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 675.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 676.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 677.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby;

No. 678.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis;

No. 679.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby; and

No. 766.—The County of Shelby et al., appellants, *v.* The Union and Planters' Bank. Argument continued by Mr. R. J. Morgan for the Bank of Commerce et al.; by Mr. T. B. Turley for the Memphis City Bank et al., and concluded by Mr. S. P. Walker for the State of Tennessee and the County of Shelby; and submitted by Mr. F. P. Poston for the Home Insurance and Trust Company.

No. 341.—William M. Fishback et al., appellants, *v.* The Western Union Telegraph Company; and

No. 342.—William M. Fishback et al., appellants, *v.* The Pacific Express Company. Argument commenced by Mr. A. H. Garland for the appellants and continued by Mr. W. W. Morsman for the Pacific Express Company and by Mr. Rush Taggart for the Western Union Telegraph Company.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January, 23, will be as follows: Nos. 341 (and 342), 765, 110 (and 759), 783, 681, 573 (and 574), 532, 321, 394 (and 473) and 694.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 23, 1896.

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

No. 763.—Buz Luckey, plaintiff in error, *v.* The United States. Confession of error submitted by Mr. Solicitor-General Conrad, Mr. Assistant Attorney-General Whitney and Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 491.—Sam Downing, alias Sam Hickory, plaintiff in error, *v.* The United States;

No. 721.—Frank Carver, plaintiff in error, *v.* The United States; and

No. 729.—Thomas J. Thornton, plaintiff in error, *v.* The United States. Mandates granted on motion of Mr. Assistant Attorney-General Whitney for the defendants in error.

No. 694.—George W. Post, plaintiff in error, *v.* The United States. Reassigned for argument on the first Monday in March next after the cases already set down for that day on motion of Mr. Assistant Attorney-General Whitney for the defendant in error.

Nos. 573 and 574.—Warren F. Putnam, plaintiff in error, *v.* The United States. Submitted by Mr. Frank S. Streeter for the plaintiff in error and by Mr. Solicitor-General Conrad for the defendant in error.

No. 532.—Arthur D. Andrews, plaintiff in error, *v.* The United States. Submitted by Mr. J. Marion Brooks and Mr. M. D. Brainard for the plaintiff in error and by Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 110.—William Tregga, plaintiff in error, *v.* The Board of Directors of the Modesto Irrigation District, and

No. 759.—Fallbrook Irrigation District et al., appellants, *v.* Maria King Bradley et al. One hour additional time allowed each side in the argument of these cases, on motion of Mr. Benjamin Harrison. Leave granted to Mr. W. D. Guthrie to file brief in No. 759 on behalf of certain interested parties.

No. 341.—William M. Fishback et al., appellants, *v.* The Western Union Telegraph Company; and

No. 342.—William M. Fishback et al., appellants, *v.* The Pacific Express Company. Argument continued by Mr. Rush Taggart for the Western Union Telegraph Company and concluded by Mr. A. H. Garland for the appellants.

No. 765.—Theodore F. Brown, appellant, *v.* John W. Walker, United States marshal. Argued by Mr. J. C. Carter for the appellant and by Mr. George F. Edmunds for the appellee.

No. 110.—William Tregea, plaintiff in error, *v.* The Board of Directors of the Modesto Irrigation District; and

No. 759.—Fallbrook Irrigation District et al., appellants, *v.* Maria King Bradley et al. Argument commenced by Mr. Thomas B. Bond for Tregea and continued by Mr. A. L. Rhodes for the irrigation districts.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 24, will be as follows: Nos. 110, 759, 783, 681, 321, 394, 473, 724, 93 and 52.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 24, 1896.

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

James A. Waymire of San Francisco, Cal., was admitted to practice.

No. 110.—William Tregea, plaintiff in error, *v.* The Board of Directors of the Modesto Irrigation District; and

No. 759.—Fallbrook Irrigation District et al., appellants, *v.* Maria King Bradley et al. Argument continued by Mr. A. L. Rhodes and Mr. Benjamin Harrison for the Irrigation Districts; by Mr. George. H. Maxwell for Bradley et al.; by Mr. C. C. Wright for the Modesto Irrigation District; and by Mr. Joseph H. Choate for Bradley et al.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 27, will be as follows: Nos. 110, 759, 783, 681, 321, 394, 473, 724, 93 and 52.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 27, 1896.

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

John E. Roller of Harrisonburg, Va., James R. Sheffield of New York City, Ed. S. Conrad of Harrisonburg, Va., S. S. Barney of West Bend, Wis., Benjamin W. Lacy of Dubuque, Iowa, James M. Ashton of Tacoma, Wash., and William O. Belt of Chicago, Ill. were admitted to practice.

No. 599 and No. 629.—The United States, plaintiff in error, *v.* A Certain Tract of Land in Cumberland Township, Adams County, Pa. In error to the circuit court of the United States for the eastern district of Pennsylvania. Judgments reversed and causes remanded with directions to grant a new trial. Opinion by Mr. Justice Peckham.

No. 446.—The First National Bank of Garnett, Kans., plaintiff in error, *v.* R. H. Ayers, sheriff of Anderson County, Kans., et al. In error to the supreme court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 424.—Lew Rosen, 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 affirmed. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice White and Mr. Justice Shiras.

No. 601.—Charles A. Gregory, appellant, *v.* John C. Kemp, Van Ee. Appeal from the United States circuit court of appeals for the first circuit. Dismissed for the want of jurisdiction and cause remanded to the circuit court of the United States for the district of Massachusetts. Opinion by Mr. Chief Justice Fuller.

No. 736.—The Chemical National Bank of Chicago, plaintiff in error, *v.* The City Bank of Portage. In error to the supreme court of the State of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

The Chief Justice also announced the following orders of the court:
 Ordered, that the fifty-first rule of practice in admiralty be amended so as to read as follows:

When the defendant, in his answer, alleges new facts, these shall be considered as denied by the libellant, and no replication, general or special, shall be filed, unless allowed or directed by the court on proper cause shown. But within such time after the answer is filed as shall be fixed by the district court, either by general rule or by special order, the libellant may amend his libel so as to confess and avoid, or explain or add to, the new matters set forth in the answer; and within such time as may be fixed, in like manner, the defendant shall answer such amendments.

No. 847.—Boyden Power Brake Company et al., appellants, *v.* George Westinghouse, jr., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit granted.

No. 100.—The Prairie State National Bank of Chicago, Ill., appellant, *v.* The United States, and

No. 115.—The United States, appellant, *v.* Charles A. Hitchcock et al. Motion to fix a day for the reargument of these cases denied.

No. 488.—The Gulf, Colorado and Santa Fe Railroad Company, plaintiff in error, *v.* A. B. Roff. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 635.—Charles W. Nordstrom, plaintiff in error, *v.* The State of Washington. Motion to advance granted and cause assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 839.—The Mayor and City Council of Columbus, Miss., plaintiffs in error, *v.* John M. Dennison et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 841.—John H. Ward, sheriff, etc., appellant, *v.* Race Horse. Motion to advance granted and cause assigned for argument on the first Monday of March next after the cases already set down for that day.

No. 849.—The Church of Christ at Independence, Mo., et al., appellants, *v.* The Reorganized Church of Jesus Christ of Latter Day Saints. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 863.—Martha Barnitz, plaintiff in error, *v.* John L. Beverly. Motion to advance granted and the cause advanced to be submitted on printed briefs at any time before the second Monday of April next.

No. 707.—A. Backus, jr., & Sons et al., plaintiffs in error, *v.* The Fort Street Union Depot Company. Motion to dismiss postponed to the hearing of the case on its merits.

No. 763.—Buz Luckey, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed, upon confession of error by the defendant in error, and cause remanded with directions to set aside the verdict and grant a new trial.

No. 747.—James S. Davenport, plaintiff in error, *v.* The United States. Confession of error submitted by Mr. Solicitor-General Conrad, Mr. Assistant Attorney-General Whitney, and Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 853.—Ed. Alberty, alias Charles Burns, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Conrad for the defendant in error.

No. 708.—John K. White, plaintiff in error, *v.* Nicholas Leunig et al., executors, etc. Motion to dismiss submitted by Mr. Holmes Conrad and Mr. Ed. S. Conrad in support of motion and by Mr. J. E. Roller in opposition thereto. Leave granted to Mr. Holmes Conrad to file additional brief within three days.

No. 681.—John Stevenson, plaintiff in error, *v.* The United States. Reassigned for argument on the first Monday in March next after the cases already set down for that day, on motion of Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 855.—The Elmira and Horseheads Railway Company, appellant, *v.* The Thomson-Houston Electric Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. William A. Jenner, Mr. Edmund Wetmore and Mr. Thomas B. Kerr for the appellant in support of the petition and by Mr. Frederic H. Betts and Mr. James R. Sheffield for the appellee in opposition thereto.

No. 611.—Robert M. Douglas, plaintiff in error, *v.* Isaac Wallace et al. Motions to dismiss or affirm submitted by Mr. W. P. Montague in support of the motions and by Mr. Robert M. Douglas in opposition thereto.

No. 110.—William Tregea, plaintiff in error, *v.* The Board of Directors of the Modesto Irrigation District. Leave granted to Mr. A. L. Rhodes to file an additional brief herein.

No. 864.—The New York Indians, appellants, *v.* The United States. Motion to advance submitted by Mr. Henry E. Davis for the appellants.

No. —, Original.—*Ex parte*: In the matter of Martha Groves et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. George A. King for the petitioners.

Nos. 182 and 183.—William Garland, appellant, *v.* The Bear Lake and River Water Works and Irrigation Company. Appeals from the supreme court of the Territory of Utah. Dismissed per stipulation on motion of Mr. John F. Dillon for the appellee.

No. 737.—Henry Sanford, president of the Adams Express Company, appellant, *v.* Ebenezer W. Poe, auditor of the State of Ohio et al.;

No. 738.—Henry Sanford, president, etc., appellant, *v.* Ebenezer W. Poe, auditor, etc., et al.;

No. 739.—James C. Fargo, president of the American Express Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., et al.;

No. 740.—Thomas C. Platt, president of the United States Express Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., et al.;

No. 755.—The Western Union Telegraph Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., et al.;

No. 842.—Clarence A. Seward, vice president of the Adams Express Company, appellant, *v.* Ebenezer W. Poe, auditor, etc.;

No. 843.—James C. Fargo, president, etc., appellant, *v.* Ebenezer W. Poe, auditor, etc.;

No. 844.—Thomas C. Platt, president, etc., appellant, *v.* Ebenezer W. Poe, auditor, etc.;

No. 845.—The Western Union Telegraph Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., and

No. 850.—The Western Union Telegraph Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., et al. Motion to advance submitted by Mr. Lawrence Maxwell, jr., for the appellants.

No. 452.—Benjamin Tubman, officer of registration, et al. plaintiffs in error, *v.* Benjamin F. Dement. In error to the court of appeals of the State of Maryland. Dismissed with costs on motion of Mr. J. Hubley Ashton for the plaintiff in error.

No. 857.—J. M. Scott et al., appellants, *v.* James Donald;

No. 858.—J. M. Scott, plaintiff in error, *v.* James Donald;

No. 859.—J. M. Scott, plaintiff in error, *v.* James Donald, and

No. 860.—R. M. Gardner et al., plaintiffs in error, *v.* James Donald. Motion to advance submitted by Mr. J. Altheus Johnson in behalf of counsel for the appellants and plaintiffs in error.

No. 110.—William Tregoe, plaintiff in error, *v.* The Board of Directors of the Modesto Irrigation District, and

No. 759.—Fallbrook Irrigation District et al., appellants, *v.* Maria King Bradley et al. Argument continued by Mr. Joseph H. Choate for Bradley et al., and concluded by Mr. John F. Dillon for the irrigation districts.

The Chief Justice announced that at the conclusion of the hearing of the cases on the present day call the court would adjourn until Monday, March 2, next.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 28, will be as follows: Nos. 783, 321, 394, 473, 724, 93 and 52.

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 28, 1896.

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

William H. Fuller of San Diego, Cal., and Tircy L. Ford of San Francisco, Cal., were admitted to practice.

No. 8.—The Missouri Pacific Railway Company, plaintiff in error, *v.* The State of Nebraska *ex rel.* The Board of Transportation of the State of Nebraska. Assigned for reargument on the second Monday of March next after Nos. 685, 686 and 687, on motion of Mr. John F. Dillon for the plaintiff in error.

No. 783.—The United States, appellant, *v.* Jane L. Stanford, executrix, etc. Argument commenced by Mr. Assistant Attorney-General Dickinson for the appellant and continued by Mr. Joseph H. Choate for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 29, will be as follows: Nos. 783, 321, 394, 473, 724, 93 and 52.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 29, 1896.

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

John G. Milburn, of Buffalo, N. Y.; James A. Peterson, of Chicago, Ill.; George A. Bernard, of Petersburg, Va., and William H. Moody, of Havershill, Mass., were admitted to practice.

No. 783.—The United States, appellant, *v.* Jane L. Stanford, executrix, etc. Argument continued by Mr. Joseph H. Choate for the appellee and concluded by Mr. Solicitor-General Conrad for the appellant.

No. 321.—The Texas and Pacific Railway Company, appellant, *v.* The Interstate Commerce Commission. Argument commenced by Mr. John F. Dillon for the appellant and continued by Mr. Simon Sterne for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 30, will be as follows: Nos. 321, 394, 473, 724, 93 and 52.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 30, 1896.

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

No. 321.—The Texas and Pacific Railway Company, appellant, *v.* The Interstate Commerce Commission. Argument continued by Mr. Simon Sterne and Mr. John D. Kernan for the appellee and concluded by Mr. Ed. Baxter for the appellant.

No. 394.—The Cincinnati, New Orleans and Texas Pacific Railway Company et al., appellants, *v.* The Interstate Commerce Commission, and

No. 473.—The Interstate Commerce Commission, appellants, *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company et al. Argument commenced by Mr. N. J. Hammond for the Interstate Commerce Commission and continued by Mr. Ed. Baxter for the railway company et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 31, will be as follows: Nos. 394, 473, 724, 93 and 52.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 31, 1896.

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

D. H. Pinney of Chicago, Ill., was admitted to practice.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay; and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Motion to advance submitted by Mr. Joseph H. Choate for the defendants in error. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mr. Joseph H. Choate for the defendants in error.

No. 394.—The Cincinnati, New Orleans and Texas Pacific Railway Company et al., appellants, *v.* The Interstate Commerce Commission, and

No. 473.—The Interstate Commerce Commission, appellant, *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company et al. Argument continued by Mr. Ed. Baxter for the railway company et al. and concluded by Mr. George F. Edmunds for the Interstate Commerce Commission.

No. 724.—The United States ex rel. Charles D. Long, plaintiff in error, *v.* William Lochren, Commissioner of Pensions. Argument commenced by Mr. F. A. Baker for the plaintiff in error, and continued by Mr. Assistant Attorney-General Whitney for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, February 3, will be as follows: Nos. 724, 93 and 52.

SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 3, 1896.

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

Aaron W. Goldsmith of Cincinnati, Ohio, Frederick W. Holden of Ansonia, Conn., William L. Taylor of Indianapolis, Ind. and F. B. Crosthwaite of Washington, D. C. were admitted to practice.

No. 22.—George E. Belknap et al., appellants, *v.* George F. Schild. Appeal from the circuit court of the United States for the northern district of California. Decree reversed with costs and cause remanded with directions to dismiss the bill, without prejudice to an action at law against the defendants, or to a suit against the United States. Opinion by Mr. Justice Gray. Dissenting: Mr. Justice Harlan and Mr. Justice Field.

No. 735.—The Chemical National Bank of Chicago, plaintiff in error, *v.* Hartford Deposit Company. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

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

Order. There having been an associate justice of this court appointed since the commencement of this term, it is ordered that the following allotment be made of the Chief Justice and associate justices of said court among the circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, *viz*: For the first circuit, Horace Gray, associate justice; for the second circuit, Rufus W. Peckham, associate justice; for the third circuit, George Shiras, jr., associate justice; for the fourth circuit, Melville W. Fuller, Chief Justice; for the fifth circuit, Edward D. White, associate justice; for the sixth circuit, John M. Harlan, associate justice; for the seventh circuit, Henry B. Brown, associate justice; for the eighth circuit, David J. Brewer, associate justice; for the ninth circuit, Stephen J. Field, associate justice.

No. 10, Original.—The State of Missouri, complainant, *v.* The State of Iowa. James Harding, Peter Dey and Dwight C. Morgan appointed commissioners to find and re-mark boundary line, etc.

No. 7, Original of October term, 1894.—The State of California, complainant, *v.* Southern Pacific Company. It appearing that the costs in this cause have not been regularly taxed, it is ordered that it be referred to the clerk of this court to tax the same upon reasonable notice in writing to both parties of the day and hour appointed for such taxation.

No. 862.—William Henry Elder et al., appellants, *v.* Sarah E. McClaskey et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 708.—John K. White, plaintiff in error, *v.* Nicholas Lennig and John B. Lennig, executors, etc. In error to the supreme court of appeals of the State of Virginia. Dismissed for the want of jurisdiction on the authority of *Johnson v. Risk*, 137 U. S., 300, and *Eustis v. Bolles*, 150 U. S., 361.

No. 737.—Henry Sanford, president of the Adams Express Company, appellant, *v.* Ebenezer W. Poe, auditor of the State of Ohio, et al.;

No. 738.—Henry Sanford, president, etc., appellant, *v.* Ebenezer W. Poe, auditor, etc., et al.;

No. 739.—James C. Fargo, president of the American Express Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., et al.;

No. 740.—Thomas C. Platt, president of the United States Express Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., et al.;

No. 755.—The Western Union Telegraph Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., et al.;

No. 842.—Clarence A. Seward, vice-president of the Adams Express Company, appellant, *v.* Ebenezer W. Poe, auditor, etc.;

No. 843.—James C. Fargo, president, etc., appellant, *v.* Ebenezer W. Poe, auditor, etc.;

No. 844.—Thomas C. Platt, president, etc., appellant, *v.* Ebenezer W. Poe, auditor, etc.;

No. 845.—The Western Union Telegraph Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., and

No. 850.—The Western Union Telegraph Company, appellant, *v.* Ebenezer W. Poe, auditor, etc., et al. Motion to advance granted and cases assigned for argument as one case on the second Monday of the next term after the cases already set down for that day.

No. 747.—James S. Davenport, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed upon confession of error by counsel for the defendant in error, and cause remanded with directions to set aside the verdict and grant a new trial.

No. 853.—Ed. Alberty *alias* Charles Burns, plaintiff in error, *v.* The United States. Motion to advance granted and cause assigned for argument on the first Monday of March next after the cases already set down for that day.

No. 855.—The Elmira and Horseheads Railway Company, appellant, *v.* The Thomson-Houston Electric Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 857.—J. M. Scott et al., appellants, *v.* James Donald;

No. 858.—J. M. Scott, plaintiff in error, *v.* James Donald;

No. 859.—J. M. Scott, plaintiff in error, *v.* James Donald, and

No. 860.—R. M. Gardner et al., plaintiffs in error, *v.* James Donald. Motion to advance granted and cases assigned for argument as one case on the second Monday of the next term after the cases already set down for that day.

No. 864.—The New York Indians, appellants, *v.* The United States. Motion to advance granted and cause assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. —, Original.—*Ex parte*: In the matter of Martha Groves et al., petitioners. Motion for leave to file petition for a writ of mandamus denied.

No. 91.—Thomas C. Chappell, plaintiff in error, *v.* The United States. Application for writ of certiorari submitted January 29, 1896, denied.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Application for writs of certiorari granted, at the costs of the defendants in error, reserving all questions as to the admissibility of the matter sought to be brought up. Motion to advance granted and cases assigned for argument on the first Monday of March next after the cases already set down for that day.

Nos. 573 and 574.—Warren F. Putnam, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the district of New Hampshire. Judgments affirmed by a divided court.

No. 107.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Junius G. Sanders et al. Restored to the docket for reargument at the next term.

No. 124.—The United States, appellant, *v.* Philip Roettinger, administrator, etc. Restored to the docket for reargument at the next term.

No. 745.—The United States, appellant, *v.* The American Bell Telephone Company et al. Motion to advance submitted by Mr. Solicitor-General Conrad for the appellant.

No. 882.—Charles E. Garitee, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Maryland. Docketed and dismissed on motion of Mr. Solicitor-General Conrad for the defendant in error.

No. 763.—Buz Luckey, plaintiff in error, *v.* The United States. Mandate granted on motion of Mr. Solicitor-General Conrad for the defendant in error.

No. 747.—James S. Davenport, plaintiff in error, *v.* The United States. Mandate granted on motion of Mr. Solicitor-General Conrad for the defendant in error.

No. 45.—The United States, appellant, *v.* The State of New York and

No. 136.—The State of New York, appellant, *v.* The United States. Mandate granted on motion of Mr. David B. Hill for the State of New York.

No. 825.—The Quaker City National Bank, plaintiff in error, *v.* Nolan County. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Frank W. Hackett in behalf of Mr. J. J. Butts for the plaintiff in error, in support of the petition.

No. 478.—The United States, appellant, *v.* Joshua Gorham. Motion to advance submitted by Mr. John Wharton Clark for the defendant in error.

No. 578 and No. 579.—The State of Missouri *ex rel.* Thomas J. Tilley, plaintiff in error, *v.* James H. Slover, judge, etc. In error to the supreme court of the State of Missouri. Dismissed, with costs, on authority of counsel for plaintiff in error.

No. 724.—The United States *ex rel.* Charles D. Long, plaintiff in error, *v.* William Lochren, Commissioner of Pensions. Argument continued by Mr. Assistant Attorney-General Whitney for the defendant in error, and concluded by Mr. James C. Carter for the plaintiff in error.

No. 93 and No. 52.—Mattie P. Baltzer, executrix, etc., et al., plaintiffs in error, *v.* The State of North Carolina. Argument commenced by Mr. Simon Sterne for the plaintiffs in error and continued by Mr. J. E. Shepherd for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 4, will be as follows: Nos. 93 and 52.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, FEBRUARY 4, 1896.

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

Hugh L. Burnham of Chicago, Ill., Hermann Cohen of New York City, Thomas G. Frost of Minneapolis, Minn., W. W. Jenkins of Chipewewa Falls, Wis., and W. H. Doolittle of Tacoma, Wash., were admitted to practice.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay, and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Reassigned for argument on the third Monday in March next after the case already set down for that day.

No. 804.—The steamer *Coquiltam*, etc., appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Conrad for the appellee.

No. 779.—William Graver, appellant, *v.* Benjamin C. Faurot. Submitted pursuant to the thirty-second rule by Mr. Robert Rae for the appellant and by Mr. Frank L. Wean for the appellee.

Nos. 93 and 52.—Mattie P. Baltzer, executrix, etc., et al., plaintiffs in error, *v.* The State of North Carolina. Argument continued by Mr. J. E. Shepherd and Mr. C. M. Busbee for the defendant in error and concluded by Mr. Simon Sterne for the plaintiffs in error.

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

The day call for Monday, March 2, will be as follows: Nos. 551, 462, 652, 685 (and 686 and 687), 8, 588, 792, 801, 731, and 778.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 2, 1896.

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

Havillah D. McBurney of New York City, Charles A. Leland of Caldwell, Ohio, and John S. Ferguson of Pittsburg, Pa., were admitted to practice.

No. 668.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis; and

No. 669.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby. In error to the supreme court of the State of Tennessee. So much of the judgments as is against the shareholders reversed with costs, and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Peckham.

No. 766.—The County of Shelby et al., appellants, *v.* The Union and Planters' Bank. Appeal from the circuit court of the United States for the western district of Tennessee. Decree reversed with costs and cause remanded with directions to dismiss the bill with costs. Opinion by Mr. Justice Peckham. Dissenting: Mr. Justice White.

No. 676.—The Mercantile Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis; and

No. 677.—The Mercantile Bank et al. plaintiffs in error, *v.* The State of Tennessee and the County of Shelby. In error to the supreme court of the State of Tennessee. Judgments affirmed with costs and interest. Opinion by Mr. Justice Peckham.

No. 269.—The Phoenix Fire and Marine Insurance Company of Memphis et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis. In error to the supreme court of the State of Tennessee. Judgment affirmed with costs and interest. Opinion by Mr. Justice Peckham. Dissenting: Mr. Justice White.

No. 674.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis; and

No. 675.—The Memphis City Bank et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby. In error to the supreme court of the State of Tennessee. Judgments affirmed with costs and interest. Opinion by Mr. Justice Peckham.

No. 678.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis; and

No. 679.—The Planters' Fire and Marine Insurance Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby. In error to the supreme court of the State of Tennessee. Judgments affirmed with costs and interest. Opinion by Mr. Justice Peckham.

No. 672.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee for the use of the City of Memphis; and

No. 673.—The Home Insurance and Trust Company et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby. In error to the supreme court of the State of Tennessee. Judgments affirmed with costs and interest. Opinion by Mr. Justice Peckham.

No. 129.—Jane Lynch, appellant, *v.* John Henry Murphy, sole devisee and executor of Christeina Murphy, deceased. Appeal from the supreme court of the District of Columbia. Decree of the supreme court in general term affirmed with costs. Opinion by Mr. Justice White. (Mr. Justice Brewer, not having heard the argument, took no part in the decision of this case.)

No. 40.—The Washington Gas Light Company, plaintiff in error, *v.* The District of Columbia. In error to the supreme court of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 415.—Charles Davis, plaintiff in error, *v.* The Elmira Savings Bank. In error to the court of appeals of the State of New York. Judgment reversed with costs and cause remanded to the said court of appeals with instructions to remand the case to the court in which it originated and to direct that court to dismiss the action. Opinion by Mr. Justice White.

No. 87.—Edgar M. Geer, plaintiff in error, *v.* The State of Connecticut. In error to the supreme court of errors of the State of Connecticut. Judgment affirmed with costs. Opinion by Mr. Justice White. Dissenting: Mr. Justice Field and Mr. Justice Harlan. (Mr. Justice Brewer and Mr. Justice Peckham, not having heard the argument, took no part in the decision of this case.)

No. 55.—Harvey Spalding et al., appellants, *v.* George Mason. Appeal from the supreme court of the District of Columbia. Decree modified by providing that of the principal sum due \$8,934.05 shall bear interest from August 9, 1887, and \$4,735.06 shall bear interest from August 2, 1888, and, as thus modified, affirmed with costs. Opinion by Mr. Justice White. Dissenting: Mr. Justice Gray.

No. 113.—Theodore Hansen, plaintiff in error, *v.* James E. Boyd et al. In error to the circuit court of the United States for the district of Minnesota. Ordered that if the defendants in error will within a reasonable time during the present term of this court file in the circuit court of the United States for the district of Minnesota a remittitur of the amount of the loss on the purchase and sale of the June wheat (\$1,300), the commission charged in that transaction (\$50), and interest on those items from June 8, 1889, to the date of the verdict, and produce and file a certified copy thereof in this court, the judgment, less the amount so remitted, will be affirmed; but if this is not done, the judgment will be reversed. In either event the costs must be paid by the defendants in error. Opinion by Mr. Justice White (Mr. Justice Brewer, not having heard the argument, took no part in the decision.)

Nos. 93 and 52.—Mattie P. Baltzer et al., etc., plaintiffs in error, *v.* The State of North Carolina. In error to the supreme court of the State of North Carolina. Judgments affirmed with costs. Opinion by Mr. Justice White.

No. 83.—Frank W. Smith et al., appellants, *v.* Gordon McKay, as trustee, etc. Appeal from the circuit court of the United States for the district of Massachusetts. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Shiras.

No. 116.—George W. Cochran, appellant, *v.* Isaac L. Blout, trustee, et al. Appeal from the supreme court of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Shiras.

No. 510.—Luther R. Graves et al., appellants, *v.* The County of Saline. On a certificate from the United States circuit court of appeals for the seventh circuit. Second question certified answered in the affirmative. Opinion by Mr. Justice Shiras.

No. 242.—The St. Louis and San Francisco Railway Company, plaintiff in error, *v.* Etta James. On a certificate from the United States circuit court of appeals for the eighth circuit. Second question certified answered in the negative. Opinion by Mr. Justice Shiras. Dissenting, Mr. Justice Harlan.

No. 458.—A. T. Schroeder et ux., appellants, *v.* John M. Young. Appeal from the supreme court of the Territory of Utah. Decree affirmed

with costs and cause remanded to the supreme court of the State of Utah.
Opinion by Mr. Justice Brown.

No. 555.—The Steamship Delaware, etc., appellants, *v.* Charles H. Winnett et al. On a certificate from the United States circuit court of appeals for the second circuit. Stricken from the docket. Announced by Mr. Justice Brown.

No. 570.—The Steamship Delaware, etc., appellant, *v.* Charles H. Winnett et al. On a 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 eastern district of New York. Opinion by Mr. Justice Brown.

No. 611.—Robert M. Douglas, plaintiff in error, *v.* Isaac Wallace et al. In error to the supreme court of the State of North Carolina. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 352.—Samuel Marks et al., appellants, *v.* The United States et al. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brewer.

No. 413.—Alvin C. Leighton, appellant, *v.* The United States et al. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brewer.

Nos. 528 and 529.—John H. Durland, plaintiff in error, *v.* The United States. In error to the district court of the United States for the eastern district of Pennsylvania. Judgment affirmed. Opinion by Mr. Justice Brewer.

No. 9, Original.—*Ex parte*: In the matter of George F. Emblen, petitioner. Petition for writ of mandamus denied. Opinion by Mr. Justice Gray.

No. 14.—Charles C. Harrison et al., etc., plaintiffs in error, *v.* Hermann Fortlage et al., etc. In error to the circuit court of the United States for the eastern district of Pennsylvania. Judgment affirmed with costs and interest. Opinion by Mr. Justice Gray.

No. 68.—Amanda W. France, plaintiff in error, *v.* John W. Connor et al. In error to the supreme court of the State of Wyoming. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 241.—Joseph F. Hamilton et al., plaintiffs in error, *v.* J. T. Brown et al. In error to the circuit court of the United States for the western district of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 471.—Thomas Ball, plaintiff in error, *v.* Julia F. Halsell, executrix, etc. In error to the circuit court of the United States for the northern district of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 608.—Charles Smith, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed and cause remanded with directions to set aside the verdict and to order a new trial. Opinion by Mr. Justice Gray.

No. 783.—The United States, appellant, *v.* Jane L. Stanford, executrix, etc. Appeal from the United States circuit court of appeals for the ninth circuit. Decree affirmed and cause remanded to the circuit court of the United States for the northern district of California. Opinion by Mr. Justice Harlan.

No. 81.—Harvey Spalding, plaintiff in error, *v.* William F. Vilas. In error to the supreme court of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

No. 82.—Harvey Spalding, plaintiff in error, *v.* Don M. Dickinson. In error to the supreme court of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

No. 794.—The United States, plaintiff in error, *v.* Samuel Zucker et al. In error to the district court of the United States for the southern district of New York. Judgment reversed and cause remanded with directions to set aside the verdict and judgment, and for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 509.—The City of Evansville, plaintiff in error, *v.* William S. Dennett. On a certificate from the United States circuit court of appeals for the seventh circuit. First, second, and fourth questions answered in the negative and the third in the affirmative, and the first clause of the fifth question in the negative and the second clause in the affirmative. Opinion by Mr. Justice Harlan.

No. 88.—The Board of Flour Inspectors, etc., et al., appellants, *v.* Booth F. Glover et al. Appeal from the circuit court of the United States for the eastern district of Louisiana. Decree of this court of December 9, 1895, dismissing this cause, vacated and set aside, and decree of the circuit court reversed, without costs to either party, and cause remanded with directions to dismiss the bill. Opinion by Mr. Chief Justice Fuller.

No. 71.—Eugene Beebe et al., plaintiffs in error, *v.* The United States. In error to the circuit court of the United States for the middle district of Alabama. Judgment affirmed. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Gray and Mr. Justice Peckham took no part in the decision of this case.)

No. 135.—The District of Columbia, plaintiff in error, *v.* Isaac S. Lyon. In error to the supreme court of the District of Columbia. Judgment affirmed with costs and interest. Opinion by Mr. Chief Justice Fuller.

No. 271.—The Union Pacific Railway Company, plaintiff in error, *v.* Anna Callaghan, administratrix, etc. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 341.—William M. Fishback et al., appellants, *v.* The Western Union Telegraph Company. Appeal from the circuit court of the United States for the eastern district of Arkansas. Decree reversed with costs and cause remanded with a direction to dismiss the suit for want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 342.—William M. Fishback et al., appellants, *v.* The Pacific Express Company. Appeal from the circuit court of the United States for the eastern district of Arkansas. Decree reversed with costs and cause remanded with a direction to dismiss the suit for want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 429.—Santiago Ainsa, administrator, etc. et. al., appellants, *v.* The United States. Appeal from the Court of Private Land Claims. Judgment affirmed. Opinion by Mr. Chief Justice Fuller.

(Mr. Justice Peckham took no part in the decision of this case.)

No. 642.—S. W. Carey et al., appellants, *v.* The Houston and Texas Central Railway Company et al. Appeal from the United States circuit court of appeals for the fifth circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

(Mr. Justice Peckham took no part in the decision of this case.)

No. 769.—Caleb W. Durham, appellant, *v.* John S. Seymour. Commissioner of Patents. Appeal from the court of appeals of the District of Columbia. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

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

Order. The reporter having represented that owing to the number of decisions at the term it will be impracticable to put the reports in one volume, it is therefore now here ordered that he publish an additional volume in this year, pursuant to section 681, of the Revised Statutes.

No. 478.—The United States, appellant, *v.* Joshua Gorham. Motion to advance denied.

No. 745.—The United States, appellant, *v.* The American Bell Telephone Company et al. Motion for advance granted and cause assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 825.—The Quaker City National Bank, plaintiff in error, *v.* Nolan County. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 834.—Charles W. Acers, plaintiff in error, *v.* the United States.

No. 846.—George McElroy et al., plaintiffs in error, *v.* The United States.

No. 865.—James B. Wilson, plaintiff in error, *v.* The United States.

No. 884.—George W. Wilson, plaintiff in error, *v.* The United States.

No. 901.—E. W. Agnew, plaintiff in error, *v.* The United States.

Motions to advance submitted by Mr. Solicitor-General Conrad for the United States.

No. 350.—Santiago Ainsa, administrator, etc., appellant, *v.* The New Mexico and Arizona Railroad Company et al. Leave granted the United States to file motion for leave to intervene on motion of Mr. Solicitor-General Conrad for the United States.

No. 588.—Rose L. Saltonstall et al., executors, etc., plaintiffs in error, *v.* Joseph Birtwell. Reassigned for argument on the 23d instant on motion of Mr. Assistant Attorney-General Whitney for the plaintiffs in error. Leave granted to Mr. H. E. Tremain to file brief herein in behalf of certain interested parties.

No. 916.—John M. Mack et al., plaintiffs in error, *v.* John Porter. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Samuel Shellabarger and Mr. J. M. Wilson for the plaintiffs in error in support of petition, and by Mr. W. P. Hubbard for the defendant in error in opposition thereto.

No. 757.—The Canton Insurance Company, Limited, et al., appellants, *v.* John MacIntyre, jr., et al.; and

No. 758.—John MacIntyre, jr., et al., appellants, *v.* The Canton Insurance Company, Limited, et al. Motion to advance submitted by Mr. George Cromwell in support of motion.

No. 885.—Samuel Whitehill Barber et al., plaintiffs in error, *v.* The Pittsburg, Fort Wayne and Chicago Railway Company et al. Petitions for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. John S. Ferguson for the plaintiffs in error and by D. T. Watson for the defendants in error. Motion to advance submitted by Mr. John S. Ferguson for the plaintiffs in error in support of motion.

No. —, Original.—*Ex parte*: In the matter of C. and A. Potts & Co., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. Ernest W. Bradford and Mr. Chester Bradford for the petitioners in support of motion.

No. 830.—Frederick P. Olcott, appellant, *v.* Fred. A. Rice et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. John G. Winter, Mr. A. H. Garland and Mr. R. C. Garland for the appellant in support of the petition and by Mr. Henry F. Ring for the appellees in opposition thereto.

No. 718.—James Murray alias “Greasy Jim,” plaintiff in error, *v.* The State of Louisiana. Motion to advance submitted by Mr. Alexander Porter Morse in support of motion.

No. 913.—The United States ex rel. Rudolph Deimel, appellant, *v.* John W. Arnold, United States marshal. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Hiram T. Gilbert for the appellant in support of the petition, and by Mr. Levy Mayer for the appellee in opposition thereto.

No. 918.—Adolph Krug, plaintiff in error, *v.* The State of Washington. In error to the supreme court of the State of Washington. Docketed and dismissed with costs on motion of Mr. Joseph Shillington for the defendant in error.

No. 45.—The United States, appellant, *v.* The State of New York; and

No. 136.—The State of New York, appellant, *v.* The United States. Motion to re-form the judgment herein submitted by Mr. David B. Hill for the State of New York.

No. 134.—Joshua M. Dushane, assignee, etc., plaintiff in error, *v.* Alpheus Beall. Submitted by Mr. Edward Campbell for the plaintiff in error, and by Mr. Leoni Melleck for the defendant in error, pursuant to order of January 13, 1896.

No. 621.—The Mayor, etc., of the City of Annapolis, plaintiff in error, *v.* Harry M. Revell et al. Motion to dismiss submitted by Mr. John P. Poe in support of motion and by Mr. William P. Whyte in opposition thereto.

No. 706.—Henry C. Rouse, receiver, etc., plaintiff in error, *v.* John E. Hornsby. Motions to dismiss or affirm submitted by Mr. Nelson Case in support of same and by Mr. James Hagerman and Mr. T. N. Sedgwick in opposition thereto.

No. 551.—Chin Yuen Sing, appellant, *v.* James T. Kilbreth, collector, etc. Appeal from the circuit court of the United States for the southern district of New York. Dismissed pursuant to the tenth rule.

No. 792.—Rufus Buck et al., plaintiffs in error, *v.* The United States. Submitted by Mr. Assistant Attorney-General Dickinson for the defendant in error. No brief filed for the plaintiffs in error.

No. 731.—Jerry Wallace, plaintiff in error, *v.* The United States. Submitted by Mr. Solicitor-General Conrad for the defendant in error, with leave to counsel for the plaintiff in error to file brief within thirty days.

No. 462.—Count Joseph Telfener, plaintiff in error, *v.* George W. Russ. Argument commenced by Mr. Andrew Wesley Kent for the plaintiff in error, and continued by Mr. Clarence H. Miller 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. 462, 652, 685 (686 and 687), 8, 801, 778, 809, 557, 13 and 694.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 3, 1896.

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

L. Seward Bacon, of Washington, D. C., was admitted to practice.

No. 913.—The United States *ex rel.* Rudolph Deimel, appellant, *v.* John W. Arnold, United States marshal. Leave granted to counsel for appellant to file reply brief herein on or before Monday next, on motion of Mr. F. S. Bright, in behalf of counsel for appellant.

No. 557.—Alex. W. Crain, plaintiff in error, *v.* The United States. Submitted by Mr. A. H. Garland and Mr. R. C. Garland for the plaintiff in error, and by Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 778.—John Matthews, plaintiff in error and appellant, *v.* The United States. Submitted by Mr. W. J. Townsend and Mr. Charles A. Hess for the plaintiff in error and appellant, and by Mr. Assistant Attorney-General Whitney for the defendant in error and appellee.

No. 462.—Count Joseph Telfeuer, plaintiff in error, *v.* George W. Russ. Argument continued by Mr. Clarence H. Miller and Mr. Joseph Wheeler for the defendant in error, and concluded by Mr. J. L. Peeler for the plaintiff in error.

No. 652.—Caroline Southworth, executrix, etc., appellant, *v.* The United States. Argued by Mr. George A. King and Mr. Lewis Abraham for the appellant, and submitted by Mr. Assistant Attorney-General Dodge for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 4, will be as follows: Nos. 685 (686 and 687), 8, 801, 809, 694, 841, 681, 853, 130, and 13.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 4, 1896.

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

Benno Lewinson, of New York City, was admitted to practice.

No. 809.—Ed. Wilkey, alias one Davis, plaintiff in error, *v.* The United States. Submitted by Mr. Assistant Attorney-General Dickinson for the defendant in error. No counsel appeared for the plaintiff in error.

No. 853.—Ed. Alberty, alias Charles Burns, plaintiff in error, *v.* The United States. Submitted by Mr. William M. Cravens for the plaintiff in error, and by Mr. Assistant Attorney-General Whitney for the defendant in error.

No. 8.—The Missouri Pacific Railway Company, plaintiff in error, *v.* The State of Nebraska *ex rel.* the Board of Transportation of the State of Nebraska. Argued by Mr. John F. Dillon for the plaintiff in error, and by Mr. A. S. Churchill for the defendant in error.

No. 685.—A. S. Churchill, Attorney-General, et al., etc., appellants, *v.* Oliver Ames et al.;

No. 686.—A. S. Churchill, Attorney-General, et al., etc., appellants, *v.* George Smith et al.; and

No. 687.—A. S. Churchill, Attorney-General, et al., etc., appellants, *v.* Henry L. Higginson et al. Argument commenced by Mr. John L. Webster for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 5, will be as follows: Nos. 685 (686 and 687), 801, 694, 841, 681, 130, 13, 137, 141, and 142.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 5, 1896.

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

William S. Forrest, of Chicago, Ill., was admitted to practice.

No. 685.—A. S. Churchill, Attorney-General, et al., etc., appellants, *v.* Oliver Ames et al.;

No. 686.—A. S. Churchill, Attorney-General, et al., etc., appellants, *v.* George Smith et al.; and

No. 687.—A. S. Churchill, Attorney-General et al., etc., appellants, *v.* Henry L. Higginson et al. Argument continued by Mr. J. M. Woolworth and Mr. James C. Carter for the appellees, and concluded by Mr. John L. Webster for the appellants.

No. 801.—Francis A. Coffin, plaintiff in error, *v.* The United States. Argument commenced by Mr. William H. H. Miller for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 6, will be as follows: Nos. 801, 694, 841, 681, 130, 13, 137, 141, 142, and 143.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 6, 1896.

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

No. 462.—Count Joseph Telfener, plaintiff in error, *v.* George W. Russ. Leave granted to defendant in error to file additional brief herein, and to the plaintiff in error to file reply brief within one week, on motion of Mr. Joseph Wheeler for the defendant in error.

No. 25.—Albert Price et al., plaintiffs in error, *v.* Elijah Chism. Continued per stipulation, on motion of Mr. John F. Dillon for the plaintiffs in error.

No. 801.—Francis A. Coffin, plaintiff in error, *v.* The United States. Argument continued by Mr. William H. H. Miller for the plaintiff in error, by Mr. Solicitor-General Conrad for the defendant in error, and concluded by Mr. Ferd. Winter for the plaintiff in error.

No. 694.—George W. Post, plaintiff in error, *v.* The United States. Argument commenced by Mr. James K. Redington for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 9, will be as follows: Nos. 694, 841, 681, 130, 13, 137, 141, 142, 143, and 146.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 9, 1896.

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

John F. Shafroth, of Denver, Colo.; Milton Smith, of Denver, Colo.; Sylvester G. Williams, of Denver, Colo.; Charles B. Keeler, of Chicago, Ill.; Richard W. Barger, of Chicago, Ill., and William J. Scott, of Kansas City, Mo., were admitted to practice.

No. 567.—Dan K. Swearingen, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Kansas. Judgment reversed and cause remanded with directions to set aside the verdict and award a new trial. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown, and Mr. Justice White.

No. 119.—The Union Pacific Railway Company, plaintiff in error, *v.* Nora O'Brien. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs and cause remanded to the circuit court of the United States for the District of Colorado. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Brewer and Mr. Justice Peckham took no part in the consideration and decision of this case).

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

No. 434.—The Raven Gold Mining Company, appellant, *v.* The Miners' Union of the Town of Altman et. al. Appeal from the circuit court of the United States for the district of Colorado. Dismissed with costs.

Nos. 573 and 574.—Warren F. Putnam, plaintiff in error, *v.* The United States. Mandates stayed and counsel allowed to file briefs within ten days on the questions (1) whether there was any error in respect of the testimony taken before the grand jury, and (2) whether there was any want of jurisdiction in the court.

No. 45.—The United States, appellant, *v.* The State of New York; and

No. 136.—The State of New York, appellant, *v.* The United States. Motion to re-form the judgment herein denied without prejudice to an application in the Court of Claims in respect of the matter in question.

No. 621.—The Mayor, etc., of the City of Annapolis, plaintiff in error, *v.* Harry M. Revell et al. Motion to dismiss denied because of want of a printed record.

No. 718.—James Murray, alias "Greasy Jim," plaintiff in error, *v.* The State of Louisiana. Motion to advance granted and cause assigned for argument on the first Monday of April next.

No. 757.—The Canton Insurance Company, limited, et al., appellants, *v.* John MacIntyre, jr., et al.; and

No. 758.—John MacIntyre, jr., et al., appellants, *v.* The Canton Insurance Company, limited, et al. Motion to advance denied.

No. 830.—Frederic P. Olcott, appellant, *v.* Fred A. Rice, et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 834.—Charles W. Accrs, plaintiff in error, *v.* The United States;

No. 846.—George McElroy et al., plaintiffs in error, *v.* The United States;

No. 865.—James B. Wilson, plaintiff in error, *v.* The United States; and

No. 901.—E. W. Agnew, plaintiff in error, *v.* The United States. Motions to advance granted and cases assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 884.—George W. Wilson, plaintiff in error, *v.* The United States. Motion to advance granted and cause assigned for argument on the first Monday in April, after the case already set down for that day.

No. 913.—The United States ex rel. Rudolph Deimel, appellant, *v.* John W. Arnold, United States marshal. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 916.—John M. Mack et al., plaintiffs in error, *v.* John Porter. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. —, Original.—Ex parte: In the matter of C. and A. Potts & Co., petitioners. Motion for leave to file petition for a writ of mandamus denied.

No. 792.—Rufus Buck et al., plaintiffs in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgments affirmed.

No. 809.—Ed Wilkey, alias one Davis, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment affirmed.

No. 208.—George W. Howell et al., plaintiffs in error, *v.* The United States. In error to the district court of the United States for the western district of Missouri. Dismissed on authority of counsel for the plaintiffs in error, on motion of Mr. Solicitor General Conrad for the defendant in error.

No. 699.—The United States, appellant, *v.* the Union Pacific Railway Company et al.;

No. 702.—The United States, appellant, *v.* The Winona and St. Peter Railroad Company et al.;

No. 703.—The United States, appellant, *v.* The St. Paul and Sioux City Railroad Company et al.; and

No. 798.—Sandy White, plaintiff in error, *v.* The United States. Motions to advance submitted by Mr. Solicitor General Conrad for the United States.

No. 770.—The Southern Pacific Railroad Company et al., appellants, *v.* The United States; reassigned for argument on the third Monday in April on motion of Mr. Assistant Attorney-General Dickinson for the appellee.

No. 659.—The Central Railroad and Banking Company of Georgia et al., appellants, *v.* William A. Wright, comptroller-general, etc. Motion to advance submitted by Mr. J. M. Terrell for the appellee.

No. 876.—The Hartford Fire Insurance Company et al., plaintiffs in error, *v.* The Chicago, Milwaukee and St. Paul Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. R. W. Barger and Mr. Charles A. Clark for the plaintiffs in error in support of the petition, and by Mr. Charles B. Keeler for the defendant in error in opposition thereto.

No. 835.—Nathaniel T. Bacon, owner, etc., appellant, *v.* The Steamer Poconoket, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit, submitted by Mr. J. Rodman Paul and Mr. Theodore Bacon for the appellant in support of petition, and by Mr. Henry Flanders and Mr. Edward F. Pugh for the appellee in opposition thereto.

No. 863.—Martha Barnitz, plaintiff in error, *v.* John L. Beverly. Motion to vacate order for submission and for oral argument submitted by Mr. William J. Scott for the defendant in error.

No. 227.—Bob Talton, appellant, *v.* Wash. Mayes, high sheriff, etc. Suggestion of diminution of record herein and motion for writ of certiorari submitted by Mr. A. H. Garland and Mr. R. C. Garland in support of motion, and by Mr. E. V. Brookshire and Mr. L. D. Yarrell in opposition thereto.

No. 741.—Margaret A. Muse et al., plaintiffs in error, *v.* the Arlington Hotel Company. Motion to dismiss submitted by Mr. U. M. Rose and Mr. G. B. Rose in support of the motion, and by Mr. Walter D. Davidge, Mr. C. J. Boatner and Mr. James L. Pugh, jr., in opposition thereto.

No 756.—W. A. Harwood, appellant, *v.* A. Wentworth. Submitted by Mr. W. H. Barnes for the appellant and by Mr. A. Wentworth for the appellee.

No. 694.—George W. Post, plaintiff in error, *v.* The United States. Argument continued by Mr. Assistant Attorney-General Dickinson for the defendant in error, and concluded by Mr. James K. Redington for the plaintiff in error.

No. 681.—John Stevenson, plaintiff in error, *v.* The United States. Argued by Mr. Fred Beall for the plaintiff in error, and by Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 130.—George A. Eddy et al., plaintiffs in error, *v.* Ben. F. Lafayette et al. Submitted by Mr. James Hagerman, Mr. C. L. Jackson, and Mr. Joseph M. Bryson for the plaintiffs in error, and by Mr. W. F. Hutchings for defendant in error.

No. 13.—Amos Woodruff, trustee, et al., plaintiffs in error, *v.* The State of Mississippi et al. Argument commenced by Mr. Lawrence Maxwell, jr., for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 10, will be as follows: Nos. 13, 841, 137, 141, 142, 143, 146, 147, 148, and 149.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 10, 1896.

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

Timothy M. Griffing, of Riverhead, N. Y., and Samuel Monroe Enterline, of Pottsville, Pa., were admitted to practice.

No. 902.—The International Trust Company of Denver, Colo., appellant, *v.* The Norwich Union Fire Insurance Society. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Sylvester G. Williams, Mr. E. T. Wells, and Mr. M. F. Taylor for the appellee in support of the petition, and by Mr. Henry Wise Garnett and Mr. N. T. N. Robinson for the appellant in opposition thereto.

No. 906.—The Insurance Company of North America, plaintiff in error, *v.* The International Trust Company. Petition for writ of certiorari to the United States court of appeals for the eighth circuit submitted by Mr. Sylvester G. Williams, Mr. E. T. Wells, and Mr. M. F. Taylor for the plaintiff in error in support of the petition, and by Mr. Henry Wise Garnett and Mr. N. T. N. Robinson for the defendant in error in opposition thereto.

No. 149.—The Postal Telegraph Cable Company, plaintiff in error, *v.* The Norfolk and Western Railroad Company. In error to the supreme court of appeals of the State of Virginia. Dismissed with costs on motion of Mr. William A. Maury for the plaintiff in error.

No. 923.—The Sun Insurance Office of London, England, plaintiff in error, *v.* The International Trust Company of Denver, Colo. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. T. J. O'Donnell, Mr. W. S. Decker, and Mr. Milton Smith, for the plaintiff in error in support of the petition, and by Mr. Henry Wise Garnett and Mr. N. T. N. Robinson for the defendant in error in opposition thereto.

No. 176.—William G. Ford et al., appellants, *v.* The Delta and Pine Land Company et al. Passed subject to the provisions of section 9, Rule 26, on motion of Mr. Josiah Patterson in behalf of counsel.

No. 13.—Amos Woodruff, trustee, et al., plaintiffs in error, *v.* The State of Mississippi et al. Argument continued by Mr. Lawrence Maxwell, jr., for the plaintiffs in error, by Mr. Frank Johnson and Mr. J. Hubley Ashton for the defendants in error, and concluded by Mr. Calderon Carlisle for the plaintiffs in error.

No. 137.—Elena Campbell, plaintiff in error, *v.* Georgeann Porter et al. Argument commenced by Mr. Walter D. Davidge for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 11, will be as follows: Nos. 137, 841, 141, 142, 143, 146, 147 (and 148), 150, 151, and 153.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 11, 1896.

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

Ernest Grant Rognon, of Salt Lake City, Utah, was admitted to practice.

No. 137.—Elena Campbell, plaintiff in error, *v.* Georgeann Porter et al. Argument continued by Mr. Walter D. Davidge for the plaintiff in error, by Mr. Chapin Brown for the defendant in error, and concluded by Mr. Walter D. Davidge for the plaintiff in error.

No. 841.—John H. Ward, sheriff, etc., appellant, *v.* Race Horse. Argument commenced by Mr. Benjamin F. Fowler for the appellant, and continued by Mr. Attorney-General Harmon for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 12, will be as follows: Nos. 841, 141, 142, 143, 146, 147 (and 148), 150, 151, 153, and 154.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 12, 1896.

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

Frank B. Dyche, of Chicago, Ill.; Henry Denis, of New Orleans, La., and Joseph W. Bailey, of Gainesville, Tex., were admitted to practice.

No. 863.—Martha Barnitz, plaintiff in error, *v.* John L. Beverly. Leave granted to file reply to affidavits filed by plaintiff in error on motion of Mr. William J. Scott for defendant in error.

No. 154.—Mary B. Campbell, administratrix, etc., et al., plaintiffs in error, *v.* I. E. Thames. In error to the court of common pleas of Charleston County, S. C. Dismissed with costs, pursuant to the tenth rule.

No. 841.—John H. Ward, sheriff, etc., appellant, *v.* Race Horse. Argument continued by Mr. Attorney-General Harmon for the appellee, and concluded by Mr. Willis Van Devanter for the appellant.

No. 141.—The Wisconsin Central Railroad Company, appellant, *v.* The United States. Argued by Mr. Louis D. Brandeis for the appellant, and by Mr. Assistant Attorney-General Dodge for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 13, will be as follows: Nos. 142, 143, 146, 147 (and 148), 150, 151, 153, 155, 157 (and 158), and 159.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 13, 1896.

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

James Francis Smith, of Washington, D. C., was admitted to practice.

No. 201.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Michael C. Cavanaugh. In error to the United States circuit court of appeals for the eighth circuit. Dismissed per stipulation.

No. 205.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Ralph Peterson. In error to the United States circuit court of appeals for the eighth circuit. Dismissed per stipulation.

No. 155.—Mary B. Campbell, administratrix, etc., et al., plaintiffs in error, *v.* J. O. Schachte, executor, etc. In error to the court of common pleas of Charleston County, S. C. Dismissed with costs pursuant to the tenth rule.

No. 142.—Charles McIntire, jr., administrator, etc., plaintiff in error, *v.* Edwin A. McIntire et al. Argued by Mr. William G. Johnson and Mr. Cakleron Carlisle for the plaintiff in error, and by Mr. Enoch Totten for the defendants in error.

No. 143.—Bernard Owens, plaintiff in error, *v.* John Henry. Argued by Mr. George A. King for the plaintiff in error, and submitted by Mr. W. S. Benedict for the plaintiff in error. No counsel appeared for the defendant in error.

No. 146.—Justus Hollander et al., appellants, *v.* Martin S. Fecheimer et al. Argument commenced by Mr. Leon Tobriner for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 16, will be as follows: Nos. 146, 147, (and 148), 150, 151, 153, 157 (and 158). 159, 869 (and 870), 160, and 161.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 16, 1896.

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

Reuben Leslie Maynard, of New York City; John H. Raney, of Piedmont, Mo.; Julian W. Mack, of Chicago, Ill.; Warren Severance, of Chicago, Ohio; Joseph W. Simonds, of Portland, Me.; George H. Lamar, of Washington, D. C.; Sharswood Brinton, of Philadelphia, Pa., and Stanton Warburton, of Tacoma, Wash., were admitted to practice.

No. 778.—John Matthews, plaintiff in error and appellant, *v.* The United States. In error to and appeal from the circuit court of the United States for the southern district of New York. Judgment affirmed. Opinion by Mr. Justice Peckham.

No. 89.—Charles H. Gildersleeve, appellant, *v.* The New Mexico Mining Company. Appeal from the supreme court of the Territory of New Mexico. Decree affirmed with costs. Opinion by Mr. Justice White.

No. 3, Original.—The United States, complainant, *v.* The State of Texas. Decree for the United States. Opinion by Mr. Justice Harlan.

No. 134.—Joshua M. Dushane, assignee, etc., plaintiff in error, *v.* Alpheus Beall. In error to the supreme court of the State of Pennsylvania. Judgment reversed with costs and cause remanded to the said supreme court that the judgment of the court of common pleas may be reversed and further proceedings had not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice Fuller.

No. 622.—Platarco Ornelas, consul of the Republic of Mexico, appellant, *v.* Inez Ruiz et al. Appeal from the district court of the United States for the western district of Texas. Order reversed with costs and cause remanded for further proceedings to be had therein in conformity to law. Opinion by Mr. Chief Justice Fuller.

No. 559.—The Central Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California. In error to the supreme court of

the State of California. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Field and Mr. Justice Harlan.

No. 560.—The Southern Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California. In error to the supreme court of the State of California. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Field and Mr. Justice Harlan.

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

No. 885.—Samuel Whitehill Barber et al., plaintiffs in error, *v.* The Pittsburg, Fort Wayne and Chicago Railway Company et al. Motion for certiorari and to advance the case for oral argument denied, but the case may be advanced as under the thirty-second rule, to be submitted on printed briefs, if counsel shall be so advised.

No. 227.—Bob Talton, appellant, *v.* Wash. Mayes, high sheriff, etc. Motion for writ of certiorari for the correction of the record granted, the certified copy of the indictment presented to be taken as a return.

No. 659.—The Central Railroad and Banking Company of Georgia et al., appellants, *v.* William A. Wright, Comptroller-General, etc. Motion to advance granted and cause assigned for agreement on the second Monday of the next term after the cases already set down for that day.

No. 699.—The United States, appellant, *v.* The Union Pacific Railway Company et al.;

No. 702.—The United States, appellant, *v.* The Winona and St. Peter Railroad Company et al., and

No. 703.—The United States, appellant, *v.* The St. Paul and Sioux City Railroad Company et al. Motion to advance granted and cases assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 798.—Sandy White, plaintiff in error, *v.* The United States. Motion to advance granted and cause assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 741.—Margaret A. Muse et al., plaintiffs in error, *v.* The Arlington Hotel Company. Leave granted plaintiffs in error to file bond in the penal sum of \$500, conditioned according to law, and to be approved by the clerk, and thereupon the motion to dismiss will be denied.

No. 863.—Martha Barnitz, plaintiff in error, *v.* John L. Beverly. Motion to vacate order for submission of this cause denied.

No. 876.—The Hartford Fire Insurance Company et al., plaintiffs in error, *v.* The Chicago, Milwaukee, and St. Paul Railway Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit granted.

No. 902.—The International Trust Company of Denver, Colo., appellant, *v.* The Norwich Union Fire Insurance Society. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit, denied.

No. 906.—The Insurance Company of North America, plaintiff in error, *v.* The International Trust Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit, denied.

No. 923.—The Sun Insurance Office of London, England, plaintiff in error, *v.* The International Trust Company of Denver, Colo. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit, denied.

No. 744.—L. A. Lincecum, plaintiff in error, *v.* The United States; and

No. 904.—The United States, appellant, *v.* Wong Kim Ark. Motions to advance submitted by Mr. Solicitor Conrad for the United States.

No. 933.—James Addison Peraltareavis, appellant, *v.* The United States. Appeal from the Court of Private Land Claims. Docketed and dismissed on motion of Mr. Solicitor-General Conrad for the appellee.

No. 925.—The United States, appellant, *v.* Madison J. Julian. Submitted pursuant to the twentieth rule by Mr. Assistant Attorney-General Dodge for the appellant, and by Mr. George A. King for the appellee.

No. 919.—The National Accident Society, plaintiff in error, *v.* Fannie Spiro. Motion to advance submitted by Mr. Foster V. Brown in behalf of counsel for the defendant in error, with leave to Mr. John Ridout, in behalf of counsel for the plaintiff in error, to file opposition thereto on or before Wednesday, the 18th instant.

No. 932.—The Provident Savings Life Assurance Society, plaintiff in error, *v.* Cora E. Nixon. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Edmund Wetmore and Mr. E. B. Smith for the plaintiff in error in support of petition, and by Mr. Stanton Warburton for the defendant in error in opposition thereto.

No. 725.—Robert Robertson et al., appellants, *v.* The United States et al. Motion to advance submitted by Mr. J. H. Ralston for the appellants.

No. 353.—F. R. Osborne, plaintiff in error, *v.* The State of Florida. Motion to assign case for hearing submitted by Mr. George H. Lamar in behalf of counsel.

No. 918.—Adolph Krug, plaintiff in error, *v.* The State of Washington. Motion to rescind order docketing and dismissing this cause and for leave to file the record and docket the cause submitted by Mr. James

Hamilton Lewis for the plaintiff in error, with leave to Mr. Joseph Shillington to file opposition thereto on or before Monday next.

No. 931.—Juan M. Ceballos et al., appellants, *v.* The Schooner *Warren Adams*, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Sidney Chubb for the appellants in support of petition, with leave to Mr. R. D. Benedict, for the appellee, to file opposition on or before Monday next.

No. 626.—The Baltimore and Ohio Railroad Company, plaintiff in error, *v.* William Sutherland. Motion to dismiss or affirm submitted by Mr. G. R. Walker and Mr. W. Severance for support of the motions.

No. 924.—A. Howard Ritter, executor, etc., plaintiff in error, *v.* The Mutual Life Insurance Company of New York. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Sharswood Brinton, Mr. Richard C. Dale, Mr. John Hampton Barnes, and Mr. George Tucker Bispham for the plaintiff in error in support of the petition, and by Mr. John G. Johnson for the defendant in error in opposition thereto.

No. 254.—The Union National Bank of Chicago, plaintiff in error, *v.* The Louisville, New Albany and Chicago Railway Company. Motion to dismiss submitted by Mr. George W. Kretzinger in support of the motion, and by Mr. Henry S. Robbins in opposition thereto.

No. 146.—Justus Hollander et al., appellants, *v.* Martin S. Fecheimer et al. Argument continued by Mr. Leon Tobriner for the appellants, by Mr. James Francis Smith and Mr. Henry E. Davis for the appellees, and concluded by Mr. Leon Tobriner for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 17, will be as follows: Nos. 147 (and 148), 150, 151, 153, 157 (and 158), 159, 869 (and 870), 160, 161, and 164.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 17, 1896.

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

No. 157.—The Union Pacific Railway Company et al., appellants, *v.* The Chicago, Rock Island and Pacific Railway Company; and

No. 158.—The Union Pacific Railway Company, appellant, *v.* The Chicago, Milwaukee and St. Paul Railway Company. Passed, subject to the provisions of section 9 of rule 26, on motion of Mr. J. M. Thurston for the appellants.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay; and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Motion to reassign cases submitted by Mr. Thomas J. Semmes for the defendants in error.

No. 169.—The Morse Arms Manufacturing Company, appellant, *v.* The United States. Passed, subject to the provisions of section 9 of rule 26, on motion of Mr. Assistant Attorney-General Whitney for the appellee.

No. 147.—The Oregon Short Line and Utah Northern Railway Company, plaintiff in error, *v.* Jane Skoltowe.

No. 148.—The Oregon Short Line and Utah Northern Railway Company, plaintiff in error, *v.* J. T. Mullan, administrator, etc.; and

No. 229.—The Oregon Short Line and Utah Northern Railway Company, plaintiff in error, *v.* Francis Conlin. Argued by Mr. John M. Thurston for the plaintiff in error and by Mr. Alfred S. Bennett for the defendants in error.

No. 150.—L. F. Hennington, plaintiff in error, *v.* The State of Georgia. Argument commenced by Mr. Edward Colston for the plaintiff in error and continued by Mr. J. M. Terrell for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 18, will be as follows: Nos. 150, 151, 153, 159, 869 (and 870), 160, 161, 164, 165, and 166.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 18, 1896.

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

J. B. Lewright, of Fort Worth, Texas; Leonard H. Hole, of Chicago, Ill., and Thomas O'Connor, of Waterford, N. Y., were admitted to practice.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay, and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Passed.

No. 150.—L. F. Hennington, plaintiff in error, *v.* The State of Georgia. Argument concluded by Mr. Edward Colston for the plaintiff in error.

No. 151.—The First National Bank of Clark, South Dakota, plaintiff in error, *v.* The State of South Dakota. In error to the supreme court of the State of South Dakota. Dismissed with costs pursuant to the sixteenth rule.

No. 153.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Samuel Peterson. Argued by Mr. Henry J. Gjertsen for the defendant in error, and submitted by Mr. William J. Curtis and Mr. C. W. Bunn for the plaintiff in error.

No. 160.—John Evans Cornell, appellant, *v.* Hetty H. R. Green. Leave granted to three counsel for the appellant to be heard in the argument of this case on motion of Mr. Lyman Trumbull for the appellant. Argument commenced by Mr. F. B. Dyche for the appellant and continued by Mr. Lyman Trumbull for the appellant, and Mr. C. W. Ogden for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 19, will be as follows: Nos. 160, 159, 161, 164, 165, 166, 167, 170 (and 171), 172, and 173.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 19, 1896.

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

W. A. Nygh, of Merced, Cal., was admitted to practice.

No. 161.—Alfred F. Webster, plaintiff in error, *v.* Milo J. Luther et al. Submitted by Mr. Jed L. Washburn for the plaintiff in error, and by Mr. C. K. Davis, Mr. F. B. Kellogg, Mr. C. A. Severance, and Mr. Theodore Hudson for the defendants in error.

No. 167.—Mary B. Campbell, administratrix, etc., et al., plaintiffs in error, *v.* D. J. Quigley, executor, etc. In error to the court of common pleas of Charleston County, S. C. Dismissed with costs, pursuant to the tenth rule.

No. 160.—John Evans Cornell, appellant, *v.* Hetty H. R. Green. Argument continued by Mr. Charles W. Ogden for the appellee, and concluded by Mr. Robert Rae for the appellant.

No. 159.—The Great Western Telegraph Company, plaintiff in error, *v.* Barbara Burnham et al. Argument commenced by Mr. Thomas J. Sutherland for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 20, will be as follows: Nos. 159, 164, 165, 166, 170 (and 171), 172, 173, 174, 175, and 177 (and 207 and 284).

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 20, 1896.

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

Edward C. Davidson, of New York City, was admitted to practice.

No. 129.—Jane Lynch, appellant, *v.* John Henry Murphy, sole devisee, etc. Mandate granted, per stipulation, on motion of Mr. Henry E. Davis for the appellee.

No. 295.—Erwin Davis et al., plaintiffs in error, *v.* Algernon S. Patrick. In error to the United States circuit court of appeals for the eighth circuit. Dismissed with costs on authority of counsel for the plaintiffs in error.

No. 159.—The Great Western Telegraph Company, plaintiff in error, *v.* Barbara Burnham et al. Argument concluded by Mr. Thomas J. Sutherland for the plaintiff in error, and submitted by Mr. Reese H. Voorhees for the defendants in error.

No. 165.—John D. Fee, plaintiff in error, *v.* Henry C. Brown, executor. Submitted by Mr. J. M. Vale and Mr. C. C. Clements for the plaintiff in error, and by Mr. James H. Brown for the defendant in error, with leave to counsel for defendant in error to file brief within one week, and to counsel for plaintiff in error to reply within one week thereafter.

Nos. 170 and 171.—The Central Pacific Railroad Company, plaintiff in error, *v.* The State of Nevada. Argued by Mr. Wheeler H. Peckham for the plaintiff in error, and by Mr. John C. Chaney for the defendant in error.

No. 175.—Ana J. Dominguez de Guyer et al., plaintiffs in error, *v.* William Banning. Argument commenced by Mr. Jefferson Chandler for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 23, will be as follows: Nos. 175, 164, 166, 172, 173, 174, 177 (and 207 and 284), 588, 179, and 180.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 23, 1896.

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

Arthur E. Cochran, of San Francisco, Cal.; G. Willett Van Nest, of New York City; W. L. Granbery, of Nashville, Tenn.; J. J. Davis, of Des Moines, Iowa, and Thomas C. Bach, of Helena, Mont., were admitted to practice.

No. 765.—Theodore F. Brown, appellant, *v.* John W. Walker, United States marshal for the western district of Pennsylvania. Appeal from the circuit court of the United States for the western district of Pennsylvania. Order affirmed with costs. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Field, Mr. Justice Gray, Mr. Justice Shiras, and Mr. Justice White.

No. 652.—Caroline Southworth, executrix, etc., appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brewer. Announced by Mr. Chief Justice Fuller. (Mr. Justice White took no part in the decision of this case.)

No. 694.—George W. Post, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Minnesota. Judgment reversed and cause remanded with directions to set aside the verdicts and to sustain the demurrers to the indictments. Opinion by Mr. Justice Gray.

No. 653.—David S. Stanley et al., plaintiffs in error, *v.* Mary U. Schwalby et al. In error to the court of civil appeals for the fourth supreme judicial district of the State of Texas. Judgment reversed and cause remanded with instructions to dismiss the action as against the United States and to enter judgment in favor of the individual defendants with costs. Opinion by Mr. Justice Gray.

No. 706.—Henry C. Rouse, receiver, etc., plaintiff in error, *v.* John E. Hornsby. In error to the United States circuit court of appeals for the eighth circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

The Chief Justice also announced the following orders of the court:
 No. 705.—Henry C. Rouse, receiver, etc., plaintiff in error, *v.* Robert H. Cloughley. In error to the United States circuit court of appeals for the eighth circuit. Dismissed for the want of jurisdiction per stipulation.

No. 835.—Nathaniel T. Bacon, owner, etc., appellant, *v.* The Steamer Poconoket, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 254.—The Union National Bank of Chicago, plaintiff in error, *v.* The Louisville, New Albany and Chicago Railway Company. Motion to dismiss postponed to the hearing of the case on its merits.

No. 353.—F. R. Osborne, plaintiff in error, *v.* The State of Florida. Motion to assign case for hearing granted, and cause assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 626.—The Baltimore and Ohio Railroad Company, plaintiff in error, *v.* William Sutherland. In error to the supreme court of the State of Ohio. Dismissed for the want of jurisdiction.

No. 725.—Robert Robertson, et al., appellants, *v.* The United States et al. Motion to advance granted and case assigned for argument on the second Monday of the next term after the cases already set down for that day, but it will be taken on printed briefs at any time during this term if counsel shall be so advised.

No. 744.—L. A. Lincecum, plaintiff in error, *v.* The United States. Motion to advance granted and cause assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 904.—The United States, appellant, *v.* Wong Kim Ark. Motion to advance granted and cause assigned for argument on the second Monday of the next term after the cases already set down for that day, but it will be taken on printed briefs at any time during this term if counsel shall be so advised.

No. 918.—Adolph Krug *v.* The State of Washington. Motion to set aside order docketing and dismissing this case and for leave to file transcript of record and docket cause granted upon payment of costs.

No. 919.—The National Accident Society, plaintiff in error, *v.* Fannie Spiro. Motion to advance granted, and the cause advanced as under the thirty-second rule, to be submitted on printed briefs.

No. 924.—A. Howard Ritter, executor, etc., plaintiff in error, *v.* The Mutual Life Insurance Company of New York. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 931.—Juan M. Ceballos, et al., appellants, *v.* The Schooner Warren Adams, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 932.—The Provident Savings Life Assurance Society, plaintiff in error, *v.* Cora E. Nixon. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 724.—The United States *ex rel.* Charles D. Long, plaintiff in error, *v.* William Lochren, Commissioner of Pensions. Restored to the docket for reargument before a full bench, and assigned for hearing on the second Monday of the next term after the cases already set down for that day.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay; and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Reassigned for argument on the 20th of April next.

No. 718.—James Murray, alias "Greasy Jim," plaintiff in error, *v.* The State of Louisiana; and

No. 884.—George W. Wilson, plaintiff in error, *v.* The United States. Reassigned for argument on the 13th of April next.

The Chief Justice also announced that the court will take a recess from April 2 to April 13 next, that the call of the docket will be suspended on Friday, May 8, and that the court will adjourn for the term on Monday, May 25 next.

No. 700.—The United States, appellant, *v.* The Union Pacific Railway Company et al. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed per stipulation.

No. 853.—Ed. Alberty, alias Charles Burns, plaintiff in error, *v.* The United States. Leave granted to file additional brief herein on part of defendant in error on motion of Mr. Assistant Attorney General Whitney for the defendant in error.

No. 944.—John Hammond, plaintiff in error, *v.* The Stockton Combined Harvester and Agricultural Works. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. James G. Maguire and Mr. John H. Miller for the plaintiff in error in support of petition.

No. 847.—The Boyden Power Brake Company et al., appellants, *v.* George Westinghouse, jr., et al.; and

No. 878.—George Westinghouse, jr., et al., appellants, *v.* The Boyden Power Brake Company et al. Motion to advance submitted by Mr. Lysander Hill for the Boyden Power Brake Company et al., with leave to Mr. George H. Howard to file opposition thereto within one week.

No. 935.—Collis P. Huntington et al., appellants, *v.* The Proceeds of the Steamship Advance, etc. ;

No. 936.—Collis P. Huntington et al., appellants, *v.* The Proceeds of the Steamship Allianca, etc. ; and

No. 937.—Collis P. Huntington et al., appellants, *v.* The Proceeds of the Steamship Vigilancia, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Maxwell Evarts and Mr. R. D. Benedict for the appellants in support of the petition, and by Mr. Lewis Cass Ledyard for the appellees in opposition thereto.

No. 770.—The Southern Pacific Railroad Company et al., appellants, *v.* The United States. Continued on motion of Mr. J. Hubley Ashton for the appellants.

No. 934.—Samuel T. Hubbard et al., plaintiffs in error, *v.* The Exchange Bank. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. William J. Curtis for the plaintiffs in error in support of the petition, and by Mr. John R. Abney for the defendant in error in opposition thereto.

Nos. 261 and 262.—Anne Crapper et al., plaintiffs in error, *v.* Abby K. McLane et al. In error to the supreme court of the District of Columbia. Dismissed with costs per stipulation and mandates granted on motion of Mr. J. Holdsworth Gordon for the defendants in error.

No. 175.—Ana J. Dominguez de Guyer et al., plaintiffs in error, *v.* William Banning. Argument commenced by Mr. Stephen M. White for the defendant in error, and concluded by Mr. Jeff. Chandler for the plaintiffs in error.

No. 164.—The Girard Life Insurance, Annuity and Trust Company et al., appellants, *v.* W. H. Cooper et al. Argued by Mr. Samuel Dickson for the appellants, and by Mr. A. G. Moseley for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 24, will be as follows: Nos. 166, 172, 173, 174, 177 (and 207 and 284), 180, 461, 181, 184, and 185.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 24, 1896.

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

William Gray Brooks and Jabez Fox, of Boston, Mass., and S. F. Thomas, of Plattsmouth, Nebr., were admitted to practice.

No. 203.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Jeremiah Sullivan. In error to the United States circuit court of appeals for the eighth circuit. Dismissed on authority of counsel for the plaintiff in error.

No. 181.—Joseph C. Mitchell, plaintiff in error, *v.* The State of South Dakota. In error to the supreme court of the State of South Dakota. Dismissed with costs, pursuant to the tenth rule.

No. 166.—The Northern Pacific Railroad Company, plaintiff in error, *v.* George S. Lewis et al. Argued by Mr. William J. Curtis for the plaintiff in error, and by Mr. Thomas C. Bach for the defendants in error.

No. 172.—The Rogers Locomotive Machine Works et al., plaintiffs in error, *v.* The American Emigrant Company. Argued by Mr. Charles A. Clark for the plaintiffs in error, and by Mr. J. J. Davis for the defendant in error.

No. 173.—The Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* J. B. Cook et al. Argued by Mr. Nelson Case for the defendants in error, and submitted by Mr. James Hagerman and Mr. T. N. Sedgwick for the plaintiff in error.

No. 174.—S. Lowe, plaintiff in error, *v.* The State of Kansas. Submitted by Mr. George Chandler for the plaintiff in error. No counsel appeared for the defendant in error.

No. 177.—Henry W. Blagge et al., administrators, etc., plaintiffs in error, *v.* Francis V. Balch, administrator, etc.;

No. 207.—Augustus R. S. Foote et al., plaintiffs in error, *v.* The Women's Board of Missions et al.; and

No. 284.—William Gray Brooks, administrator, etc., et al., plaintiffs in error, *v.* Robert Codman, administrator, etc., et al. Ordered that three

hours be allowed counsel for the plaintiffs in error in the argument of these cases and that three counsel be heard on each side. Argument commenced by Mr. George A. King for the plaintiffs in error in No. 177.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 25, will be as follows: Nos. 177 (and 207 and 284), 180, 461, 184, 185, 186, 187, 188, 189, and 190.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 25, 1896.

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

James A. Kerr, of Fairhaven, Wash., was admitted to practice.

No. 877.—Herschel Caverly, administrator, etc., appellant, *v.* Deere & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Henry M. Foote for the appellant in support of the petition, and by Mr. L. L. Bond, Mr. A. H. Adams, Mr. C. E. Pickard, and Mr. J. L. Jackson for the appellees in opposition thereto.

No. 188.—Charles M. McClellan et al., plaintiffs in error, *v.* Henry C. Pyeatt et al. In error to the United States circuit court of appeals for the eighth circuit. Dismissed with costs pursuant to the tenth rule.

No. 190.—John S. Dennis, appellant, *v.* Hugh A. De Lacey, chief of police of the city of San Jose, county of Santa Clara, State of California. Appeal from the circuit court of the United States for the northern district of California. Dismissed with costs pursuant to the tenth rule.

No. 177.—Henry W. Blagge et al., administrator, etc., plaintiffs in error, *v.* Francis V. Balch, administrator, etc.;

No. 207.—Augustus R. S. Foote et al., plaintiffs in error, *v.* The Women's Board of Missions et al.; and

No. 284.—William Gray Brooks, administrator, etc., et al., plaintiffs in error, *v.* Robert Codman, administrator, etc., et al. Argument continued by Mr. George A. King for the plaintiff in error in No. 177; by Mr. James H. Webb and Mr. John W. Alling for the defendants in error in No. 207; by Mr. Jabez Fox for the plaintiff in error in No. 284; by Mr. John B. Warner for the defendants in error in No. 284; by Mr. William Gray Brooks for the plaintiffs in error in No. 284, and concluded by Mr. Harvey D. Hadlock for the plaintiffs in error in No. 284, and submitted on printed arguments by Mr. Francis V. Balch and Mr. Felix Rackemann for defendants in error in No. 177 and by Mr. William Warner Hoppin for the plaintiffs in error in No. 207.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 26, will be as follows: Nos. 180, 461, 184, 185, 186, 187, 189, 191, 193, and 194.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 26, 1896.

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

Samuel A. Beman, of Malone, N. Y., and E. A. McMath, of Topeka, Kans., were admitted to practice.

No. 143.—Bernard Owens, plaintiff in error, *v.* John Henry. It is ordered by the court that the writ of error in this cause be, and the same is hereby, amended by inserting therein the name of Bernard McCloskey, executor of John Henry, deceased, as the party defendant in error.

No. 193.—Frederick N. DuBois, appellant, *v.* The Commissioner of Patents. Appeal from the supreme court of the District of Columbia. Dismissed with costs, pursuant to the tenth rule.

No. 180.—The Seneca Nation of Indians, plaintiff in error, *v.* Harrison B. Christy. Argued by Mr. Norris Morey for the defendant in error, and submitted by Mr. James C. Strong for the plaintiff in error.

No. 461.—M. F. Ball et al., plaintiffs in error, *v.* The United States. Argued by Mr. C. H. Smith for the plaintiffs in error, and by Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 184.—The Northern Pacific Railroad Company, plaintiff in error, *v.* R. J. Danson, administrator, etc. Argument commenced by Mr. C. W. Bunn for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 27, will be as follows: Nos. 184, 185, 186, 187, 189, 191, 194, 195, 197, and 199.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 27, 1896.

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

L. G. Harrier, of Vallejo, Cal., and C. T. Beatty, of Chicago, Ill., were admitted to practice.

No. 199.—T. J. Bryan, appellant, *v.* D. H. Pinney et al. Submitted by Mr. William A. McKenney for the appellant, and by Mr. D. H. Pinney for the appellees.

No. 184.—The Northern Pacific Railroad Company, plaintiff in error, *v.* R. J. Danson, administrator, etc. Argument continued by Mr. Reese H. Voorhees for the defendant in error, and concluded by Mr. C. W. Bunn for the plaintiff in error.

No. 185.—Daniel J. Davis et al., plaintiffs in error, *v.* H. F. Geissler et al. Argued by Mr. E. A. McMath for the defendants in error, and submitted by Mr. D. P. Stubbs for the plaintiffs in error.

No. 186.—T. M. Montgomery, plaintiff in error, *v.* The United States. Submitted by Mr. Creed F. Bates for the plaintiff in error, and by Mr. Assistant Attorney General Whitney for the defendant in error.

No. 187.—The American Road Machine Company, appellant, *v.* The Pennock & Sharp Company et al. Passed until Monday next.

No. 189.—The Cunard Steamship Company, appellant, *v.* Cyprien Fabre, manager, etc. Argument commenced by Mr. R. D. Benedict for the appellee, and continued by Mr. Frank D. Sturges for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 30, will be as follows: Nos. 189, 187, 191, 194, 195, 197, 202, 204, 206, and 209.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 30, 1896.

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

C. C. Flansburg, of Lincoln, Nebr.; Frank S. Masten, of Cleveland, Ohio; William B. Durant, of Cambridge, Mass.; Bancroft Gherardi Davis, of Cambridge, Mass.; Edward G. Benedict, of New York City; James M. Greer, of Memphis, Tenn.; G. A. Brown, of Vernon, Texas, and John M. Lansden, of Cairo, Ill., were admitted to practice.

No. 394.—The Cincinnati, New Orleans and Texas Pacific Railway Company et al., appellants, *v.* The Interstate Commerce Commission; and

No. 473.—The Interstate Commerce Commission, appellant, *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company. Appeals from the United States circuit court of appeals for the fifth circuit. Decree affirmed, each party to pay one-half of the costs in this court, and cause remanded to the circuit court of the United States for the northern district of Georgia. Opinion by Mr. Justice Shiras.

No. 321.—The Texas and Pacific Railway Company, appellant, *v.* The Interstate Commerce Commission. Appeal from the United States circuit court of appeals for the second circuit. Decrees of the United States circuit court of appeals and of the circuit court of the United States for the southern district of New York reversed with costs and cause remanded to said circuit court with directions to dismiss the bill. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Chief Justice Fuller, and Mr. Justice Brown.

No. 768.—Thomas W. Pearsall, appellant, *v.* The Great Northern Railway Company. Appeal from the circuit court of the United States for the district of Minnesota. Decree reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Field and Mr. Justice Brewer.

No. 722.—The Louisville and Nashville Railroad Company, plaintiff in error, *v.* The Commonwealth of Kentucky et al. In error to the court of appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 462.—Count Joseph Telfener, plaintiff in error, *v.* George W. Russ. On writ of certiorari to the United States circuit court of appeals for the fifth circuit. Judgments of the United States circuit court of appeals and of the circuit court of the United States for the western district of Texas reversed with costs, and causé remanded to the said circuit court with a direction to set aside the verdict and grant a new trial. Opinion by Mr. Justice Field.

No. 143.—Bernard Owens, plaintiff in error, *v.* Bernard McCloskey, executor of John Henry, deceased. In error to the circuit court of the United States for the eastern district of Louisiana. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

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

No. 847.—Boyden Power Brake Company et al., appellants, *v.* George Westinghouse, jr., et al.; and

No. 878.—George Westinghouse, jr., et al., appellants, *v.* Boyden Power Brake Company et. al. Motion to advance granted, and cases assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 934.—Samuel T. Hubbard et al., plaintiffs in error, *v.* Exchange Bank. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 935.—Collis P. Huntington et al., appellants, *v.* The Proceeds of the Steamship Advance;

No. 936.—Collis P. Huntington et al., appellants, *v.* The Proceeds of the Steamship Allianca; and

No. 937.—Collis P. Huntington, et al., appellants, *v.* The Proceeds of the Steamship Vigilancia. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 944.—John Hammond, plaintiff in error, *v.* Stockton Combined Harvester and Agricultural Works. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 877.—Herschel Caverly, administrator, etc., appellant, *v.* Deere & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 88.—The Board of Flour Inspectors, etc., et al., appellants, *v.* Booth F. Glover et al. A petition for a hearing having been presented, leave is given counsel on both sides to file briefs herein within two weeks, as they may be advised.

No. —, Original.—*Ex parte*: In the matter of William Lochren, petitioner. Motion for leave to file a petition for a writ of mandamus submitted by Mr. Solicitor-General Conrad for the petitioner.

No. 733.—Avington A. Edgington, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Conrad for the defendant in error.

No. 893.—Cul Rowe, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Conrad for the defendant in error.

No. 942.—Joseph R. Dunlap, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Conrad for the defendant in error, with leave to Mr. R. C. Garland to file opposition thereto.

No. 350.—Santiago Ainsa, administrator, etc., appellant, *v.* The New Mexico and Arizona Railroad Company. Submission set aside and case restored to the docket to be argued with Nos. 351 and 468, as one case, when No. 468 is heard, per stipulation of counsel and on motion of Mr. Assistant Attorney-General Dickinson for the United States.

No. 614.—Brooke Mackall, appellant, *v.* Westel Willoughby. Motion to dismiss submitted by Mr. A. A. Birney in support of motion, and by Mr. Henry E. Davis in opposition thereto.

No. 568.—The Central National Bank of Boston et al., plaintiffs in error, *v.* Aaron R. Stevens et al. Motion to advance submitted by Mr. Edward Winslow Paige for the defendants in error.

No. 113.—Theodore Hansen, plaintiff in error, *v.* James E. Boyd et al. Suggestion of death of Samuel Boyd, one of the defendants in error herein, and motion that cause proceed in name of James E. Boyd, surviving partner, submitted by Mr. Ralph Whelan for the defendant in error.

No. 189.—The Cunard Steamship Company, appellant, *v.* Cyprien Fabre, manager, etc. Argument continued by Mr. Frank D. Sturges and Mr. Frederic R. Coudert for the appellant, and concluded by Mr. R. D. Benedict for the appellee.

No. 187.—The American Road Machine Company, appellant, *v.* The Pennock & Sharp Company et al. Argument commenced by Mr. Frederick P. Fish for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 31, will be as follows: Nos. 187, 191, 194, 195, 197, 202, 204, 206, 209, and 210.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 31, 1896.

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

G. Frank White, of Chicago, Ill., and Charles Seymour, of Knoxville, Tenn., were admitted to practice.

No. 187.—The American Road Machine Company, appellant, *v.* The Pennock & Sharp Company et al. Argument continued by Mr. Frederick P. Fish for the appellant, by Mr. L. L. Bond for the appellees, and concluded by Mr. Frederick P. Fish for the appellant.

No. 191.—The Salina Stock Company et al., appellants, *v.* The Salina Creek Irrigation Company. Submitted by Mr. C. W. Bennett for the appellants, and by Mr. J. L. Rawlins for the appellee.

No. 194.—William H. Palmer et al., plaintiffs in error, *v.* Mary H. Barrett. Submitted by Mr. Henry E. Tremain and Mr. M. L. Towns for the plaintiffs in error, and by Mr. Hugo Hirsh and Mr. Henry S. Rasquin for the defendant in error.

No. 195.—The United States, appellant, *v.* The Winchester and Potomac Railroad Company. Argument commenced by Mr. Assistant Attorney-General Dickinson for the appellant, and continued by Mr. F. P. Clark for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 1, will be as follows: Nos. 195, 197, 202, 204, 206, 209, 210, 211, 212, and 213.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 1, 1896.

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

Alfred L. Black, of New Whatcom, Wash., was admitted to practice.

No. 211.—A. C. Epperson, administrator, etc., plaintiff in error, *v.* Carter Brothers & Company. In error to the supreme court of the State of Tennessee. Dismissed with costs pursuant to the tenth rule.

No. 213.—D. Frank Gunn, plaintiff in error, *v.* The State of Georgia. In error to the supreme court of the State of Georgia. Dismissed with costs pursuant to the tenth rule.

No. 195.—The United States, appellant, *v.* The Winchester and Potomac Railroad Company. Argument continued by Mr. F. P. Clark for the appellee, and concluded by Mr. Assistant Attorney-General Dickinson for the appellant. Leave granted to counsel on both sides to file supplemental briefs within one week.

No. 197.—The United States, plaintiff, *v.* Frank M. Rider et al., County Commissioners, etc., et al. Argued by Mr. Assistant Attorney-General Dickinson for the plaintiff, and by Mr. S. M. Winn for the defendants.

No. 202.—The Propeller J. P. Donaldson, etc., appellant, *v.* The Barge Eldorado, etc., et al. Argued by Mr. F. S. Masten for the appellant, and by Mr. F. H. Canfield for the appellees.

No. 204.—Wong Wing et al., appellants, *v.* The United States. Argument commenced by Mr. F. H. Canfield for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 2, will be as follows: Nos. 204, 206, 209, 210, 212, 214, 216, 217, 218, and 220.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 2, 1896.

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

No. 240.—David G. Swaim, appellant, *v.* The United States. Continued, per stipulation, on motion of Mr. Benjamin Butterworth for the appellant.

No. 212.—The American Dock and Improvement Company, plaintiff in error, *v.* The Mayor and Aldermen of Jersey City. Submitted by Mr. William D. Edwards for the defendant in error. No brief filed for the plaintiff in error.

No. 216.—Thomas Mathews, appellant, *v.* Mary E. Hanks, administratrix, etc. Appeal from the supreme court of the Territory of Utah. Dismissed with costs on motion of counsel for the appellant, and cause remanded to the supreme court of the State of Utah.

No. 204.—Wong Wing et al., appellants, *v.* The United States. Argument continued by Mr. Assistant Attorney-General Dickinson for the appellee, and concluded by Mr. F. H. Canfield for the appellants.

No. 206.—The Western Union Telegraph Company, plaintiff in error, *v.* David W. James. Argued by Mr. John F. Dillon for the plaintiff in error. No counsel appeared for the defendant in error.

No. 209.—Joseph M. Brown, appellant, *v.* Grace T. Wygant, executrix, etc., et al. Submitted by Mr. Robert Christy for the appellant, and by Mr. A. A. Birney for the appellees.

Adjourned until Monday, April 13, at 12 o'clock.

The day call for Monday, April 13, will be as follows: Nos. 210, 214, 217, 218, 220, 718, 884, 221, 223, and 224.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 13, 1896.

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

Barton Smith, of Toledo, Ohio; Richard K. Boney, of South Bend, Wash.; J. Alexander Chiles, of Lexington, Ky.; Edward E. Holman, of Washington, D. C.; Curtis H. Lindley, of San Francisco, Cal., and James F. Smith, of San Francisco, Cal., were admitted to practice.

No. 681.—John Stevenson, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the eastern district of Texas. Judgment reversed and cause remanded with directions to grant a new trial. Opinion by Mr. Justice Peckham.

No. 153.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Samuel Peterson. In error to the United States circuit court of appeals for the eighth circuit. Judgment reversed with costs and cause remanded to the circuit court of the United States for the district of Minnesota with directions to grant a new trial. Opinion by Mr. Justice Peckham. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Field, and Mr. Justice Harlan.

No. 184.—The Northern Pacific Railroad Company, plaintiff in error, *v.* R. J. Danson, administrator, etc. In error to the United States circuit court of appeals for the ninth circuit. Judgment reversed with costs and cause remanded to the circuit court of the United States for the district of Washington with directions to grant a new trial. Opinion by Mr. Justice Peckham. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Field, and Mr. Justice Harlan.

No. 166.—The Northern Pacific Railroad Company, plaintiff in error, *v.* George S. Lewis et al. In error to the United States circuit court of appeals for the ninth circuit. Judgments of the United States circuit court of appeals and of the circuit court of the United States for the district of Montana reversed with costs and cause remanded to said circuit court with directions to grant a new trial. Opinion by Mr. Justice Peckham.

No. 194.—William H. Palmer et al., plaintiffs in error, *v.* Mary H. Barrett. In error to the city court of Brooklyn, N. Y. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 142.—Charles McIntire, jr., administrator, etc., plaintiff in error, *v.* Edwin A. McIntire et al. In error to the supreme court of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 74.—Lewis P. Kelsey et al., appellants, *v.* W. J. Crowther et al. Appeal from the supreme court of the Territory of Utah. Decree affirmed with costs, and cause remanded to the supreme court of the State of Utah. Opinion by Mr. Justice Shiras.

No. 198.—T. J. Bryan, appellant, *v.* M. W. Kales. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice Shiras.

No. 199.—T. J. Bryan, appellant, *v.* D. H. Pinney et al. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice Shiras.

No. 200.—T. J. Bryan, appellant, *v.* George T. Brasius et al. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice Shiras.

No. 186.—T. M. Montgomery, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the eastern district of Tennessee. Judgment affirmed. Opinion by Mr. Justice Shiras.

No. 532.—Arthur D. Andrews, plaintiff in error, *v.* The United States. In error to the district court of the United States for the southern district of California. Judgment affirmed. Opinion by Mr. Justice Shiras.

No. 569.—Robert B. Dashiell, appellant, *v.* James B. M. Grosvenor et al. 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 circuit court of the United States for the district of Maryland. Opinion by Mr. Justice Brown.

No. 146.—Justus Hollander et al., appellants, *v.* Martin S. Fechheimer et al. Appeal from the supreme court of the District of Columbia. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 925.—The United States, appellant, *v.* Madison J. Julian. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 105.—The Great Western Telegraph Company, for the use of Elias R. Bowen, its receiver, plaintiff in error, *v.* Hiram Purdy. In error to the supreme court of the State of Iowa. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 159.—The Great Western Telegraph Company, plaintiff in error, *v.* Barbara Burnham et al., executors, etc. In error to the circuit court of Milwaukee County, State of Wisconsin. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Gray.

No. 711.—John Gibson, plaintiff in error, *v.* The State of Mississippi. In error to the supreme court of the State of Mississippi. Judgment affirmed. Opinion by Mr. Justice Harlan.

No. 710.—Charley Smith, plaintiff in error, *v.* The State of Mississippi. In error to the supreme court of the State of Mississippi. Judgment affirmed. Opinion by Mr. Justice Harlan.

No. 756.—W. A. Harwood, appellant, *v.* A. Wentworth. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice Harlan.

No. 180.—The Seneca Nation of Indians, plaintiff in error, *v.* Harrison B. Christy. In error to the supreme court of the State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 185.—Daniel J. Davis et al., etc., plaintiffs in error, *v.* H. F. Geissler et al. In error to the circuit court of the United States for the district of Kansas. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 779.—William Graver, appellant, *v.* Benjamin C. Faurot. On a certificate from the United States circuit court of appeals for the seventh circuit. Certificate dismissed. Opinion by Mr. Chief Justice Fuller.

No. 177.—Henry W. Blagge et al., administrators, plaintiffs in error, *v.* Francis V. Balch, administrator. In error to the supreme judicial court of the State of Massachusetts;

No. 207.—Augustus R. S. Foote et al., plaintiffs in error, *v.* The Women's Board of Missions et al. In error to the superior court of New Haven County, State of Connecticut; and

No. 284.—William Gray Brooks, administrator, et al., plaintiffs in error, *v.* Robert Codman, administrator, et al. In error to the supreme judicial court of the State of Massachusetts. Judgments reversed with costs and causes remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Gray did not sit and took no part in the consideration and decision of these cases.)

No. 13.—Amos Woodruff, trustee, et al., plaintiffs in error, *v.* The State of Mississippi. In error to the supreme court of the State of Mississippi. Judgment reversed with costs and cause remanded for further proceed-

ings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice Fuller. Concurring opinion by Mr. Justice Field. Dissenting: Mr. Justice Peckham, Mr. Justice Brewer, and Mr. Justice White.

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

No. 141.—The Wisconsin Central Railroad Company, appellant, *v.* The United States. Restored to the docket for reargument before a full bench.

No. 113.—Theodore Hansen, plaintiff in error, *v.* James E. Boyd et al. Ordered that the order of this court, hereinbefore entered March 2, 1896, be vacated and set aside, and the cause revived in the name of James E. Boyd, survivor, and further ordered that if defendant in error, James E. Boyd, survivor, shall, within a reasonable time during the present term of this court, file in the circuit court of the United States for the district of Minnesota a certified copy of this order and a remittitur of \$1,350, with interest from June 8, 1889, to the date of the verdict, and produce and file a certified copy of said remittitur in this court, the judgment, less the amount so remitted, will be affirmed; but if this is not done the judgment will be reversed. Costs in either event to be paid by the defendant in error.

No. 568.—The Central National Bank of Boston et al., plaintiffs in error, *v.* Aaron R. Stevens et al. Motion to advance denied.

No. 614.—Brooke Mackall, appellant, *v.* Westel Willoughby. Leave granted to file affidavits in opposition to motion to dismiss herein.

No. 733.—Avington A. Edgington, plaintiff in error, *v.* The United States;

No. 893.—Cul Rowe, plaintiff in error, *v.* The United States; and

No. 942.—Joseph R. Dunlop, plaintiff in error, *v.* The United States. Motions to advance granted and cases assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 11, Original.—*Ex parte*: In the matter of William Lochren, Commissioner of Pensions. Motion for leave to file petition for a writ of mandamus granted and rule to show cause awarded returnable on Monday the 20th instant.

No. 212.—The American Dock and Improvement Company, plaintiff in error, *v.* The Mayor and Aldermen of Jersey City. In error to the court of errors and appeals of the State of New Jersey. Dismissed for the want of jurisdiction.

No. 298.—Certain Real Estate known as the Gardo House, etc., et al., appellants, *v.* The United States;

No. 299.—The United States, appellant, *v.* Certain Real Estate known as the Gardo House, etc., et al.;

No. 300.—Certain Real Estate known as the Church Farm et al., appellants, *v.* The United States;

No. 301.—Certain Real Estate known as the Coal Lands et al., appellants, *v.* The United States; and

No. 302.—The United States, appellant, *v.* Certain Real Estate known as The Tithing Yard and Officers et al. Motion to remand cases to the circuit or district court of the United States for the district of Utah submitted by Mr. Solicitor-General Conrad for the United States.

No. 633.—Charles Thiede, plaintiff in error, *v.* The United States. Motion to reform the judgment herein submitted by Mr. Solicitor-General Conrad for the defendant in error.

No. 952.—Lowry W. Humes, plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Conrad for the defendant in error.

No. 884.—George W. Wilson, plaintiff in error, *v.* The United States. Submitted by Mr. Solicitor-General Conrad and Mr. Assistant Attorney-General Dickinson for the defendant in error. No counsel appeared for the plaintiff in error.

No. 927.—W. W. Baughn, appellant, *v.* Hines Millirous, jailer, et. al. Motion to advance submitted by Mr. J. M. Terrell for the appellees.

No. 218.—O. T. Moore, plaintiff in error, *v.* The City of Eufaula. Passed, subject to the provisions of section 9 of rule 26, on motion of Mr. Frederic D. McKenney in behalf of counsel.

No. 559.—The Central Pacific Railroad Company, plaintiff in error, *v.* The People of the State of California; and

No. 560.—The Southern Pacific Railroad Company, plaintiff in error, *v.* The People of The State of California. Mandates stayed until Monday, May 4 next, on motion of Mr. J. Hubley Ashton for the plaintiffs in error. .

No. 945.—William H. Strickland, master, etc., appellant, *v.* Leo Lomm, master, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Robert M. Hughes for the appellee in support of the petition, and by Mr. W. Mynderse for the appellant in opposition thereto.

No. 965.—Austin Walrath, appellant, *v.* The Champion Mining Company. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. J. F. Smith for the

appellant in support of the petition, and by Mr. Curtis H. Lindley for the appellee in opposition thereto.

No. 657.—Mary J. Garner, appellant, *v.* The Second National Bank of Providence, R. I., et al. Motion to dismiss petition for a writ of certiorari to the United States circuit court of appeals for the first circuit presented by Mr. A. B. Browne for the appellee, and opposed by Mr. William A. McKenney for the appellant. Leave granted to submit petition on or before May 4 next.

No. 929.—Jeremiah R. Harman, appellant, *v.* Anthony Harman et al.; and

No. 930.—Jacob M. Harman, appellant, *v.* Anthony Harman et al. Petitions for writs of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. James S. Norton for the appellants in support of petitions, and by Mr. E. A. Otis, Mr. Charles B. Wood, and Mr. Horace B. Oakley for the appellees in opposition thereto.

No. 221.—Charles M. Matthews et al., etc., appellants, *v.* William W. Scott, trustee, et al. Appeal from the supreme court of the District of Columbia. Dismissed with costs pursuant to the tenth rule.

No. 223.—The New York and New England Railroad Company, plaintiff in error, *v.* Harriet S. Rumsey et al. In error to the supreme court of the State of New York. Dismissed with costs pursuant to the tenth rule.

No. 863.—Martha Barnitz, plaintiff in error, *v.* John L. Beverly. Submitted by Mr. D. M. Valentine and Mr. Thomas F. Doran for the plaintiff in error, and by Mr. E. A. McMath and Mr. W. J. Scott for the defendant in error.

No. 210.—Homer Adolph Plessy, plaintiff in error, *v.* J. H. Ferguson, judge, etc. Argued by Mr. A. W. Tourgee and Mr. S. F. Phillips for the plaintiff in error, and by Mr. Alexander Porter Morse for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 14, will be as follows: Nos. 214, 217, 220, 718, 224, 225, 226, 227, 228, and 230.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 14, 1896.

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

W. H. Webster, of Oconto, Wis., and Arthur Biddle, of Philadelphia, Pa., were admitted to practice.

No. 409.—The Southwestern Railroad Company, appellant, *v.* The Central Railroad and Banking Company of Georgia et al. On a certificate from the United States circuit court of appeals for the fifth circuit. Dismissed.

No. 214.—George E. Kirk, appellant, *v.* The United States. Argued by Mr. R. H. Steele and Mr. R. A. Howard for the appellant, and by Mr. Assistant Attorney-General Dodge for the appellee.

No. 217.—The Illinois Central Railroad Company, plaintiff in error, *v.* The People of the State of Illinois ex rel. W. N. Butler. Argument commenced by Mr. William H. Green for the plaintiff in error, and continued by Mr. John M. Lansden for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 15, will be as follows: Nos. 217, 220, 718, 224, 225, 226, 227, 228, 230, and 169.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 15, 1896.

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

Edwin J. Farber, of Baltimore, Md., and Lemuel Skidmo, of New York City, were admitted to practice.

No. 217.—The Illinois Central Railroad Company, plaintiff in error, *v.* The People of the State of Illinois *ex rel.* W. N. Butler. Argument continued by Mr. John M. Lansden for the defendant in error, and concluded by Mr. James Fentress for the plaintiff in error.

No. 220.—Mary A. Black, plaintiff in error, *v.* The Elkhorn Mining Company (Limited). Argument commenced by Mr. Thomas H. Carter for the plaintiff in error, and continued by Mr. W. E. Cullen for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 16, will be as follows: Nos. 220, 718, 224, 225, 226, 227, 228, 230, 169, and 231.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 16, 1896.

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

Archie M. Stevenson, of Denver, Colo., and Maynard F. Stiles, of Boston, Mass., were admitted to practice.

No. 409.—The Southwestern Railroad Company, appellant, *v.* The Central Railroad and Banking Company of Georgia et al. Mandate granted on motion of Mr. A. O. Bacon for the appellant.

No. 231.—George F. Piper, plaintiff in error, *v.* The Chippewa Iron Company. In error to the supreme court of the State of Minnesota. Dismissed with costs pursuant to the tenth rule.

No. 220.—Mary A. Black, plaintiff in error, *v.* The Elkhorn Mining Company (Limited). Argument continued by Mr. W. E. Cullen for the defendant in error and concluded by Mr. Thomas H. Carter for the plaintiff in error.

No. 718.—James Murray, alias "Greasy Jim," plaintiff in error, *v.* The State of Louisiana. Argued by Mr. Thomas F. Maher for the plaintiff in error, and submitted by Mr. M. J. Cunningham and Mr. Alexander Porter Morse for the defendant in error.

No. 224.—Charles Reeder, appellant, *v.* C. C. Lewis, administrator, etc. Argument commenced by Mr. James McColgan for the appellant. The court declined to hear further argument.

No. 224.—Charles Reeder, appellant, *v.* C. C. Lewis, administrator, etc. Appeal from the circuit court of the United States for the district of West Virginia. Dismissed for the want of jurisdiction.

No. 225.—Horace Wiggin et al., plaintiffs in error, *v.* Esther King. Submitted by Mr. Ben. T. Duval and Mr. H. C. Mechem for the plaintiffs in error. No counsel appeared for the defendant in error.

No. 226.—Wallace P. Cook et al., plaintiffs in error, *v.* Charles A. Street et al. Argued by Mr. W. H. Webster for the plaintiffs in error and submitted by Mr. F. C. Winkler for the defendants in error.

No. 227.—Bob Talton, appellant, *v.* Wash. Mayes, high sheriff, etc. Argument commenced by Mr. L. D. Yarrell for the appellant, and continued by Mr. R. C. Garland for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 17, will be as follows: Nos. 227, 228, 230, 169, 232, 233, 234, 235, 236, and 237.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 17, 1896.

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

Frank D. Goodhue, of Cincinnati, Ohio; Thomas J. Wells, of Chicago, Ill., and Eugene McQuillin, of St. Louis, Mo., were admitted to practice.

No. 169.—The Morse Arms Manufacturing Company, appellant, *v.* The United States. Motion to continue submitted by Mr. James A. Skilton for the appellant in support of motion, and by Mr. Assistant Attorney-General Dodge and Mr. C. C. Binney for the appellees in opposition thereto.

No. 232.—Charles W. Piper, plaintiff in error, *v.* The Chippewa Iron Company. In error to the supreme court of the State of Minnesota. Dismissed with costs pursuant to the tenth rule.

No. 234.—The Northern Pacific Railroad Company, appellant, *v.* Charles W. Cannon et al. Continued per stipulation.

No. 227.—Bob Talton, appellant, *v.* Wash Mayes, high sheriff, etc. Argument concluded by Mr. L. D. Yarrell for the appellant.

No. 228.—Roland M. Filhiol, administrator, etc., appellant, *v.* The United States. Submitted by Mr. Assistant Attorney-General Dodge for the appellee. No brief filed for appellant.

No. 230.—Carmi Dibble, plaintiff in error, *v.* The Bellingham Bay Land Company. Argued by Mr. A. L. Black for the plaintiff in error, and by Mr. J. A. Kerr for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 20, will be as follows: Nos. 169, 233, 235, 236, 237, 238, 239, 243, 244, and 245.



SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 20, 1896.

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

Henry La Barre Jayne, of Philadelphia, Pa., was admitted to practice.

No. 147.—The Oregon Short Line and Utah Northern Railway Company, plaintiff in error, *v.* Jane Skottowe. In error to the supreme court of the State of Oregon. Judgment affirmed with costs and interest. Opinion by Mr. Justice Shiras.

No. 148.—The Oregon Short Line and Utah Northern Railway Company, plaintiff in error, *v.* J. T. Mullan, administrator, etc. In error to the supreme court of the State of Oregon. Judgment affirmed with costs and interest. Opinion by Mr. Justice Shiras.

No. 229.—The Oregon Short Line and Utah Northern Railway Company, plaintiff in error, *v.* Francis Conlin. In error to the supreme court of the State of Oregon. Judgment affirmed with costs and interest. Opinion by Mr. Justice Shiras.

No. 853.—Ed. Alberty, alias Charles Burns, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed and cause remanded with directions to grant a new trial. Opinion by Mr. Justice Brown.

No. 164.—The Girard Life Insurance Annuity and Trust Company, trustee, et al., appellants, *v.* W. H. Cooper et al. Appeal from the United States circuit court of appeals for the eighth circuit. Decree affirmed with costs and cause remanded to the United States court in the Indian Territory. Opinion by Mr. Justice Brown.

Nos. 170 and 171.—The Central Pacific Railroad Company, plaintiff in error, *v.* The State of Nevada. In error to the supreme court of the State of Nevada. Judgments affirmed with costs. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Field. (Mr. Justice Brewer and Mr. Justice Peckham took no part in the consideration and decision of these cases.)

No. 137.—Elena Campbell, plaintiff in error, *v.* Georgeann Porter et al. In error to the supreme court of the District of Columbia. Judg-

ment reversed and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Gray. (Mr. Chief Justice Fuller took no part in the consideration and decision of this case.)

No. 557.—Alex. W. Crain, plaintiff in error, *v.* The United States. In error to the district court of the United States for the western district of Arkansas. Judgment reversed and cause remanded that the defendant may be properly arraigned and plead to the indictment, and for further proceedings in conformity with law. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice Peckham, Mr. Justice Brewer, and Mr. Justice White.

No. 731.—Jerry Wallace, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Kansas. Judgment reversed and cause remanded with a direction to set aside the verdict and grant a new trial. Opinion by Mr. Chief Justice Fuller.

No. 633.—Charles Thiede, plaintiff in error, *v.* The People of the Territory of Utah. Notice, returnable Monday next, is directed to be given to plaintiff in error of the motion to reform the judgment.

No. 927.—W. W. Baughn, etc., appellant, *v.* Hines Millirons, jailor, etc., et al. Motion to advance granted and cause assigned for argument on the first Monday (4th) of May.

No. 945.—William H. Strickland, master, etc., appellant, *v.* Leo Lomm, master, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 952.—Lowry W. Humes, plaintiff in error, *v.* The United States. Motion to advance granted and cause assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 965.—Austin Walrath, appellant, *v.* The Champion Mining Company. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 169.—The Morse Arms Manufacturing Company, appellant, *v.* The United States. Motion for continuance denied, and case postponed to April 27, to be placed on the calendar for that day.

No. 685.—A. S. Churchill, attorney-general, et al., etc., appellants, *v.* Oliver Ames et al. ;

No. 686.—A. S. Churchill, attorney-general, et al., etc., appellants, *v.* George Smith et al., and

No. 687.—A. S. Churchill, attorney-general, et al., appellants, *v.* Henry L. Higginson et al. Restored to the docket for reargument.

No. 226.—Wallace P. Cook et al., plaintiff in error, *v.* Charles A. Street et al. In error to the circuit court of the United States for the eastern district of Wisconsin. Dismissed with costs on the authority of *Credit Company v. Arkansas Central Railway Company*, 128 U. S., 258; *Evans v. State Bank*, 134 U. S., 330; *Green v. Elbert*, 137 U. S., 615, and *Jacobs v. George*, 150 U. S., 415.

No. 228.—Roland M. Filhiol, administrator, appellant, *v.* The United States. Appeal from the Court of Claims. Affirmed for want of prosecution.

No. 298.—Certain Real Estate Known as the Gardo House, etc., et al., appellants, *v.* The United States;

No. 299.—The United States, appellant, *v.* Certain Real Estate Known as the Gardo House; etc., et al.;

No. 300.—Certain Real Estate Known as the Church Farm et al., appellants, *v.* The United States;

No. 301.—Certain Real Estate Known as the Coal Lands et al., appellants, *v.* The United States; and

No. 302.—The United States, appellant, *v.* Certain Real Estate Known as the Tithing Yard and Offices et al. Appeals from the supreme court of the Territory of Utah. Judgments reversed and causes remanded to the supreme court of the State of Utah for such further proceedings as to law and justice may appertain, in conformity with the provisions of the joint resolution of Congress “providing for the disposition of certain property now in the hands of the receiver of the Church of Jesus Christ of Latter Day Saints,” approved March 28, 1896.

No. 11, Original—*Ex parte*: In the matter of William Lochren, Commissioner of Pensions, petitioner. Submitted by Mr. Solicitor-General Conrad and Mr. Assistant Attorney-General Whitney for the petitioner.

No. 681.—John Stevenson, plaintiff in error, *v.* The United States. Mandate granted on motion of Mr. Solicitor-General Conrad for the defendant in error.

No. 804.—The steamer Coquitlam, etc., appellant, *v.* The United States. Advanced as under the thirty-second rule on motion of Mr. Solicitor-General Conrad for the appellee, and submitted by Mr. Calderon Carlisle for the appellant and by Mr. Solicitor-General Conrad for the appellee.

No. 960.—Max Cohen, plaintiff in error, *v.* The United States, and

No. 961.—R. D. Uhthoff, plaintiff in error, *v.* The United States. Advanced on motion of Mr. Solicitor-General Conrad for the defendant in error, and assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 925.—The United States, appellant, *v.* Madison J. Julian. Mandate granted on motion of Mr. Solicitor-General Conrad for the appellant.

No. 727.—The Wayne Lumber Company, plaintiff in error, *v.* Calvin F. Collins et al. Motions to dismiss or affirm submitted by Mr. Thomas C. Fletcher in behalf of Mr. Eleneious Smith in support of motions, with leave to Mr. William Hough to file brief in opposition within ten days.

No. —, Original.—*Ex parte*: In the matter of John Ansbro, petitioner. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. Albert A. Wray for the petitioner.

No. 956.—Martin and Hill Cash Carrier Company, appellant, *v.* Joseph C. Martin. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Samuel Norris, jr., for the appellant in support of the petition, and by Mr. Frederick P. Fish for the appellee in opposition thereto.

No. 726.—Joel Yancey, plaintiff in error, *v.* P. C. Ivy et al. Motion to dismiss submitted by Mr. R. C. Garland in behalf of Mr. G. G. Vest in support of the motion, with leave to Mr. J. N. Morrison to file brief in opposition within one week.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay, and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Two hours' additional time granted to each side in the argument of these cases (the cases to be heard as one case) on motion of Mr. Solicitor-General Conrad for the plaintiff in error.

No. 239.—The Charleston Bridge Company, appellant, *v.* Daniel E. Higbee, master, etc., et al. Appeal from the district court of the United States for the district of South Carolina. Dismissed with costs pursuant to the tenth rule.

No. 243.—Cecilia F. Link, plaintiff in error, *v.* The Union Pacific Railway Company. In error to the supreme court of the State of Wyoming. Dismissed with costs pursuant to the tenth rule.

No. 244.—The Illinois Central Railroad Company, plaintiff in error, *v.* William Walker. Submitted by Mr. James Fentress and Mr. Edward Mayes for the plaintiff in error, and by Mr. L. Brame for the defendant in error.

No. 245.—The Union Pacific Railway Company, plaintiff in error, *v.* John T. Reese. In error to the United States circuit court of appeals for the ninth circuit. Dismissed with costs pursuant to the tenth rule.

No. 237.—Thomas Farmer, plaintiff in error, *v.* The National Life Association of Hartford, Conn. In error to the circuit court of the United States for the eastern district of New York. Dismissed per stipulation.

No. 233.—Mary M. Black, administratrix, etc., plaintiff in error, *v.* Mary K. L. Black. Argued by Mr. Henry Budd for the plaintiff in error, and by Mr. Arthur Biddle for the defendant in error.

No. 235.—M. M. Wheeler, et al., appellants, *v.* J. C. Cloyd et al. Death of N. N. Borah, one of the appellants herein, suggested, and appearance of Sarah A. Borah, widow, sole executrix and legatee, filed and entered on motion of Mr. H. Tompkins for the appellants. Argument commenced by Mr. H. Tompkins for the appellants. The court declined to hear further argument.

No. 236.—William H. Smith, plaintiff in error, *v.* Benjamin Selleck. Submitted by Mr. Lysander Hill for the plaintiff in error, and by Mr. J. V. Quarles and Mr. R. H. Voorhees for the defendant in error.

No. 238.—The Northern Pacific Railroad Company, plaintiff in error, *v.* Ole J. Egeland. Argued by Mr. H. J. Gjertsen for the defendant in error, and submitted by Mr. C. W. Bunn for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 21, will be as follows: Nos. 157 (and 158), 869 (and 870), 588, 247, 248, 251, 252, 253, 254, and 255.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 21, 1896.

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

James A. Haight, of Olympia, Wash., was admitted to practice.

No. 462.—Count Joseph Telfener, plaintiff in error, *v.* George W. Russ. Mandate stayed one week from the 30th of April on motion of Mr. Joseph Wheeler for the defendant in error.

Nos. 157 and 41.—The Union Pacific Railway Company et al., appellants, *v.* The Chicago, Rock Island and Pacific Railway Company; and

Nos. 158 and 42.—The Union Pacific Railway Company, appellant, *v.* The Chicago, Milwaukee and St. Paul Railway Company. One hour additional time allowed each side in the argument of these cases on motion of Mr. J. M. Woolworth for the appellees. Argument commenced by Mr. John F. Dillon for the appellants, and continued by Mr. J. M. Woolworth for the Chicago, Rock Island and Pacific Railway Company, and by Mr. George R. Peck for the Chicago, Milwaukee and St. Paul Railway Company.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 22, will be as follows: Nos. 157 (and 158 and 41 and 42), 869 (and 870), 588, 247, 248, 251, 252, 253, 254, and 255.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 22, 1896.

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

George Haldorn, of Butte, Mont., was admitted to practice.

Nos. 157 and 41.—The Union Pacific Railway Company et al., appellants, *v.* The Chicago, Rock Island and Pacific Railway Company; and

Nos. 158 and 42.—The Union Pacific Railway Company, appellant, *v.* The Chicago, Milwaukee and St. Paul Railway Company. Argument continued by Mr. George R. Peck for the Chicago, Milwaukee and St. Paul Railway Company, and concluded by Mr. John M. Thurston for the appellants.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay; and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Leave granted to three counsel for the defendants in error to be heard in the argument of these cases on motion of Mr. Joseph H. Choate for the defendants in error. Argument commenced by Mr. Assistant Attorney-General Whitney for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 23, will be as follows: Nos. 869 (and 870), 588, 247, 248, 251, 252, 253, 254, 255, and 256.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 23, 1896.

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

George V. Bartch, of Salt Lake City, Utah, was admitted to practice.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay; and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Argument continued by Mr. Assistant Attorney-General Whitney for the plaintiff in error, and by Mr. Charles F. Manderson and Mr. Joseph H. Choate for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 24, will be as follows: Nos. 869 (and 870), 588, 247, 248, 251, 252, 253, 254, 255, and 256.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 24, 1896.

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

William Henry Button, of Middlebury, Vt., and John William Mitchell, of Los Angeles, Cal., were admitted to practice.

No. 785.—The Farmers' Loan and Trust Company, trustee, etc., appellant, *v.* Charles Scott. Appeal from the United States circuit court of appeals for the eighth circuit. Dismissed per stipulation and mandate granted.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay; and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. Argument continued by Mr. Thomas J. Semmes for the defendants in error, and concluded by Mr. Solicitor-General Conrad for the plaintiff in error.

No. 588.—Rose L. Saltonstall et al., executors, etc., plaintiffs in error, *v.* Joseph Birtwell. Argument commenced by Mr. Attorney-General Harmon for the plaintiffs in error, and continued by Mr. J. P. Tucker for the defendant in error.

No. 113.—Theodore Hansen, plaintiff in error, *v.* James E. Boyd, survivor. In error to the circuit court of the United States for the district of Minnesota. Remittitur of \$1,413, as provided by order of April 13, 1896, filed, and judgment affirmed, less said sum. Costs in this court to be paid by the defendant in error. Announced by Mr. Justice White.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 27, will be as follows: Nos. 588, 247, 248, 251, 252, 253, 254, 255, 256, and 257.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 27, 1896.

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

William H. Coolidge, William B. French, and Harry J. Jaquith, of Boston, Mass., and Harlow P. Davock, of Detroit, Mich., were admitted to practice.

No. 165.—John D. Fill, plaintiff in error, *v.* Henry C. Brown, executor of Jane C. Brown, deceased. In error to the supreme court of the State of Colorado. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 884.—George W. Wilson, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment affirmed. Opinion by Mr. Chief Justice Fuller

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

No. 88.—The Board of Flour Inspectors, etc., et al., appellants, *v.* Booth F. Glover et al. Judgment herein entered March 2 amended by adding the words “the costs below to be dealt with by the circuit court,” and petition for rehearing denied.

No. 929.—Jeremiah R. Harman, appellant, *v.* Anthony Harman et al.; and

No. 930.—Jacob M. Harman, appellant, *v.* Anthony Harman et al. Petitions for writs of certiorari to the United States circuit court of appeals for the seventh circuit granted.

No. 956.—Martin & Hill Cash Carrier Company, appellant, *v.* Joseph C. Martin. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

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

No. 674.—Brooke Mackall, appellant, *v.* Westel Willoughby. Motion to dismiss postponed to the hearing of the case on its merits.

No. 236.—William H. Smith, plaintiff in error, *v.* Benjamin Selleck. In error to the circuit court of the United States for the eastern district of Wisconsin. Dismissed for the want of jurisdiction.

No. 244.—The Illinois Central Railroad Company, plaintiff in error, *v.* William Walker. In error to the circuit court of the United States for the southern district of Mississippi. Dismissed for the want of jurisdiction.

No. 233.—Mary M. Black, administratrix, etc., plaintiff in error, *v.* Mary K. L. Black. In error to the circuit court of the United States for the eastern district of Pennsylvania. Dismissed for the want of jurisdiction on the authority of *Smith v. McKay*, 161 U. S., 355.

No. 235.—M. M. Wheeler et al., appellants, *v.* J. C. Cloyd et al. Appeal from the circuit court of the United States for the southern district of Illinois. Dismissed for the want of jurisdiction.

No. 633.—Charles Thiede, plaintiff in error, *v.* The People of the Territory of Utah. Ordered that the mandate issue to the supreme court of the State of Utah.

No. 292.—Gilmore G. Scranton, plaintiff in error, *v.* Eben S. Wheeler. In error to the United States circuit court of appeals for the sixth circuit. Judgment reversed with costs and cause remanded to the circuit court of the United States for the western district of Michigan, with instructions to remand it to the circuit court of Chippewa County, Mich., on motion of Mr. Solicitor-General Conrad for the defendant in error. Mandate granted.

No. 422.—The United States et al., plaintiffs in error, *v.* J. Henry Perkins, county treasurer, etc.; and

No. 828.—The United States, plaintiff in error, *v.* Ashbel P. Fitch, comptroller, etc., et al. Motion to advance submitted by Mr. Solicitor-General Conrad for the plaintiffs in error.

No. 970.—C. S. Wight, plaintiff in error, *v.* The United States; and

No. 971.—Albert L. France et al., plaintiffs in error, *v.* The United States. Advanced and assigned for argument on the second Monday of the next term, after the cases already set down for that day, on motion of Mr. Solicitor-General Conrad for the defendants in error.

No. 853.—Ed. Alberty, alias Charles Burns, plaintiff in error, *v.* The United States. Mandate granted on motion of Mr. Solicitor-General Conrad for the defendant in error.

No. 974.—The United States, appellant, *v.* Alexander Murphy & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Solicitor-General Conrad

for the appellant in support of the petition, and by Mr. Charles Curie, Mr. Wickham Smith, and Mr. David Ives Mackie for the appellees in opposition thereto.

No. 832.—Daniel Hamer, tax collector, etc., appellant, *v.* Ogden City. Motion to remand to the supreme court of the State of Utah submitted by Mr. Arthur Brown in support of the motion.

No. 962.—Quincy A. Shaw, plaintiff in error, *v.* Murray M. Kellogg. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit to bring up the entire record submitted by Mr. Edward O. Wolcott and Mr. Joel F. Vaile for the plaintiff in error in support of the petition.

No. 976.—Frank L. Neall, trustee, etc., appellant, *v.* John J. Schrader. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Henry Flanders and Mr. Edward F. Pugh for the appellee in support of petition, and by Mr. J. Rodman Paul and Mr. John G. Johnson for the appellant in opposition thereto.

No. 604.—William Starling, appellant, *v.* The Weir Plow Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. John M. Palmer in behalf of William Starling.

No. 146.—Justus Hollander et al., appellants, *v.* Martin S. Fechheimer et al. Mandate granted on motion of Mr. James Francis Smith for the appellees.

No. 169.—The Morse Arms Manufacturing Company, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed on motion of Mr. James A. Skilton for the appellant.

No. 903.—The Western Union Telegraph Company, appellant, *v.* A. C. Daily, auditor, etc. Motion to advance submitted by Mr. William A. Ketcham for the appellee.

No. 939.—The American Express Company, plaintiff in error, *v.* The State of Indiana;

No. 940.—The Adams Express Company, plaintiff in error, *v.* The State of Indiana; and

No. 941.—The United States Express Company, plaintiff in error, *v.* The State of Indiana. Motions to advance submitted by Mr. William A. Ketcham for the defendant in error.

No. 257.—The Western Union Telegraph Company, plaintiff in error, *v.* The City of Chester. In error to the supreme court of the State of Pennsylvania. Dismissed with costs on the authority of counsel for the plaintiff in error.

No. 919.—National Accident Society, plaintiff in error, *v.* Fannie Spiro. Submitted pursuant to the thirty-second rule by Mr. H. D. McBurney for the plaintiff in error, and by Mr. H. H. Ingersoll for the defendant in error.

No. 588.—Rose L. Saltonstall et al., executors, etc., plaintiffs in error, *v.* Joseph Birtwell. Argument continued by Mr. Edward Hartley for the defendant in error, and concluded by Mr. Assistant Attorney-General Whitney for the plaintiffs in error.

No. 2, Original.—The State of Indiana, complainant, *v.* The State of Kentucky. Leave granted to file report of commissioners and motion to confirm said report on motion of Mr. William A. Ketcham for the complainant. Leave granted to file exceptions to report of commissioners, etc., on motion of Mr. R. H. Cunningham for the defendant. Motion to confirm report of commissioners argued by Mr. William A. Ketcham in support of the motion, and by Mr. R. H. Cunningham in opposition thereto.

No. 247.—Emma J. Gonzales, appellant, *v.* E. W. French et al. Argument commenced by Mr. S. D. Luckett for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 28, will be as follows: Nos. 247, 248, 251, 252 (and 253), 254, 255, 256, 258, 259, and 260.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 28, 1896.

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

Ralph W. Breckenridge, of Omaha, Neb., was admitted to practice.

No. 955.—Eugenia Crimp, executrix, etc., appellant, *v.* McCormick Construction Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. John N. Jewett for the appellant in support of the petition, and by Mr. Charles M. Sturges in opposition thereto.

No. 832.—Daniel Hamer, tax collector, etc., appellant, *v.* Ogden City. Leave granted to Mr. J. M. Wilson to file brief in opposition to motion to remand herein.

No. 247.—Emma J. Gonzales, appellant, *v.* E. W. French et al. Argument concluded by Mr. S. D. Lockett for the appellant. No counsel appeared for the appellees.

No. 248.—The United States, plaintiff in error, *v.* Harry L. Laws. Submitted by Mr. Solicitor-General Conrad for the plaintiff in error, and by Mr. Lawrence Maxwell, jr., for the defendant in error.

No. 251.—The Southern Pacific Company, plaintiff in error, *v.* Bertha Tomlinson. Argued by Mr. J. Hubley Ashton for the plaintiff in error, and by Mr. R. C. Garland for the defendant in error.

No. 252.—Arthur D. McClellan, plaintiff in error, *v.* George W. Chipman, assignee, etc., et al.; and

No. 253.—The Traders' National Bank, plaintiff in error, *v.* George W. Chipman, assignee, etc., et al. Argument commenced by Mr. A. A. Strout for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 29, will be as follows: Nos. 252 (and 253), 254, 255, 256, 258, 259, 260, 263, 264, and 265.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 29, 1896.

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

J. Zach Spearing, of New Orleans, La., was admitted to practice.

No. 263.—Mrs. Annie Comitiz, widow, etc., plaintiff in error, *v.* W. S. Parkerson et al. In error to the circuit court of the United States for the eastern district of Louisiana. Dismissed with costs pursuant to the tenth rule.

No. 264.—The State of Washington ex rel. P. S. Battersby et al., plaintiffs in error, *v.* The Board of Tide Land Appraisers of Whatcom County et al. In error to the supreme court of the State of Washington. Dismissed with costs pursuant to the tenth rule.

No. 252.—Arthur D. McClellan, plaintiff in error, *v.* George W. Chipman, assignee, etc., et al.; and

No. 253.—The Traders' National Bank, plaintiff in error, *v.* George W. Chipman, assignee, etc., et al. Argument continued by Mr. William B. French for the defendants in error, and concluded by Mr. William H. Coolidge for the plaintiffs in error.

No. 254.—The Union National Bank of Chicago, plaintiff in error, *v.* The Louisville, New Albany, and Chicago Railway Company. Submitted by Mr. Henry S. Robbins for the plaintiff in error, and by Mr. George W. Kretzinger for the defendant in error.

No. 255.—Benjamin R. Forman, plaintiff in error, *v.* Mrs. Rose Chopin et al. Submitted by Mr. E. Howard McCaleb for the plaintiff in error. No counsel appeared for the defendant in error.

No. 256.—The United States, appellant, *v.* Alfred H. Elliott et al. Argued by Mr. Assistant Attorney-General Dodge for the appellant, and by Mr. James Lowndes for the appellees.

No. 258.—The Texas and Pacific Railway Company, plaintiff in error, *v.* May Gentry et al. Argued by Mr. John F. Dillon for the plaintiff in error, and by Mr. R. C. Garland for the defendants in error.

No. 259.—James C. Edwards, plaintiff in error, *v.* Bates County, etc. Submitted by Mr. T. K. Skinker for the plaintiff in error. No counsel appeared for the defendant in error.

No. 260.—Frank Hanford, appellant, *v.* Griffith Davies et al. Argument commenced by Mr. James B. Howe for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 30, will be as follows: Nos. 260, 265, 266, 267, 268, 270, 272, 273, 276, and 277.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 30, 1896.

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

Stephen H. Olin, of New York City, and Michael J. Colbert, of Washington, D. C., were admitted to practice.

No. 272.—Thomas Foster, plaintiff in error, *v.* Dillwyn Wistar et al. In error to the supreme court of the State of Minnesota. Dismissed with costs pursuant to the tenth rule.

No. 260.—Frank Hanford, appellant, *v.* Griffith Davies et al. Argument concluded by Mr. James B. Howe for the appellant, and submitted by Mr. James Hamilton Lewis for the appellees.

No. 265.—George P. Webster et al., appellants, *v.* Augustin Daly. Argued by Mr. A. J. Dittenhoefer for the appellant, and by Mr. Stephen H. Olin for the appellee.

No. 266.—The First National Bank of Aberdeen, plaintiff in error, *v.* The County of Chehalis et al. Argued by Mr. James B. Howe for the plaintiff in error and by Mr. James A. Haight 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. 267, 268, 270, 273, 276, 277, 279, 280, 281, and 282.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 1, 1896.

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

Edward E. Blodgett and Ralph W. Foster, of Boston, Mass., and Francis A. Brogan, of Omaha, Neb., were admitted to practice.

No. 279.—Amado Chaves et al., appellants, *v.* The United States et al.;

No. 280.—The Pueblos of Zia, Santa Ana, and Jemez, appellants, *v.* The United States et al.;

No. 281.—Manuel Crespín et al., appellants, *v.* The United States; and

No. 282.—Landro Sandoval et al., appellants, *v.* The United States. Continued on motion of Mr. Solicitor-General Conrad for the appellees.

No. 308.—The Germania Iron Company et al., appellants, *v.* The United States. Continued on motion of Mr. Solicitor-General Conrad for the appellee.

No. 286.—The United States, appellant, *v.* Earl B. Coe. Continued, per stipulation, on motion of Mr. Solicitor-General Conrad for the appellant.

No. 267.—Samuel G. Hilborn, appellant, *v.* The United States. Submitted by Mr. Charles King and Mr. William B. King for the appellant, and by Mr. Assistant Attorney-General Dodge for the appellee.

No. 268.—The Supreme Lodge, Knights of Pythias of the World, plaintiff in error, *v.* Mrs. Eugenie Kalinski. Argued by Mr. J. Zach. Spearing for the plaintiff in error, and by Mr. M. Marks for the defendant in error.

No. 273.—William Perego, appellant, *v.* W. H. Dodge et al. Argued by Mr. B. F. Lee for the appellant, and by Mr. Arthur Brown for the appellees.

No. 276.—The Tug Glide and owners, plaintiff in error, *v.* The Atlantic Works. Argued by Mr. Edward E. Blodgett for the plaintiff in error, and by Mr. Ralph W. Foster for the defendant in error.

No. 277.—William Durfenning, plaintiff in error, *v.* The Chicago, St. Paul, Minneapolis and Omaha Railway Company. Submitted by Mr. James W. Lawrence for the plaintiff in error, and by Mr. Thomas Wilson for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, May 4, will be as follows: Nos. 270, 927, 283, 285, 287, 288, 289, 290, 291, and 293.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 4, 1896.

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

Francis J. Borchardt, of Milwaukee, Wis.; Frank O. Lowden, of Chicago, Ill.; John W. Houston, of New York City; De Witt C. Sprague, of Washington, D. C.; Tyson S. Dines, of Denver, Col., and David McClure, of New York City, were admitted to practice.

No. 206.—The Western Union Telegraph Company, plaintiff in error, *v.* David W. James. In error to the supreme court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Peckham. Dissenting: Mr. Justice Shiras and Mr. Justice White.

Nos. 573 and 574.—Warren F. Putnam, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the district of New Hampshire. Judgments entered in these cases on February 3, 1896, vacated and set aside, and judgments under the seventh count affirmed and judgments as to the second count reversed, and causes remanded for such proceedings with reference to said second count as may be in conformity to law. Opinion by Mr. Justice White. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Brewer, and Mr. Justice Brown.

No. 801.—Francis A. Coffin, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Indiana. Judgment affirmed. Opinion by Mr. Justice White.

No. 214.—George E. Kirk, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 60.—The Farmers' Loan and Trust Company, appellant, *v.* The Chicago, Portage and Superior Railway Company et al. Appeal from the circuit court of the United States for the western district of Wisconsin. Decree affirmed with costs. Opinion by Mr. Justice Brewer.

No. 225.—Horace Wiggin et al., plaintiffs in error, *v.* Esther King. Ordered that the title of this case be amended so as to read as follows: Albert E. Wiggan, plaintiff in error, *v.* Alexander Conolly and John King.

No. 225.—Albert E. Wiggan, plaintiff in error, *v.* Alexander Conolly and John King. In error to the supreme court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 230.—Carmi Dibble, plaintiff in error, *v.* The Bellingham Bay Land Company. In error to the supreme court of the State of Washington. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

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

No. 726.—Joel Yancey, plaintiff in error, *v.* P. C. Ivy et al. In error to the supreme court of the State of Missouri. Dismissed for the want of jurisdiction.

No. 727.—The Wayne Lumber Company, plaintiff in error, *v.* Calvin F. Collins et al. In error to the supreme court of the State of Missouri. Dismissed for the want of jurisdiction.

No. 337.—The United States, plaintiff in error, *v.* Charles R. Allen;

No. 422.—The United States et al., plaintiffs in error, *v.* J. Henry Perkins, county treasurer; and

No. 828.—The United States, plaintiff in error, *v.* Ashbel P. Fitch, comptroller, etc., et al. Motions to advance granted, and cases will be taken on submission on printed briefs on or before Friday next.

No. 604.—William Starling, appellant, *v.* The Weir Plow Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 832.—Daniel Hamer, tax collector, etc., appellant, *v.* Ogden City. Appeal from the supreme court of the Territory of Utah. Motion to remand granted and cause remanded to the supreme court of the State of Utah for further proceedings in conformity to law.

No. 903.—The Western Union Telegraph Company, appellant, *v.* A. C. Daily, auditor, etc.;

No. 939.—The American Express Company, plaintiff in error, *v.* the State of Indiana;

No. 940.—The Adams Express Company, plaintiff in error, *v.* The State of Indiana; and

No. 941.—The United States Express Company, plaintiff in error, *v.* The State of Indiana. Motions to advance granted, and cases assigned for argument as one case on the second Monday of the next term after the cases already set down for that day.

No. 962.—Quincy A. Shaw, plaintiff in error, *v.* M. M. Kellogg. Petition for writ of certiorari to bring up the whole case denied.

No. 974.—The United States, appellant, *v.* Alexander Murphy & Co. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 976.—Frank L. Neall, trustee, etc., appellant, *v.* John J. Schraeder. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 955.—Eugenia Crimp, executrix, etc., appellant, *v.* McCormick Construction Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 11, Original.—*Ex parte*: In the matter of William Lochren, Commissioner of Pensions, petitioner. Writ of mandamus granted on the authority of *Interstate Commerce Commission v. Brimson*, 154 U. S., 447.

No. 255.—Benjamin R. Forman, plaintiff in error, *v.* Mrs. Rose Chopin et al. In error to the circuit court of the United States for the eastern district of Louisiana. Dismissed for the want of jurisdiction.

No. 256.—The United States, appellant, *v.* Alfred H. Elliott et al. Leave given counsel to resubmit this cause to a full bench on printed briefs.

No. 175.—Ana J. Dominguez de Guyer et al., plaintiffs in error, *v.* William Banning. Restored to the docket for reargument before a full bench.

No. 303.—The United States, appellant, *v.* William J. Verdier, administrator. Continued on motion of Mr. Solicitor-General Conrad for the appellant.

No. 904.—The United States, appellant, *v.* Wong Kim Ark. Submitted by Mr. Solicitor-General Conrad for the appellant, and by Mr. Thomas D. Riordan for the appellee.

No. 986.—J. H. S. Wiborg et al., plaintiffs in error, *v.* The United States. Motion to advance submitted by Mr. Attorney-General Harmon and Mr. Solicitor-General Conrad for the defendant in error with leave to Mr. W. Hallett Phillips to file opposition by to-morrow.

No. 610.—Joel P. Whitney et al., appellants, *v.* The United States et al. ;

No. 501.—The United States, appellant, *v.* Julian Sandoval et al. ;

No. 489.—Rio Arriba Land and Cattle Company, appellant, *v.* The United States ;

No. 625.—Eloisa L. Bergere et al., appellants, *v.* The United States ;

No. 658.—The United States, appellant, *v.* Eloisa L. Bergere et al. ;

No. 789.—J. B. Cessna et al., appellants, *v.* The United States et al. ;

No. 477.—Martin B. Hayes, appellant, *v.* The United States ;

No. 492.—William Pinkerton et al., appellants, *v.* The United States;
 No. 468.—Santiago Ainsa, administrator, et al., appellants, *v.* The United States;

No. 350.—Santiago Ainsa, administrator, appellant, *v.* The New Mexico and Arizona Railroad Company;

No. 351.—Santiago Ainsa, administrator, appellant, *v.* The New Mexico and Arizona Railroad Company et al.;

No. 475.—Juan Pedro Camou, appellant, *v.* The United States; and

No. 480.—Robert Perrin, appellant, *v.* The United States et al. Motion to advance submitted by Mr. Solicitor-General Conrad for the United States.

No. 996.—James A. Shreve et al., plaintiffs in error, *v.* Walter S. Cheesman et al. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Tyson S. Dines for the defendant in error in support of the petition, with leave to Mr. John F. Shafroth to file opposition on or before Monday next.

No. 994.—The American Water Works Company et al., appellants, *v.* The Farmers' Loan and Trust Company; and

No. 995.—Thaddeus S. Clarkson, receiver, etc., appellant, *v.* The Farmers' Loan and Trust Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. John L. Webster for the appellants in support of the petition, and by Mr. David McClure for the appellee in opposition thereto.

No. —, Original.—*Ex parte*: In the matter of Thomas C. Chappell, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Thomas C. Chappell *in propria persona*.

No. 985.—Joseph Frankel's Sons, appellants, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. W. Wickham Smith. Mr. Charles Curie and Mr. David Ives Mackie for the appellants in support of petition, with leave to Mr. Assistant Attorney General Whitney to file opposition thereto.

No. 642.—S. W. Carey et al., appellants, *v.* The Houston and Texas Central Railway Company et al. Motion as to costs submitted by Mr. R. H. Landale for the appellants in support of motion and by Mr. J. Hubley Ashton for the appellees in opposition thereto.

No. 496.—The Vulcan Iron Works, appellant, *v.* Ella L. Smith, executrix, etc., et al. Motion to advance submitted by Mr. Calderon Carlisle for the appellant.

No. 987.—I. H. Hathaway & Co., appellants, *v.* S. B. Marts et al. Petition for a writ of certiorari to the United States circuit court of

appeals for the fifth circuit submitted by Mr. E. E. Blodgett, Mr. Eugene P. Carver, and Mr. A. W. Cockrell, jr., for the appellees in support of petition.

No. 992.—The Steamship Ceres, etc., appellant, *v.* Gerhard Wessels et al.; and

No. 993.—Sydvenska Angfartygs Aktiebolaget, appellant, *v.* Gerhard Wessels et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. J. Parker Kirlin for the appellants in support of the petition, and by Mr. Harrington Putnam for the appellees in opposition thereto.

No. 557.—Alex. W. Crain, plaintiff in error, *v.* The United States. Mandate granted on motion of Mr. R. C. Garland for the plaintiff in error.

No. 967.—Henry C. King, plaintiff in error, *v.* M. B. Mullins et al. Motion to advance submitted by Mr. Maynard F. Stiles for the plaintiff in error.

No. 657.—Mary J. Garner, appellant, *v.* The Second National Bank of Providence et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Alexander Thain for the appellant in support of petition, and by Mr. A. B. Browne, Mr. A. J. Britton, and Mr. James Tillinghast in opposition thereto.

No. 997.—Henry C. Rouse, receiver, etc., plaintiff in error, *v.* John E. Hornsby. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. A. B. Browne, Mr. A. T. Britton, Mr. James Hagerman, and Mr. T. N. Sedgwick for the plaintiff in error in support of the petition with leave to Mr. Nelson Case to file opposition thereto. Ordered that the record in No. 706 be used on the submission of the petition in this case.

No. 927.—W. W. Baughn, next friend of Elizabeth Nobles, appellant, *v.* Hines Millirons, jailer, etc., et al. Appeal from the circuit court of the United States for the southern district of Georgia. Dismissed with costs pursuant to the tenth rule.

No. 283.—David F. Campbell, plaintiff in error, *v.* Alfred S. Ellet, by John A. Ellet, his guardian. Submitted by Mr. L. C. Rockwell for the plaintiff in error, and by John F. Shafroth for the defendant in error.

No. 287.—W. W. Riser, appellant, *v.* D. M. Langford. Appeal from the circuit court of the United States for the district of South Carolina. Dismissed with costs pursuant to the tenth rule.

No. 288.—W. H. Outzs, appellant, *v.* J. M. Ward. Appeal from the circuit court of the United States for the district of South Carolina. Dismissed with costs pursuant to the tenth rule.

No. 289.—The Central Pacific Railway Company, appellant, *v.* The United States. Continued per stipulation.

No. 928.—James Huntington, appellant, *v.* William A. Saunders. Motion to dismiss submitted by Mr. William B. Durant in support of motion, and by Mr. Bancroft G. Davis in opposition thereto.

No. 270.—The Union Pacific Railway Company, plaintiff in error, *v.* Granville J. James. Argued by Mr. John M. Thurston for the plaintiff in error, and by Mr. F. A. Brogan for the defendant in error.

No. 285.—Rio Grande Western Railway Company, plaintiff in error, *v.* Frank Leak. Argued by Mr. Orlando W. Powers for the defendant in error, and submitted by Mr. C. W. Bennett for the plaintiff in error.

No. 290.—George W. Grayson et al., appellants, *v.* George Lynch et al. Argument commenced by Mr. T. B. Catron for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, May 5, will be as follows: Nos. 290, 291, 293, 294, 296, 304, 305, 306, 307, and 309.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 5, 1896.

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

No. 10, Original.—The State of Missouri, complainant, *v.* The State of Iowa. Stipulation to extend time to retrace and mark boundary line filed and submitted on motion of Mr. John F. Lacey in behalf of counsel.

No. 986.—J. H. S. Wiborg et al., plaintiffs in error, *v.* The United States. Motion to advance granted and cause assigned for argument on the 18th instant. Announced by Mr. Chief Justice Fuller.

No. 306.—The Territory of New Mexico, on the relation of Charles H. Gildersleeve, plaintiff in error, *v.* Jose L. Perea, sheriff, etc. In error to the supreme court of the Territory of New Mexico. Dismissed, with costs, pursuant to the tenth rule.

No. 307.—Eleanor Taylor, administratrix, etc., et al., appellants, *v.* The Girard Life Insurance Annuity and Trust Company of Philadelphia. In error to the court of appeals of the District of Columbia. Dismissed, with costs, pursuant to the tenth rule.

No. 309.—Robert M. Douglas, plaintiff in error, *v.* The United States ex. rel. The State of North Carolina et al. In error to the supreme court of the State of North Carolina. Dismissed, with costs, pursuant to the tenth rule.

No. 290.—George W. Grayson et al., appellants, *v.* George Lynch et al. Argument continued by Mr. T. B. Catron for the appellants, Mr. S. B. Newcomb and Mr. S. M. Arnell for the appellees, and concluded by Mr. T. B. Catron for the appellants.

No. 291.—Charles Warner, plaintiff in error, *v.* The Texas and Pacific Railway Company. Argued by Mr. Horace Chilton for the plaintiff in error, and by Mr. John F. Dillon for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, May 6, will be as follows: Nos. 293, 294, 296, 304, 305, 310, 311, 312, 313, and 314.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MAY 6, 1896.

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

William M. Walton, of Austin, Tex.; Winthrop Parker, of New York City; G. D. Meiklejohn, of Fullerton, Neb.; W. H. Mackoy, of Covington, Ky., and Richard B. Kelly, of Anniston, Ala., were admitted to practice.

No. 312.—The Western Union Telegraph Company, plaintiff in error, *v.* Lewis T. Bates. Continued on motion of Mr. John F. Dillon for the plaintiff in error.

No. 313.—William H. Wood, appellant, *v.* Moylan C. Fox, surviving executor, etc. Continued to be heard with No. 327 as one case on motion of Mr. Arthur Brown in behalf of counsel.

No. 293.—The Bear Lake and River Waterworks and Irrigation Company et al., appellants, *v.* William Garland et al. Argued by Mr. John F. Dillon for the appellants, and by Mr. S. B. Ladd and Mr. Arthur Brown for the appellees.

No. 294.—Jeff Harrison, plaintiff in error, *v.* The United States. Argued by Mr. R. B. Kelly for the plaintiff in error and submitted by Mr. Assistant Attorney-General Dickinson for the defendant in error.

No. 296.—E. M. Bacon et al., plaintiffs in error, *v.* The State of Texas. Argument commenced by Mr. J. Hubley Ashton for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 7, will be as follows: Nos. 296, 304, 305, 310, 311, 314, 315, 316, 317, and 318.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 7, 1896.

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

S. Duffield Mitchell, of Pittsburg, Pa., was admitted to practice.

No. 305.—The Steamship Valencia, etc., et al., appellants, *v.* W. H. Ziegler et al. Submitted by Mr. F. R. Coudert and Mr. Joseph Kling for the appellants, with leave to counsel for appellees to file brief within fifteen days, and to counsel to appellants to file reply brief within five days thereafter, if they shall be so advised.

No. 885.—Samuel Whitehill Barber et al., plaintiffs in error, *v.* The Pittsburg, Fort Wayne and Chicago Railway Company et al. Submitted by Mr. John S. Ferguson and Mr. S. Duffield Mitchell for the plaintiffs in error, and by Mr. D. T. Watson and Mr. Johns McCleave for the defendants in error, with leave to file additional briefs on or before the 15th instant.

No. 462.—Count Joseph Telfener, plaintiff in error, *v.* George W. Russ. Motion to tax certain costs herein submitted by Mr. J. L. Peeler for the plaintiff in error. Mr. Joseph Wheeler, for the defendant in error, opposed the motion.

No. 315.—The Citizens' Bank of Louisiana, appellant, *v.* Clifton Cannon, sheriff, etc., et al. Continued per stipulation.

No. 318.—Henry K. Willard, administrator, etc., appellant, *v.* Thomas N. Wood, executor, et al. Continued per stipulation.

No. 296.—E. M. Bacon et al., plaintiffs in error, *v.* The State of Texas. Argument continued by Mr. J. Hubley Ashton for the plaintiffs in error, by Mr. M. M. Crane for the defendant in error, and concluded by Mr. W. M. Walton for the plaintiffs in error.

No. 304.—The Covington and Lexington Turnpike Road Company, plaintiff in error, *v.* A. P. Sandford et al. Submitted by Mr. James W. Bryan and Mr. W. H. Mackoy for the plaintiff in error, with leave to counsel for the defendants in error to file briefs within five days and to counsel for plaintiffs in error to file reply brief within five days thereafter.

No. 310.—Eugene W. Coughran et al., plaintiffs in error, *v.* Henry C. Bigelow et al. Argued by Mr. Arthur Brown for the defendants in error and submitted by Mr. C. W. Bennett for the plaintiffs in error.

No. 311.—The Patapsco-Guano Company, appellant, *v.* The Board of Agriculture of North Carolina et al. Argument commenced by Mr. Thomas N. Hill for the appellant and continued by Mr. R. H. Battle and Mr. F. H. Busbee for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 8, will be as follows: Nos. 311, 314, 316, 317, 319, 320, 322, 323, 324, and 326.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 8, 1896.

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

H. T. Wickham, of Richmond, Va., was admitted to practice.

No. 422.—The United States et al., plaintiffs in error, *v.* J. Henry Perkins, county treasurer, etc. Submitted by Mr. Solicitor-General Conrad for the plaintiffs in error, and by Mr. Timothy M. Griffing for the defendant in error.

No. 828.—The United States, plaintiff in error, *v.* Ashbel P. Fitch, comptroller, etc., et al. Submitted by Mr. Solicitor-General Conrad for the plaintiff in error, and by Mr. B. F. Dos Passos for the defendants in error.

No. 337.—The United States, plaintiff in error, *v.* Charles R. Allen. Submitted by Mr. Assistant Attorney-General Whitney for the plaintiff in error, and by Mr. L. E. Payson and Mr. J. F. Evans for the defendant in error.

No. 311.—The Patapsco Guano Company, appellant, *v.* The Board of Agriculture of North Carolina et al. Argument continued by Mr. F. H. Busbee for the appellees, and concluded by Mr. Thomas N. Hill for the appellant.

Adjourned until Monday, May 18, at 12 o'clock.

The day call has been suspended for the term.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 18, 1896.

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

James N. Ramsey, of Cincinnati, Ohio; Charles N. Harris, of New York City; Joseph G. Deane, of New York City; Albert Allen, of Spokane, Wash., and Edward M. Doe, of Flagstaff, Ariz., were admitted to practice.

No. 238.—The Northern Pacific Railroad Company, plaintiff in error, *v. Ole J. Egeland*. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs and cause remanded to the circuit court of the United States for the district of Minnesota. Opinion by Mr. Justice Peckham.

No. 248.—The United States, plaintiff in error, *v. Harry L. Laws*. On a certificate from the United States circuit court of appeals for the sixth circuit. Question certified answered in the negative. Opinion by Mr. Justice Peckham.

No. 296.—E. M. Bacon, et al., plaintiffs in error, *v. The State of Texas*. In error to the court of civil appeals for the second supreme judicial district of the State of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Peckham.

No. 259.—James C. Edwards, plaintiff in error, *v. Bates County, etc.* In error to the circuit court of the United States for the western district of Missouri. Judgment reversed with costs, and cause remanded with directions to set aside the order dismissing the action for want of jurisdiction and for further proceedings in conformity to law. Opinion by Mr. Justice White.

No. 227.—Bob Talton, appellant, *v. Wash Mayes*, high sheriff of the Cherokee Nation. Appeal from the circuit court of the United States for the western district of Arkansas. Order affirmed. Opinion by Mr. Justice White. Dissenting: Mr. Justice Harlan.

No. 6.—The Singer Manufacturing Company, appellant, *v.* The June Manufacturing Company. Appeal from the circuit court of the United States for the northern district of Illinois. Decree reversed with costs and cause remanded with directions to enter a decree in favor of complainant, with costs, perpetually enjoining the defendant, its agents, servants, and representatives, first, from using the word “Singer,” or any equivalent thereto, in advertisements in relation to sewing machines without clearly and unmistakably stating in all said advertisements that the machines are made by the defendant, as distinguished from the sewing machines made by The Singer Manufacturing Company; second, also perpetually enjoining the defendant from marking upon sewing machines or upon any plate or device connected therewith or attached thereto the word “Singer,” or words or letters equivalent thereto, without clearly and unmistakably specifying in connection therewith that such machines are the product of the defendant or other manufacturer, and therefore not the product of The Singer Manufacturing Company; and the decree so to be entered must also contain a direction for an accounting by the defendant as to any profits which may have been realized by it because of the wrongful acts by it committed. Opinion by Mr. Justice White.

No. 7.—The Singer Manufacturing Company, appellant, *v.* George P. Bent. Appeal from the circuit court of the United States for the northern district of Illinois. Decree reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice White.

No. 191.—The Salina Stock Company et al., appellants, *v.* The Salina Creek Irrigation Company. Appeal from the supreme court of the Territory of Utah. Decree affirmed with costs and cause remanded to the supreme court of the State of Utah. Opinion by Mr. Justice Shiras.

No. 718.—James Murray, alias “Greasy Jim,” plaintiff in error, *v.* The State of Louisiana. In error to the supreme court of the State of Louisiana. Judgment affirmed. Opinion by Mr. Justice Shiras.

No. 863.—Martha Barnitz, plaintiff in error, *v.* John L. Beverly. In error to the supreme court of the State of Kansas. Judgment reversed with costs and cause remanded with directions for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Shiras.

No. 204.—Wong Wing et al., appellants, *v.* The United States. Appeal from the circuit court of the United States for the eastern district of Michigan. Order reversed and cause remanded with directions to proceed therein in accordance with the opinion of this court. Opinion by Mr. Justice Shiras. (Mr. Justice Brewer took no part in the decision of this case.)

No. 267.—Samuel G. Hilborn, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown. (Mr. Justice Field took no part in the consideration of this case.)

No. 268.—The Supreme Lodge Knights of Pythias of the World, plaintiff in error, *v.* Mrs. Eugenie Kalinski. In error to the United States circuit court of appeals for the fifth circuit. Judgment affirmed with costs and cause remanded to the circuit court of the United States for the eastern district of Louisiana. Opinion by Mr. Justice Brown.

No. 210.—Homer Adolph Plessy, plaintiff in error, *v.* J. H. Ferguson, judge, etc. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Harlan.

No. 254.—The Union National Bank of Chicago, plaintiff in error, *v.* The Louisville, New Albany and Chicago Railway Company. In error to the supreme court of the State of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brewer. (Announced by Mr. Chief Justice Fuller.)

No. 277.—William Burfenning, plaintiff in error, *v.* The Chicago, St. Paul, Minneapolis and Omaha Railway Company. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Brewer. (Announced by Mr. Chief Justice Fuller.)

No. 160.—John Evans Cornell, appellant, *v.* Hetty H. R. Green. Appeal from the circuit court of the United States for the northern district of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Gray. Dissenting: Mr. Justice Brown.

No. 174.—S. Lowe, plaintiff in error, *v.* The State of Kansas. In error to the supreme court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Gray. Dissenting: Mr. Justice Brown.

No. 217.—The Illinois Central Railroad Company, plaintiff in error, *v.* The People of the State of Illinois ex rel. W. N. Butler. In error to the supreme court of the State of Illinois. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Gray.

No. 662.—The Western Union Telegraph Company, plaintiff in error, *v.* Thomas Taggart, auditor of Marion County, Indiana, et al. In error to the supreme court of the State of Indiana. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 804.—The Steamer Coquitlam, etc., et al., appellants, *v.* The United States. On a certificate from the United States circuit court of appeals for the ninth circuit. It is the opinion of this court that the district court of Alaska is to be regarded as the supreme court of that Territory within the meaning of the fifteenth section of the act of March 3, 1891, and of the order of this court assigning Alaska to the ninth circuit. Opinion by Mr. Justice Harlan.

No. 195.—The United States, appellant, *v.* The Winchester and Potomac Railroad Company. Appeal from the Court of Claims. Judgment reversed and cause remanded with directions to render judgment for the United States. Opinion by Mr. Justice Harlan.

No. 161.—Alfred F. Webster, plaintiff in error, *v.* Milo J. Luther et al. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

No. 258.—The Texas and Pacific Railway Company, plaintiff in error, *v.* May Gentry et al. In error to the United States circuit court of appeals for the fifth circuit. Judgment affirmed with costs and cause remanded to the circuit court of the United States for the northern district of Texas. Opinion by Mr. Justice Harlan.

No. 285.—The Rio Grande Western Railway Company, plaintiff in error, *v.* Frank Leak. In error to the supreme court of the Territory of Utah. Judgment affirmed with costs and cause remanded to the supreme court of the State of Utah. Opinion by Mr. Justice Harlan.

No. 260.—Frank Hanford, appellant, *v.* Griffith Davies et al. Appeal from the circuit court of the United States for the district of Washington. Decree affirmed with costs. Opinion by Mr. Justice Harlan.

No. 150.—L. F. Hennington, plaintiff in error, *v.* The State of Georgia. In error to the supreme court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. Dissenting: Mr. Chief Justice Fuller and Mr. Justice White.

No. 462.—Count Joseph Telfener, plaintiff in error, *v.* George W. Russ. Petition for rehearing denied. Opinion by Mr. Justice Field.

No. 294.—Jeff Harrison, plaintiff in error, *v.* The United States. In error to the district court of the United States for the northern district of Alabama. Judgment reversed and cause remanded with a direction to set aside the verdict and grant a new trial. Opinion by Mr. Chief Justice Fuller.

No. 197.—The United States, plaintiff, *v.* Frank M. Rider et al., county commissioners, etc., et al. On a certificate of division in opinion between the judges of the circuit court of the United States for the southern district of Ohio. Dismissed. Opinion by Mr. Chief Justice Fuller. Mr. Justice Brewer took no part in the decision of this case.

No. 265.—George P. Webster et al., appellants, *v.* Augustin Daly. Appeal from the circuit court of the United States for the southern district of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Brewer and Mr. Justice Peckham took no part in this decision.)

No. 273.—William Perego, appellant, *v.* W. H. Dodge et al. Appeal from the supreme court of the Territory of Utah. Decree affirmed with costs and cause remanded to the supreme court of the State of Utah. Opinion by Mr. Chief Justice Fuller.

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

No. 2, Original.—The State of Indiana, complainant, *v.* The State of Kentucky. Exceptions to report of commissioners overruled and report confirmed.

No. 657.—Mary J. Garner, appellant, *v.* The Second National Bank of Providence et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 496.—The Vulcan Iron Works, appellant, *v.* Ellen L. Smith, executrix, etc., et al. Motion to advance denied.

No. 642.—S. W. Carey et al., appellants, *v.* The Houston and Texas Central Railway Company et al. Motion for an order directing the clerk in issuing the mandate to omit any provision granting costs to the appellees on their motion to dismiss the appeal denied.

No. 468.—Santiago Ainsa, administrator, etc., appellant, *v.* The United States. Motion to advance granted and cause assigned for argument with Nos. 350 and 351 when they are reached for hearing on the docket.

No. 350.—Santiago Ainsa, administrator, etc., appellant, *v.* The New Mexico and Arizona Railroad Company; and

No. 351.—Santiago Ainsa, administrator, etc., appellant, *v.* The New Mexico and Arizona Railroad Company et al. Motion to advance denied.

No. 475.—Juan Pedro Camon, appellant, *v.* The United States;

No. 477.—Martin B. Hayes, appellant, *v.* The United States;

No. 480.—Robert Perrin, appellant, *v.* The United States et al.;

No. 489.—The Rio Arriba Land and Cattle Company, appellant, *v.* The United States;

No. 492.—William Pinkerton et al., appellants, *v.* The United States;

No. 501.—The United States, appellant, *v.* Julian Sandoval et al.;

No. 610.—Joel Parker Whitney et al., appellants, *v.* The United States et al.;

No. 625.—Eloisa L. Bergere, etc., appellant, *v.* The United States et al.; and

No. 658.—The United States, appellant, *v.* Eloisa Bergere, etc. Motion to advance denied.

No. 967.—Henry C. King, plaintiff in error, *v.* M. B. Mullins et al. Motion to advance denied.

No. 985.—Joseph Frankel's Sons, appellants, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 987.—I. H. Hathaway & Co., appellant, *v.* S. B. Marts et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 992.—The Steamship Ceres, etc., et al., appellants, *v.* Gerhard Wessels et al.; and

No. 993.—Sydsvenska Angfartygs Aktiebolaget, appellants, *v.* Gerhard Wessels et al. Petitions for writs of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 994.—The American Water Works Company of Illinois et al., appellants, *v.* The Farmers' Loan and Trust Company; and

No. 995.—Thaddeus S. Clarkson, receiver, etc., appellant, *v.* The Farmers' Loan and Trust Company. Petitions for writs of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 996.—James A. Shreve et al., plaintiffs in error, *v.* Walter S. Cheesman et al. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 997.—Henry C. Rouse, receiver, plaintiff in error, *v.* John E. Hornsby. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 705.—Henry C. Rouse, receiver, etc., plaintiff in error, *v.* Robert H. Cloughley; and

No. 706.—Henry C. Rouse, receiver, etc., plaintiff in error, *v.* John E. Hornsby. Motion to stay mandates denied.

No. —, Original.—*Ex parte*: In the matter of Thomas C. Chappell, petitioner. Motion for leave to file petition for writ of mandamus denied.

No. 10, Original.—The State of Missouri, complainant, *v.* The State of Iowa. The time to retrace and mark the boundary line, in accordance with the decretal order hereinbefore entered, and to make report thereon, is extended until July 1.

No. 462.—Count Joseph Telfener, plaintiff in error, *v.* George W. Russ. Motion to tax certain costs herein denied.

No. 483.—The United States, plaintiff in error, *v.* Samuel Zucker et al. In error to the district court of the United States for the southern district of New York. Dismissed per stipulation on motion of Mr. Solicitor General Conrad for the plaintiff in error.

No. 728.—Crawford Goldsby, alias Cherokee Bill, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Dismissed, the cause having abated, on motion of Mr. Solicitor General Conrad for the defendant in error.

No. 770.—The Southern Pacific Railroad Company et al., appellants, *v.* The United States. Motion to reassign submitted by Mr. Solicitor General Conrad for the appellee.

No. 247.—Emma J. Gonzales, appellant, *v.* E. W. French et al. Motion for leave to file brief on behalf of the appellees submitted by Mr. Edward M. Doe for the appellees.

No. 1012.—The Press Publishing Company, plaintiff in error, *v.* Alexander McDonald. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Charles N. Harris for the plaintiff in error in support of the petition and by Mr. Joseph G. Deane for the defendant in error in opposition thereto.

No. 804.—The steamer Coquitlam, etc., appellant, *v.* The United States. Mandate granted on motion of Mr. Calderon Carlisle for the appellant.

No. 13.—Amos Woodruff, trustee, et al., plaintiffs in error, *v.* The State of Mississippi et al. Mandate granted on motion of Mr. Calderon Carlisle for the plaintiffs in error.

No. —, Original.—*Ex parte*: In the matter of A. I. Ambler, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Charles E. Barber for the petitioner.

No. 742.—Rufus S. Reaves et al., plaintiffs in error and appellants, *v.* James E. Oliver. Petition for a writ of certiorari granted upon suggestion of diminution of the record by Mr. Frank B. Crosthwaite for the plaintiffs in error and appellants.

No. —, Original.—*Ex parte*: In the matter of Thomas C. Chappell, petitioner. Motion for leave to file petition for a writ of certiorari submitted by Mr. Thomas C. Chappell *in propria persona*.

No. 986.—J. H. S. Wiborg et al., plaintiffs in error, *v.* The United States. Submitted by Mr. W. Hallett Phillips and Mr. W. W. Ker for the plaintiffs in error, and by Mr. Attorney-General Harmon, Mr. Solicitor-General Conrad, and Mr. Assistant Attorney-General Whitney for the defendant in error.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 25, 1896.

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

Ellen Spencer Mussey of Washington, D. C., Clarence A. Burley of Chicago, Ill., Robert Grier Monroe of New York City, Albert B. Hall of Washington, D. C., and Henry J. Taylor of Sioux City, Iowa, were admitted to practice.

No. 220.—Mary A. Black, plaintiff in error, *v.* The Elkhorn Mining Company, Limited. In error to the United States circuit court of appeals for the ninth circuit. Judgment affirmed with costs and cause remanded to the circuit court of the United States for the district of Montana. Opinion by Mr. Justice Peckham.

No. 869.—The United States, plaintiff in error, *v.* Andrew H. Gay, and

No. 870.—The United States, plaintiff in error, *v.* The Realty Company. In error to the circuit court of the United States for the eastern district of Louisiana. Judgments affirmed. Opinion by Mr. Justice Peckham. (Mr. Justice White took no part in the consideration and decision of these cases.)

No. 668.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee for the use of the city of Memphis, and

No. 669.—The Bank of Commerce et al., plaintiffs in error, *v.* The State of Tennessee and the County of Shelby. In error to the supreme court of the State of Tennessee. Upon petition for rehearing mandates recalled and judgments of this court of March 2, 1896, vacated and set aside, and so much of the judgments of the State courts as permits a recovery against the holders of the old shares of stock in the bank reversed; so far as they permit a recovery for taxes assessed against the holders of the new shares in the bank, affirmed, each party to pay their own costs in this court, and the cases remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Peckham.

No. 337.—The United States, plaintiff in error, *v.* Charles R. Allen. On writ of certiorari to the United States circuit court of appeals for the ninth circuit. Judgments of the said United States circuit court of appeals and the district court of the United States for the northern district of California reversed, and cause remanded to said district court with directions to enter judgment in favor of the United States with costs. Opinion by Mr. Justice White. Dissenting: Mr. Justice Peckham.

No. 841.—John H. Ward, sheriff, etc., appellant, *v.* Race Horse. Appeal from the circuit court of the United States for the district of Wyoming. Order reversed with costs and cause remanded with directions to discharge the writ and remand the prisoner to the custody of the sheriff. Opinion by Mr. Justice White. Dissenting: Mr. Justice Brown. (Mr. Justice Brewer, not having heard the argument, took no part in the decision of this case.)

No. 39.—Victor Meyer et al., plaintiffs in error, *v.* Walter T. Richards. In error to the circuit court of the United States for the eastern district of Louisiana. Judgment reversed with costs and cause remanded with directions to enter judgment for plaintiffs for \$8,383.75, with interest and costs. Opinion by Mr. Justice White.

No. 130.—Henry C. Rouse, receiver, etc., plaintiff in error, *v.* Ben. F. Lafayette et al. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs and cause remanded to the United States court for the Indian Territory. Opinion by Mr. Justice Shiras.

No. 209.—Joseph M. Brown, appellant, *v.* Grace T. Wygant, executrix, etc. Appeal from the supreme court of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Shiras.

No. 637.—W. J. Faust, plaintiff in error, *v.* The United States. In error to the district court of the United States for the northern district of Texas. Judgment affirmed. Opinion by Mr. Justice Shiras.

No. 692.—Eli Lucas, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the western district of Arkansas. Judgment reversed and cause remanded with directions to set aside the verdict and grant a new trial. Opinion by Mr. Justice Shiras.

No. 290.—George W. Grayson et al., appellants, *v.* George Lynch et al. Appeal from the supreme court of the Territory of New Mexico. Decree affirmed with costs and interest. Opinion by Mr. Justice Brown. Dissenting, Mr. Justice Field.

No. 422.—The United States of America et al., plaintiffs in error, *v.* J. Henry Perkins, county treasurer, etc. In error to the supreme court of the State of New York. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 828.—The United States, plaintiff in error, *v.* Ashbel P. Fitch, comptroller, etc., et al. In error to the supreme court of the State of New York. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 270.—The Union Pacific Railway Company, plaintiff in error, *v.* Granville J. James. In error to the United States circuit court of appeals for the eighth circuit. Judgment affirmed with costs and cause remanded to the circuit court of the United States for the southern district of Iowa. Opinion by Mr. Justice Brewer.

No. 461.—Millard F. Ball et al., plaintiffs in error, *v.* The United States. In error to the circuit court of the United States for the eastern district of Texas. Judgment as to Millard F. Ball reversed and judgments as to the other defendants affirmed, and cause remanded with directions to order the discharge of Millard F. Ball. Opinion by Mr. Justice Gray.

No. 251.—The Southern Pacific Company, plaintiff in error, *v.* Bertha Tomlinson. In error to the supreme court of the Territory of Arizona. Judgment reversed with costs and cause remanded with directions to cause the verdict to be set aside and a new trial had. Opinion by Mr. Justice Gray.

No. 173.—The Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* J. B. Cook et al. In error to the supreme court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 928.—James Huntington, appellant, *v.* William A. Saunders. Appeal from the United States circuit court of appeals for the first circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 157.—The Union Pacific Railway Company et al., appellants, *v.* The Chicago, Rock Island and Pacific Railway Company, and

No. 158.—The Union Pacific Railway Company, appellant, *v.* The Chicago, Milwaukee and St. Paul Railway Company. Appeals from the United States circuit court of appeals for the eighth circuit. Decrees affirmed with costs and causes remanded to the circuit court of the United States for the district of Nebraska. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Shiras and Mr. Justice Gray.

No. 41.—The Union Pacific Railway Company et al., appellants, *v.* The Chicago, Rock Island and Pacific Railway Company, and

No. 42.—The Union Pacific Railway Company, appellant, *v.* The Chicago, Milwaukee and St. Paul Railway Company. Appeals from the

circuit court of the United States for the district of Nebraska. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 986.—J. H. S. Wiborg et al., plaintiffs in error, *v.* The United States. In error to the district court of the United States for the eastern district of Pennsylvania. Judgment against the defendant Wiborg affirmed and as against the defendants Petersen and Johansen reversed, and cause remanded with directions to set aside the verdict and grant a new trial as to the said defendants Petersen and Johansen. Opinion by Mr. Chief Justice Fuller.

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

No. 247.—Emma J. Gonzales, appellant, *v.* E. W. French et al. Motion for leave to file brief on behalf of appellees granted.

No. 770.—The Southern Pacific Railroad Company et al., appellants, *v.* The United States. Motion to reassign granted, and cause assigned for argument on the second Monday of the next term after the cases already set down for that day.

No. 1012.—The Press Publishing Company, plaintiff in error, *v.* Alexander McDonald. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. —, Original.—*Ex parte* : In the matter of A. I. Ambler, petitioner. Motion for leave to file petition for a writ of mandamus granted, the application thereon to be heard on the second Monday of the next term as a motion.

No. —, Original.—*Ex parte* : In the matter of Thomas C. Chappell, petitioner. Motion for leave to file petition for a writ of certiorari and motion for leave to renew motion for leave to file petition for a writ of mandamus, denied.

No. 789.—J. B. Cessna et al., appellants, *v.* The United States et al. Motion to advance denied.

No. 791.—Alexander Allen, plaintiff in error, *v.* The United States ;

No. 810.—John Brown, plaintiff in error, *v.* The United States ;

No. 827.—Henry Starr, plaintiff in error, *v.* The United States ;

No. 972.—Pleasant Draper, plaintiff in error, *v.* The United States, and

No. 988.—Mollie King et al., plaintiffs in error, *v.* The United States. Advanced and assigned for argument on the second Monday of the next term after the cases already set down for that day, on motion of Mr. Solicitor-General Conrad for the United States.

No. 724.—The United States *ex rel.* Charles D. Long, plaintiff in error, *v.* William Lochren, Commissioner of Pensions. Suggestion of

abatement and motion to dismiss submitted by Mr. Solicitor-General Conrad in support of motion and by Mr. F. A. Baker in opposition thereto.

No. 1021.—Frank C. Ross, appellant, *v.* Edwin Eells et al. Appeal from the United States circuit court of appeals for the ninth circuit. Docketed and dismissed with costs on motion of Mr. Solicitor-General Conrad for the appellees.

No. 1022.—John Cook et ux., appellants, *v.* Edwin Eells et al. Appeal from the United States circuit court of appeals for the ninth circuit. Docketed and dismissed with costs on motion of Mr. Solicitor-General Conrad for the appellees.

No. 6.—The Singer Manufacturing Company, appellant, *v.* The June Manufacturing Company, and

No. 7.—The Singer Manufacturing Company, appellant, *v.* George P. Bent. Motion to stay the mandate and for time to file petition for rehearing herein submitted by Mr. Holmes Conrad in behalf of counsel for appellant, and by Mr. William Henry Browne of counsel for the June Manufacturing Company.

No. —.—Joseph Raymond, appellant, *v.* John Lange. Motion to enlarge time for filing transcript submitted by Mr. Charles E. Barber in behalf of counsel.

No. 1020.—Aldace F. Walker et al., receivers, etc., appellants, *v.* Wilson T. Keenan et al., intervenors. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Charles W. Needham in behalf of Mr. A. W. Green and Mr. Henry S. Robbins for the appellees in support of the petition, with leave to counsel for the appellants to file brief in opposition on or before the first Monday of the next term.

No. 195.—The United States, appellant, *v.* The Winchester and Potomac Railroad Company. Motion to stay mandate and for time to file petition for rehearing herein submitted by Mr. F. P. Clark for the appellee.

After a recess the Chief Justice announced the following orders of the court:

No. 6.—The Singer Manufacturing Company, appellant, *v.* The June Manufacturing Company, and

No. 7.—The Singer Manufacturing Company, appellant, *v.* George P. Bent. Ordered that the mandates in these cases be stayed until the next term and that leave be granted both sides to present petitions for rehearing on or before the first day of the next term, as of this term.

No. 195.—The United States, appellant, *v.* The Winchester and Potomac Railroad Company. Ordered that the mandate in this case be stayed

until the next term and that leave be granted to the appellee to present petition for rehearing on or before the first day of the next term, as of this term.

No. 724.—The United States ex rel. Charles D. Long, plaintiff in error, *v.* William Lochren, Commissioner of Pensions. Motion to dismiss continued until the next term with leave to counsel to file briefs.

No. —. Joseph Raymond, appellant, *v.* John Lange. Motion to enlarge time to file transcript herein granted and sixty days from this date allowed.

No. 954.—George H. Barber, plaintiff in error, *v.* Henry P. Isaacs. In error to the supreme court of the State of Washington. Dismissed with costs on motion of Mr. John H. Mitchell for the plaintiff in error.

Order: It is ordered that mandates issue in all cases decided at this term in which mandates have not already issued.

Order: It is now here ordered by the court that all the cases on the docket not decided, and all the other business of the term not disposed of by the court, be, and the same are hereby, continued until the next term.

Adjourned to the time and place appointed by law.

