

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 9, 1899.

The court met pursuant to law.

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

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

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 10, will be as follows: Nos. 4, 6, 10, 12, 15, 16, 18, 19, 20 and 25.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 10, 1899.

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

George D. Gear of Honolulu, Hawaiian Islands; F. Snowden Hill of Upper Marlboro, Md.; Arthur J. Baldwin of New York City; R. Burnham Moffat of New York City; George W. Monteeth of San Francisco, Cal.; T. Henry Pearse of Boston, Mass.; Eaton J. Bowers of Bay St. Louis, Miss.; Ernest Wilkinson of Washington, D. C.; John R. Bane of New Hampton, Iowa; W. Oliver Wise of Akron, Ohio; T. E. Ryan of Waukesha, Wis.; D. S. Tullar of Waukesha, Wis.; William R. Tillinghast of Providence, R. I.; James H. Harkless of Kansas City, Mo.; William F. Bowman of Ardmore, Ind. T.; A. J. Daggs of Phoenix, Ariz.; Garret W. McEnerney of San Francisco, Cal., and Thomas Emery of Toledo, Ohio, were admitted to practice.

No. 179. Robert L. Taylor et al., appellants, *v.* The Nashville, Chattanooga and St. Louis Railway;

No. 164. J. W. Cumming et al., plaintiffs in error, *v.* The County Board of Education of Richmond County, Ga.;

No. 131. The Chicago, Milwaukee and St. Paul Railway Company, appellant, *v.* Wm. H. Tompkins et al.;

No. 225. Shirley T. High et al., appellants, *v.* F. E. Coyne, as collector, etc., et al.;

No. 40. Frank M. Rider et al., plaintiffs in error, *v.* The United States;

No. 21. The United States, appellant, *v.* The Bellingham Bay Boom Company;

No. 106. The Steamship Buena Ventura, etc., appellant, *v.* The United States;

No. 115. The Steamer Pedro, etc., appellant, *v.* The United States;

No. 122. The Steamer Guido, etc., appellant, *v.* The United States;

No. 127. The Steamship Panama, etc., appellant, *v.* The United States;

No. 156. James A. Farquhar, owner, etc., appellant, *v.* The United States;

No. 167. The Steamship Adula, etc., appellant, *v.* The United States;

No. 248. Wm. Crawford, appellant, *v.* Wm. L. Hubbell, treasurer, etc.;
 No. 220. The American Express Company, plaintiff in error, *v.* F. A. Maynard, attorney-general, ex rel. Geo. F. Moore et al.;

No. 186. W. B. Austin, plaintiff in error, *v.* The State of Tennessee;
 No. 232. Wm. J. Cruickshank et al., appellants, *v.* Geo. R. Bidwell, collector, etc.; and

No. 268. S. H. H. Clark et al., receivers, etc., plaintiffs in error, *v.* The City of Kansas City, Kans., et al. Reassigned for argument on Monday, the 30th instant, at the head of the call for that day.

No. 30. Sterling R. Holt et al., appellants, *v.* The Indiana Manufacturing Company. Passed on motion of Mr. Henry M. Hoyt in behalf of counsel.

No. 34. The United States, appellant, *v.* Thomas B. Catron et al. Appeal from the Court of Private Land Claims. Dismissed per stipulation on motion of Mr. Assistant Attorney-General Hoyt for the appellant.

No. 395. The Spanish Smack Paquete Habana, etc., appellant, *v.* The United States; and

No. 396. The Spanish Schooner Lola, etc., appellant, *v.* The United States. Advanced and assigned for argument on Monday, the 30th instant, after No. 167, on motion of Mr. Assistant Attorney-General Hoyt for the appellee.

No. —. Andrew B. Baird et al., appellants, *v.* The United States. Appeal from the Court of Private Land Claims. Docketed and dismissed on motion of Mr. Assistant Attorney-General Hoyt for the appellee.

No. 337. The United States, appellant, *v.* The Choctaw Nation et al.;

No. 338. The Wichita and affiliated bands of Indians, appellants, *v.* The Choctaw Nation et al.; and

No. 339. The Choctaw Nation et al., appellants, *v.* The United States et al. Motion that the transcript of record herein be returned temporarily to the Court of Claims submitted by Mr. C. C. Binney in support of motion, with leave to file opposition thereto on or before October 16.

No. 410. Clarence W. Hobbs et al., petitioners, *v.* Fred H. Beach. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. Samuel T. Fisher for the petitioner.

No. 303. The Southern Railway Company, plaintiff in error, *v.* The Postal Telegraph Cable Company. Leave granted to file brief in opposition to motion to modify the supersedeas herein on motion of Mr. A. L. Halladay for the plaintiff in error.

No. 287. W. J. Flippin, petitioner, *v.* F. J. Kimball et al., receivers, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. A. L. Halladay, Mr.

Robert Stiles and Mr. Edgar Allan for the petitioner, and by Mr. Joseph I. Doran and Mr. Robert M. Hughes for the respondent.

No. —, Original. The State of Minnesota, complainant, *v.* E. A. Hitchcock, Secretary of the Interior, et al. Motion for leave to file bill of complaint submitted by Mr. C. K. Davis for the complainant.

No. 43. Charles U. Cotting et al., appellants, *v.* A. A. Godard, attorney-general, etc. Assigned for argument on the 30th instant after the cases already set down for that day on motion of Mr. A. H. Horton for the appellants.

No. 101 of 1898. Sarah Williams, plaintiff in error, *v.* The State of Georgia. Motion to reinstate this case on the docket submitted by Mr. F. Snowden Hill in behalf of counsel for the plaintiff in error.

No. 417. The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, petitioner, *v.* Henry M. Narramore. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Holmes Conrad in behalf of Mr. Judson Harmon for the petitioner, and by Mr. Charles M. Cist for the respondent.

No. 259. The Cincinnati, Hamilton and Dayton Railroad Company, plaintiff in error, *v.* Benj. F. Thiebaud, administrator, etc. Motion to advance submitted by Mr. Holmes Conrad in behalf of counsel.

No. 12. The Mutual Life Insurance Company of New York, petitioner, *v.* Nellie Phinney, executrix, etc. Passed subject to the provisions of section 9, rule 26, on motion of Mr. Edward Lyman Short for petitioner.

No. 386. M. Bolles & Co., petitioners, *v.* The County of Perry. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. George A. Sanders for the petitioners, and by Mr. Samuel P. Wheeler for the respondent.

No. 36. Chew Hing Lung & Co., petitioners, *v.* John H. Wise, collector, etc. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. A. B. Browne for the petitioners.

No. 26. The Keokuk and Hamilton Bridge Company, plaintiff in error, *v.* The People of the State of Illinois. Assigned for argument on the 30th instant after the cases already set down for that day on motion of Mr. W. D. Davidge for the plaintiff in error.

No. 326. Arthur S. Leland et al., petitioners, *v.* National Cash Register Company. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. William W. Dodge and Mr. F. P. Fish for the petitioner, and by Mr. Lysander Hill for the respondent.

No. 297. L. J. Bryan, as marshal, etc., petitioner, *v.* Louis Bernheimer. Leave granted to file brief in opposition to petition for writ of certiorari herein on motion of Mr. Thomas H. Clark for the respondent.

No. 384. Charles L. Maxwell, plaintiff in error, *v.* George N. Dow, warden, etc. Motion to advance submitted by Mr. L. T. Michener in behalf of counsel for the plaintiff in error.

No. 415. L. Bucki & Son Lumber Company, petitioner, *v.* The Atlantic Lumber Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. J. E. Padgett and Mr. H. Bisbee for the petitioner, and by Mr. R. H. Liggett for the respondent.

No. 394. Pacific Coast Steamship Company, petitioner, *v.* The Bancroft-Whitney Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Thomas B. Reed and Mr. George W. Towle, jr., for the petitioner.

No. 375. James S. Angus et al., executors, etc., petitioners, *v.* William Irvine. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Garret W. McEnerny and Mr. Wm. M. Pierson for the petitioners.

No. 15. Charles Coudert, ancillary executor, etc., plaintiff in error, *v.* The United States. Death of plaintiff in error suggested, and appearance of Paul Fuller, administrator, etc., as plaintiff in error herein filed and entered on motion of Mr. F. R. Coudert, jr., for the plaintiff in error.

No. 225. Shirley T. High et al., appellants, *v.* F. E. Coyne, as collector, etc., et al. Motion for leave to file brief and make oral argument herein on behalf of the Fidelity Deposit and Trust Company submitted by Mr. J. C. Bullitt for the Trust Company.

No. 368. The Bienville Water Supply Company, appellant, *v.* The City of Mobile. Motions to dismiss or affirm submitted by Mr. B. B. Boone and Mr. E. L. Russell in support of motions, and by Mr. D. P. Bestor and Mr. P. H. Clarke in opposition thereto.

No. 10. Henry D. P. Allen, plaintiff in error, *v.* Charles F. Allen et al. Death of Charles F. Allen suggested, and order of publication awarded on motion of Mr. L. E. Payson in behalf of counsel for the plaintiff in error.

No. 16. James T. Simms, appellant, *v.* Hannah T. Simms. Appearance of Charles T. Simms and George T. Brosius, executors of James T. Simms, deceased, as parties appellants herein filed and entered on motion of Mr. L. E. Payson for the appellants.

No. 290. James K. Brown, plaintiff in error, *v.* The State of New Jersey. Motion to advance submitted by Mr. James S. Erwin for the defendant in error.

No. 351. Edward Clifford, appellant, *v.* William Heller, sheriff, etc. Death of William Heller suggested, and appearance of Alexander

McLean, his successor in office, as appellee herein filed and entered on motion of Mr. James S. Erwin for the appellee.

No. 18. S. W. Fordyce et al., receivers, etc., plaintiffs in error, *v. R. L. Trigg*. Submitted on briefs to be filed on or before December 1 next, on motion of Mr. Tracy L. Jeffords in behalf of counsel.

No. 4. Daniel Wiley, plaintiff in error, *v. D. L. Sinkler et al.* Assigned for argument on the 30th instant after the cases already set down for that day.

No. 6. Frances Rebecca Hamilton, plaintiff in error, *v. Grace Abbie B. Rathbone*. Assigned for reargument on the 30th instant after the cases already set down for that day.

No. 15. Paul Fuller, administrator, etc., plaintiff in error, *v. The United States*. Argued by Mr. F. R. Coudert, jr., for the plaintiff in error, and by Mr. Assistant Attorney-General Pradt for the defendant in error.

No. 16. Charles T. Simms et al., executors, etc., appellants, *v. Hannah T. Simms*. Submitted by Mr. L. E. Payson for the appellants, and by Mr. W. H. Barnes for the appellee.

No. 19. May Hays, appellant, *v. The United States*. Argued by Mr. T. P. Catron for the appellant, and by Mr. W. H. Pope for the appellee. Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 11, will be as follows: Nos. 20, 25, 28, 31, 32, 35, 38, 39, 41 and 47.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 11, 1899.

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

Elmer E. Cooley of New York City, and George H. Phelps of Fargo, N. Dak., were admitted to practice.

No. 154. Harper S. Cunningham, appellant, *v.* The United States National Bank et al. Appeal from the supreme court of the Territory of Oklahoma. Dismissed with costs on motion of the appellant.

No. 324. The Yazoo and Mississippi Valley Railroad Company, plaintiff in error, *v.* Wirt Adams, State revenue agent. Motions to dismiss or affirm submitted by Mr. Marcellus Green in support of motions, and by Mr. William D. Guthrie, Mr. James Fentress and Mr. Edward Mayes in opposition thereto.

No. 31. The Anglo-Californian Bank (Limited), appellant, *v.* The Secretary of the Treasury. Ordered that the United States be substituted as the party appellee herein on motion of Mr. William Pinkney Whyte for the appellant.

No. 31. The Anglo-Californian Bank (Limited), appellant, *v.* The United States. Submitted by Mr. William Pinkney Whyte for the appellant, and by Mr. Assistant Attorney-General Hoyt for the appellee, with leave to counsel for appellee to file an additional brief within three days.

No. 41. The Crystal Springs Land and Water Company et al., appellants, *v.* The City of Los Angeles. Passed, subject to the provisions of section 9, rule 26.

No. 20. The United States, appellant, *v.* Luis Maria Ortiz et al. Argued by Mr. Wm. H. Pope for the appellant, and by Mr. T. B. Catron for the appellees.

No. 25. John A. Gordon, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed pursuant to the nineteenth rule.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 12, will be as follows: Nos. 28, 32, 35, 38 (and 39), 47, 48, 49, 50, 14 and 52.

SUPREME COURT OF THE UNITED STATES

THURSDAY, OCTOBER 12, 1899.

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

W. Scott Beebe of Portland, Oreg., and Donald M. Carter of Chicago, Ill., were admitted to practice.

No. 47. Charles E. Bolles, plaintiff in error, *v.* The Outing Company (Limited). Motion to pass case submitted by Mr. Wm. H. Pope in behalf of counsel.

No. 48. James M. Sigafus, plaintiff in error, *v.* Dudley Porter et al. Assigned for argument on the 30th instant after the cases already set down for that day.

No. 28. Theophilus King, adverse claimant, et al., plaintiffs in error, *v.* John A. Cross et al. Argued by Mr. C. H. Hanson for the plaintiffs in error, and by Mr. Wm. R. Tillinghast for the defendants in error.

No. 32. James Knott, petitioner, *v.* Botany Worsted Mills et al. Argument commenced by Mr. J. Parker Kirlin for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 13, will be as follows: Nos. 32, 35, 38 (and 39), 47, 49, 50, 14, 52, 53 and 54.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 13, 1899.

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

Walter T. J. Rose of Los Angeles, Cal., was admitted to practice.

No. 32. James Knott, petitioner, *v.* Botany Worsted Mills et al. Argument continued by Mr. Wilhelmus Mynderse for the respondents, and concluded by Mr. J. Parker Kirlin for the petitioner.

No. 35. The United States, appellant, *v.* Charles P. Elder et al. Argument commenced by Mr. Matthew G. Reynolds for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 16, will be as follows: Nos. 35, 38 (and 39), 47, 49, 50, 14, 52, 53, 54 and 55.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 16, 1899.

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

Edward R. Gunby of Tampa, Fla.; T. S. Smith of Austin, Tex.; R. H. Ward of Austin, Tex.; Walter Malins Rose of San Francisco, Cal.; Francis W. Clements of Washington, D. C.; Eugene E. White of Prescott, Ark.; James J. Macklin of New York City; Frank A. Critz of West Point, Miss.; and Matthew Verner Simpson of Philadelphia, Pa., were admitted to practice.

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

No. —, Original. The State of Minnesota, complainant, *v.* E. A. Hitchcock, Secretary of the Interior, et al. Motion for leave to file bill of complaint granted and subpoenas awarded, returnable on the first Monday of December next.

No. 101 of 1898. Sarah Williams, plaintiff in error, *v.* The State of Georgia. Motion to reinstate this case on the docket denied.

No. 225. Shirley T. High et al., appellants, *v.* F. E. Coyne, as collector, etc., et al. Petition of the Fidelity Insurance, Trust and Safe Deposit Company for permission to be heard in the oral argument of this case denied, but leave granted it to file a printed brief herein.

No. 259. The Cincinnati, Hamilton and Dayton Railroad Company, plaintiff in error, *v.* B. F. Thiebaud, administrator, etc. Motion to advance denied.

No. 290. James K. Brown, plaintiff in error, *v.* The State of New Jersey. Motion to advance granted and cause assigned for argument on Monday, the 30th instant, at the head of the call for that day.

No. 384. Charles L. Maxwell, plaintiff in error, *v.* George N. Dow, warden, etc. Motion to advance granted and cause assigned for argument on Monday, December 4, next, at the head of the call for that day.

No. 287. W. J. Flippin, petitioner, *v.* F. J. Kimball et al., receivers, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 326. Arthur S. Leland, petitioner, *v.* National Cash Register Company. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit denied.

No. 386. M. Bolles & Co., petitioners, *v.* The County of Perry. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 415. L. Bucki & Son Lumber Company, petitioner, *v.* The Atlantic Lumber Company. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 417. The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, petitioner, *v.* Henry M. Narramore. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 394. Pacific Coast Steamship Company, petitioner, *v.* The Bancroft-Whitney Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit granted.

No. 324. The Yazoo and Mississippi Valley Railroad Company, plaintiff in error, *v.* Wirt Adams, State revenue agent. Motions to dismiss or affirm postponed to the hearing of the case on its merits.

No. 53. The United States, appellant, *v.* The Tennessee and Coosa Railroad Company et al. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. Assistant Attorney-General Boyd for the appellant.

No. 52. William A. Brady, plaintiff in error, *v.* Augustin Daly. Death of defendant in error suggested, and appearance of Joseph F. Daly and Richard Dorney, executors, and Mary D. Daly, executrix, of Augustin Daly, deceased, as defendants in error herein filed and entered on motion of Mr. Stephen H. Olin for the defendants in error.

No. 98. Annie R. Kean, plaintiff in error, *v.* Edward Roby et al. Motion to require defendants in error to pay for printing parts of record and for a continuance submitted by Mr. William F. Fennell in support of motion, and by Mr. W. H. H. Miller and Mr. Edward Roby in opposition thereto.

No. 98. Annie R. Kean, plaintiff in error, *v.* Edward Roby et al. Death of Jacob and Caroline M. Forsyth, two of the defendants in error herein, suggested, and appearance of Annie K. Fisher, Robert Clarke Forsyth, Hattie O. Forsyth, Carrie C. Forsyth, Oliver O. Forsyth, Sarah L. Forsyth, John J. Forsyth, George W. Forsyth, and Henry P. Forsyth, heirs at law, and Oliver O. Forsyth and J. J. Forsyth, administrators, of Caroline M. Forsyth, deceased, filed and entered on motion of Mr. W. H. H. Miller for defendants in error.

No. 152. De Lamar's Nevada Gold Mining Company, plaintiff in error, *v.* James Nesbitt. Motions to dismiss or affirm submitted by Mr. W. A. Johnston in support of motion, and by Mr. W. M. Stewart and Mr. J. H. Ralston in opposition thereto.

No. —, Original. The State of Louisiana, complainant, *v.* The State of Texas. Motion for leave to file a bill of complaint submitted by Mr. E. H. Farrar in behalf of counsel.

No. 421. The Fidelity Trust and Safety Vault Company of Louisville, petitioner, *v.* Lawrence County, Tennessee. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Holmes Conrad in behalf of Mr. J. M. Dickinson for the petitioner, and by Mr. E. H. East for the respondent.

No. 402. William Boyle, plaintiff in error, *v.* Bartlett Sinclair. Motion to advance submitted by Mr. William A. Maury for the plaintiff in error.

No. 244. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent. Motion to advance submitted by Mr. R. C. Beckett for the defendant in error in support of motion, and by Mr. Wm. D. Guthrie for the plaintiffs in error in opposition thereto, with leave to Mr. Beckett to file an additional brief by Thursday next.

No. 303. The Southern Railway Company, plaintiff in error, *v.* The Postal Telegraph Cable Company. Motion to dismiss submitted by Mr. J. R. McIntosh in support of motion, and by Mr. A. L. Holladay and Mr. Robert Stiles in opposition thereto.

No. 393. Henry Bollu, plaintiff in error, *v.* The State of Nebraska. Motion to advance submitted by Mr. John Wharton Clark in behalf of counsel.

No. 409. James Holly, petitioner, *v.* The Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Matthew Verner Simpson, Mr. Cephas Brainerd and Mr. John G. Johnson for the petitioner, and by Mr. Julien T. Davies for the respondents.

No. 423. Henry Minch, petitioner, *v.* The Steam Tug Victoria, etc., et al. ;

No. 424. Frederick Zorn et al., petitioners, *v.* The Steam Tug Victoria, etc. ; and

No. 425. Patrick Hines, petitioner, *v.* The Steam Tug Victoria, etc., et al. Petition for writs of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. R. D. Benedict for the petitioners, and by Mr. James J. Macklin for the respondents.

No. 322. Anthony F. Seeberger et al., plaintiffs in error, *v.* Leander J. McCormick. Submitted pursuant to the twentieth rule by Mr. H. T. Gilbert for the plaintiffs in error, and by Mr. A. M. Pence for the defendant in error.

No. 197. The Board of Supervisors of Presque Isle County, plaintiff in error, *v.* William J. Ashley. Motion to dismiss submitted by Mr. C. E. Warner in support of motion, and by Mr. H. M. Duffield in opposition thereto.

No. 35. The United States, appellant, *v.* Clarence P. Elder et al. Argument continued by Mr. T. B. Catron for the appellees, and concluded by Mr. Matthew G. Reynolds for the appellant.

No. 47. Charles E. Bolles, plaintiff in error, *v.* The Outing Company (Limited). Motion to pass denied and cause submitted with leave to counsel to file briefs within ten days.

No. 49. Gilmore G. Scranton, plaintiff in error, *v.* Eben S. Wheeler. Argued by Mr. John C. Donnelly and Mr. H. P. Davock for the plaintiff in error, and by Mr. Robert A. Howard for the defendant in error.

Nos. 38 and 39. The United States, appellant, *v.* J. Francisco Chavez et al. Argument commenced by Mr. W. H. Pope for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 17, will be as follows: Nos. 38 (and 39), 50, 14, 52, 54, 55, 56, 57, 58 and 59.



SUPREME COURT OF THE UNITED STATES

TUESDAY, OCTOBER 17, 1899.

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

David Gerber of New York City was admitted to practice.

No. 57. *Morris Keim, appellant, v. The United States.* Passed, subject to the provisions of section 9, rule 26, per stipulation of counsel.

Nos. 38 and 39. *The United States, appellant, v. J. Francisco Chavez et al.* Argument continued by Mr. Frank W. Clancy for the appellees, and concluded by Mr. Wm. H. Pope for the appellant.

No. 50. *S. Endicott Peabody, appellant, v. The United States.* Argued by Mr. Frank W. Clancy for the appellant, and by Mr. Matthew G. Reynolds for the appellee.

No. 14. *J. Francisco Chavez, appellant, v. The United States.* Argument commenced by Mr. Frank W. Clancy for the appellant, and continued by Mr. Matthew G. Reynolds for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 18, will be as follows: Nos. 14, 52, 54, 55, 56, 58, 59, 60, 61 and 62 (and 63, 64 and 66).



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 18, 1899.

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

James B. Kerr of Madison, Wis., and Jonathan Palmer, jr., of Detroit, Mich., were admitted to practice.

No. 70. The Telluride Power Transmission Company et al., plaintiffs in error, *v.* The Rio Grande Western Railway Company. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. Duane E. Fox in behalf of counsel.

No. 14. J. Francisco Chavez, appellant, *v.* The United States. Argument concluded by Mr. Frank W. Clancy for the appellant.

No. 52. William A. Brady, plaintiff in error, *v.* Joseph F. Daly et al., executors, etc. Argued by Mr. David Gerber for the plaintiff in error, and by Mr. Stephen H. Olin for the defendants in error.

No. 54. W. H. Blackburn, plaintiff in error, *v.* The Portland Gold Mining Company. Argued by Mr. W. H. Bryant for the defendant in error, and submitted by Mr. Charles J. Hughes for the plaintiff in error, with leave to counsel for plaintiff in error to file an additional brief within twenty days.

No. 55. John H. Scudder, administrator, etc., plaintiff in error, *v.* The Comptroller of the City and County of New York. Ordered by the court that Bird S. Coler, as comptroller, etc., be made the party defendant in error herein.

No. 55. John H. Scudder, administrator, etc., plaintiff in error, *v.* Bird S. Coler, Comptroller of the City and County of New York. Argued by Mr. J. Culbert Palmer for the plaintiff in error, and by Mr. Emmet R. Olcott for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 19, will be as follows: Nos. 56, 58, 59, 60, 61, 62 (and 63, 64 and 66), 65, 67 and 68, and 69.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 19, 1899.

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

Orla B. Taylor of Detroit, Mich., was admitted to practice.

No. 248. Wm. Crawford, appellant, *v.* Wm. L. Hubbell, treasurer of Adams Express Company. Leave granted to counsel for Wells, Fargo & Co. to file brief herein on motion of Mr. A. B. Browne in behalf of counsel, and motion for leave to make oral argument denied.

No. 56. The Erie and Western Transportation Company et al., petitioners, *v.* The Union Steamboat Company, claimant, etc. Argued by Mr. F. H. Canfield and Mr. Harvey D. Goulder for the petitioners, and by Mr. H. C. Wisner and Mr. C. E. Kremer for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 20, will be as follows: Nos. 58, 59, 60, 61, 62 (and 63, 64 and 66), 65, 67, 68, 69 and 71.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 20, 1899.

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

George Sutherland of Salt Lake City, Utah; Emmett Callahan of Butte, Mont., and W. E. Borah of Boise, Idaho, were admitted to practice.

No. 60. Francis C. Watson, plaintiff in error, *v.* The State of Rhode Island. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. D. A. Gourick for the plaintiff in error.

No. 58. David Armstrong, receiver, appellant, *v.* The Chemical National Bank of New York. Resignation of David Armstrong as receiver suggested, and appearance of J. Frank Aldrich, his successor in office, as the party appellant herein, filed and entered on motion of Mr. F. F. Oldham for the appellant.

No. 58. J. Frank Aldrich, receiver, appellant, *v.* The Chemical National Bank of New York. Argued by Mr. F. F. Oldham and Mr. John W. Herron for the appellant, and by Mr. George H. Yeaman and Mr. William Worthington for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 23, will be as follows: Nos. 59, 61, 62 (and 63, 64 and 66), 65, 67, 68, 69, 71, 72 and 73 (and 74).

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 23, 1899.

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

Joseph R. Patton of San Jose, Cal.; George W. Buffington of Minneapolis, Minn.; Lester O. Goddard of Chicago, Ill.; George Shirts of Noblesville, Ind.; Samuel H. Hays of Boise, Idaho; A. E. L. Leckie of Washington, D. C.; Edward Winterer of Valley City, N. Dak.; H. V. Morehouse of San Jose, Cal.; Wm. Marshall Bullett of Louisville, Ky.; George C. Fraser of Washington, D. C., and C. N. Bovee, jr., of New York City were admitted to practice.

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

No. 303 of 1898. Charles E. Pope, receiver, etc., appellant, *v.* The Louisville, New Albany and Chicago Railway Company. Petition for rehearing denied.

No. 337. The United States, appellant, *v.* The Choctaw Nation et al.;

No. 338. The Wichita Indians et al., appellants, *v.* The Choctaw Nation et al.; and

No. 339. The Choctaw Nation et al., appellants, *v.* The United States et al. Motion for an order allowing the transcript of record in these cases to be temporarily returned to the Court of Claims denied, but leave granted to the United States to produce at the argument or put in print the original maps or any copies thereof referred to in the motion of the Solicitor-General.

No. 98. Annie R. Kean, plaintiff in error, *v.* Edward Roby et al. Motion to require defendants in error to advance the cost of printing the parts of the transcript of record designated by them denied, and motion to continue cause until the next term denied.

No. 393. Henry Bollu, plaintiff in error, *v.* The State of Nebraska. Motion to advance granted and cause assigned for argument on Monday, December 4, after the case already set down for that day.

No. 402. William Boyle, plaintiff in error, *v.* Bartlett Sinclair. Motion to advance denied.

No. 153. Willis Thorp, plaintiff in error, *v. S. A. Boninfield et al.* Motion to dismiss postponed to the hearing of the cause on its merits.

No. 197. The Board of Supervisors of Presque Isle County, plaintiff in error, *v. William J. Ashley.* Motion to dismiss postponed to the hearing of the cause on its merits.

No. 270. The Appleton Water Works Company et al., petitioners, *v. The Central Trust Company of New York.* Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 297. L. J. Bryan, as marshal, etc., petitioner, *v. Louis Bernheimer.* Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit granted.

No. 410. Clarence W. Hobbs et al., petitioners, *v. Fred H. Beach.* Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit granted.

No. 409. James Holly, petitioner, *v. The Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 375. James S. Angus et al., petitioners, *v. William Irvine.* Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 421. The Fidelity Trust and Safety Vault Company of Louisville, petitioner, *v. Lawrence County, Tennessee.* Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 423. Henry Minch, petitioner, *v. The Steam Tug Victoria, etc.;*

No. 424. Frederick Zorn et al., petitioners, *v. The Steam Tug Victoria, etc.;* and

No. 425. Patrick Hines, petitioner, *v. The Steam Tug Victoria, etc.* Petition for writs of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 244. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v. Wirt Adams, State revenue agent.* Motion to advance denied.

No. 225. Shirley T. High et al., appellants, *v. F. E. Coyne, as collector, etc.* Reassigned for Monday, December 4, after the cases already set down for that day, on motion of Mr. Assistant Attorney-General Boyd for the appellee.

No. 408. The United States, appellant, *v. The Northern Pacific Railroad Company et al.* Advanced for argument with No. 121 as one case, on motion of Mr. Assistant Attorney-General Boyd for the appellant.

No. 430. The Huguley Manufacturing Company et al., petitioners, *v.* The Galeton Cotton Mills et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. E. H. Farrar, Mr. B. F. Jonas, Mr. E. B. Kruttschnitt and Mr. John M. Chilton for the petitioners.

No. 431. James H. Bacon, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. George Sutherland, Mr. J. R. Custer and Mr. Lester O. Goddard for the petitioner, with leave to Mr. Assistant Attorney-General Boyd to file brief for the respondent within three days.

No. 420. Emma S. Fayerweather et al., petitioners, *v.* The Trustees of Amherst College et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. William Blaikie and Mr. Roger M. Sherman for the petitioners, and by Mr. C. N. Bovee, jr., Mr. James L. Bishop and Mr. John E. Parsons for the respondents.

No. 413. The Knights Templars and Masons' Life Indemnity Company, petitioner, *v.* Carrie E. Converse. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. A. B. Browne in behalf of Mr. Charles H. Aldrich for the petitioner, and by Mr. John S. Cooper for the respondent.

No. 290. James K. Brown, plaintiff in error, *v.* The State of New Jersey. Motion for leave to proceed in forma pauperis submitted by Mr. A. B. Browne in behalf of counsel.

No. 331. The Singer Manufacturing Company, petitioner, *v.* Herman Cramer. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. C. K. Offield, Mr. C. C. Linthicum and Mr. M. A. Wheaton for the petitioner, and by Mr. John H. Miller for the respondent.

No. 414. Lizzie Stearns Bleecker et al., petitioners, *v.* The Steamship Kensington, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Roger Foster for the petitioners, and by Mr. Henry G. Ward for the respondent.

No. 407. Frank R. Chandler, trustee and executor, etc., et al., petitioners, *v.* Josephine Pomeroy et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. William A. McKenney in behalf of Mr. C. C. Bonney for the petitioners, and by Mr. John G. Johnson and Mr. George Baldwin Newell for the respondents.

No. 403. Eliza W. Patrick, petitioner, *v.* Frank L. Underwood. Petition for a writ of certiorari to the United States circuit court of appeals

for the eighth circuit submitted by Mr. R. W. Breckenridge and Mr. Charles J. Greene for the petitioner, and by Mr. C. H. Toll and Mr. D. V. Burns for the respondent.

No. 73. The United States, petitioner, *v.* E. A. Morrison & Son; and

No. 74. The United States, petitioner, *v.* H. Wolff & Co. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. Assistant Attorney-General Hoyt for the petitioner.

No. —, Original. The State of Louisiana, complainant, *v.* The State of Texas et al. Motion for leave to file bill of complaint herein argued by Mr. E. H. Farrar for the complainant, and by Mr. T. S. Smith and Mr. R. H. Ward for the defendants.

No. 6, Original. The State of Louisiana, complainant, *v.* The State of Texas et al. Ordered that leave be granted to file bill of complaint; that a subpoena issue returnable forthwith; that the defendant be granted leave to file such pleadings as they may be advised to raise the question of jurisdiction of this court; that complainant be allowed to put such pleadings at issue, and that the cause be submitted on said question of jurisdiction on the printed briefs heretofore submitted and oral arguments of counsel and such additional briefs of counsel as may be submitted.

No. 59. The United States, appellant, *v.* John R. Gleason et al. Argument commenced by Mr. George Hines Gorman for the appellant, and continued by Mr. H. N. Low for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 24, will be as follows: Nos. 59, 61, 62 (and 63, 64 and 66), 65, 67, 68, 69, 71, 72 and 75.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 24, 1899.

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

William Milchrist of Sioux City, Iowa, and Eugene A. Hawkins, jr., of Galveston, Tex., were admitted to practice.

No. 290. James K. Brown, plaintiff in error, *v.* The State of New Jersey. Motion for leave to proceed in forma pauperis and that record be printed at public expense granted.

No. 6, Original. The State of Louisiana, complainant, *v.* The State of Texas et al. Service of subpœna waived, appearance for the defendants entered, and demurrer filed on motion of Mr. T. S. Smith for the defendants.

No. 6, Original. The State of Louisiana, complainant, *v.* The State of Texas et al. Submitted on demurrer by Mr. Milton J. Cunningham, Mr. Edgar H. Farrar, Mr. Benjamin F. Jonas, Mr. Ernest B. Krutt-schnitt and Mr. E. Howard McCabb for the complainant, and by Mr. Thomas S. Smith and Mr. Robert H. Ward for the defendants, with leave to file additional briefs on or before Friday next.

No. 75. The Township of Garfield et al., plaintiffs in error, *v.* Lewis A. Riley. In error to the supreme court of the State of Kansas. Dis-missed with costs pursuant to the tenth rule.

No. 59. The United States, appellant, *v.* John R. Gleason et al. Argu-ment continued by Mr. H. N. Low and Mr. Temple Bodley for the appellees, and concluded by Mr. George Hines Gorman for the appellant.

No. 61. The Northern Pacific Railroad Company, plaintiff in error, *v.* Maria Amacker et al. Argued by Mr. James B. Kerr for the plaintiff in error. No counsel appeared for the defendants in error.

No. 62. The Chicago, Milwaukee and St. Paul Railway Company, petitioner, *v.* C. H. Bosworth, receiver, etc., et al. ;

No. 63. The Huntting Elevator Company, petitioner, *v.* C. H. Bos-worth, receiver, etc., et al. ;

No. 64. Jacob Rau, petitioner, *v.* C. H. Bosworth, receiver, etc., et al.; and

No. 66. C. H. Bosworth, receiver, etc., petitioner, *v.* The Carr, Ryder & Engler Company. Argument commenced by Mr. Burton Hanson for petitioners in Nos. 62, 63 and 64 and respondent in No. 66, and continued by Mr. Bluford Wilson for respondents in Nos. 62, 63 and 64 and petitioner in No. 66.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 25, will be as follows: Nos. 62 (and 63, 64 and 66), 65, 67, 68, 69, 71, 72, 76, 77 and 78.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 25, 1899.

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

Samuel Cole Williams of Johnson City, Tenn., was admitted to practice.

No. 62. The Chicago, Milwaukee and St. Paul Railway Company, petitioner, *v.* C. H. Bosworth, receiver, etc., et al. ;

No. 63. The Hunting Elevator Company, petitioner, *v.* C. H. Bosworth, receiver, etc., et al. ; and

No. 64. Jacob Rau, petitioner, *v.* C. H. Bosworth, receiver, etc., et al. ; and

No. 66. C. H. Bosworth, receiver, etc., petitioner, *v.* The Carr, Ryder & Engler Company. Argument concluded by Mr. Bluford Wilson for Bosworth, receiver, etc., et al.

No. 105. C. P. Huntington, special receiver, appellant, *v.* John B. Laidley et al. Death of John B. Laidley, one of the defendants in error herein, suggested, and the appearance of W. K. Cowden, administrator, etc., as a party defendant in error in this cause filed and entered on motion of Mr. Holmes Conrad for the administrator.

No. 65. The City of New Orleans et al., appellants, *v.* Mary G. T. Stempel et al. Argued by Mr. F. C. Zacharie for the appellants, and by Mr. E. Howard McCaleb for the appellees.

No. 67. John F. Maloney, appellant, *v.* O. H. Adsit. Argument commenced by Mr. L. T. Michener for the appellant, and continued by Mr. S. M. Stockslager for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 26, will be as follows: Nos. 67, 69, 71, 72, 76, 77, 78, 79 and 80.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 26; 1899.

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

William Kernan of Utica, N. Y., and John B. Cockrum of Indianapolis, Ind., were admitted to practice.

No. 67. John F. Maloney, appellant, *v.* O. H. Adsit. Argument concluded by Mr. L. T. Michener for the appellant.

No. 68. The Arkansas Building and Loan Association, appellant, *v.* J. W. Madden, secretary of state. Submitted by Mr. F. E. Albright for the appellant, and by Mr. M. M. Crane for the appellee.

No. 69. The Canada Sugar Refining Company, Limited, petitioner, *v.* The Insurance Company of North America. Argued by Mr. Wilhelmus Mynderse for the petitioner, and by Mr. Clifford A. Hand for the respondent.

No. 71. Hosea B. Tullis, plaintiff in error, *v.* The Lake Erie and Western Railroad Company. Argument commenced by Mr. W. H. Miller for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 27, will be as follows: Nos. 71, 72, 76, 77, 78, 79 and 80.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 27, 1899.

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

John C. Pollock of Winfield, Kans., was admitted to practice.

No. 71. Hosea B. Tullis, plaintiff in error, *v.* The Lake Erie and Western Railroad Company. Argument concluded by Mr. W. H. H. Miller for the defendant in error, and submitted by Mr. Addison C. Harris for the plaintiff in error.

No. 72. The United States, appellant, *v.* Antonio Serafin Pena et al. Submitted by Mr. Attorney-General, Mr. Solicitor-General and Mr. Matthew G. Reynolds for the appellant, and by Mr. E. L. Bartlett and Mr. T. B. Catron for the appellees.

No. 76. Joseph Bradfield, appellant, *v.* Ellis H. Roberts, Treasurer of the United States. Argued by Mr. Joseph Bradfield in propria persona, and by Mr. Assistant Attorney-General Hoyt for the appellee.

No. 77. Norman Markuson, appellant, *v.* N. F. Boucher, warden, etc. Argued by Mr. Edward Winterer for the appellee, and submitted by Mr. C. D. O'Brien for the appellant.

No. 78. The Missouri, Kansas and Texas Railway Company of Texas, plaintiff in error, *v.* J. M. Evans. Argued by Mr. James Hagerman for the plaintiff in error, and by Mr. Rush Taggart for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 30, will be as follows: Nos. 290, 179, 164, 131, 40, 21, 106, 115, 122 and 127.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 30, 1899.

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

J. Parker of New York City and N. H. Loomis of Topeka, Kans., were admitted to practice.

No. 45. The De La Vergne Refrigerating Machine Company, petitioner, *v.* The German Savings Institution et al. On writ of certiorari to the United States circuit court of appeals for the eighth circuit. Judgment of the said United States circuit court of appeals and the judgment of the circuit court of the United States for the eastern district of Missouri reversed with costs, and cause remanded to the said circuit court, with directions to grant a new trial. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Brewer and Mr. Justice McKenna.

No. 13. The United States, appellant, *v.* Maria de la Paz Valdez de Conway et al. Appeal from the Court of Private Land Claims. Decree reversed, and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Shiras and Mr. Justice White.

No. 17. The Town of Real de Dolores del Oro et al., appellants, *v.* The United States et al. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Shiras and Mr. Justice White.

No. 1. Santiago Ainsa, administrator, etc., appellant, *v.* The New Mexico and Arizona Railroad Company. Appeal from the supreme court of the Territory of Arizona. Decree reversed with costs, and cause remanded for further proceedings. Opinion by Mr. Justice Gray. Dissenting: Mr. Chief Justice Fuller.

No. 2. Santiago Ainsa, administrator, etc., appellant, *v.* The New Mexico and Arizona Railroad Company et al. Appeal from the supreme court of the Territory of Arizona. Decree reversed with costs, and cause remanded for further proceedings. Opinion by Mr. Justice Gray. Dissenting: Mr. Chief Justice Fuller.

No. 7. Ray W. Jones, appellant, *v.* Patrick Meehan et al. Appeal from the circuit court of the United States for the district of Minnesota. Decree affirmed with costs. Opinion by Mr. Justice Gray.

No. 55. John H. Scudder, administrator, etc., plaintiff in error, *v.* Bird S. Coler, comptroller of the city and county of New York. In error to the surrogate's court of the county of New York, State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Gray.

No. 420. Emma S. Fayerweather et al., petitioners, *v.* The Trustees of Amherst College et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied. Announced by Mr. Justice Harlan. (The Chief Justice took no part in the decision upon this petition.)

No. 31. The Anglo-Californian Bank (Limited), appellant, *v.* The United States. Appeal from the United States circuit court of appeals for the ninth circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

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

No. 113 of 1898. Thomas M. Adams et al., administrators, etc., petitioners, *v.* Benjamin R. Cowen et al., trustees. Petition for a rehearing granted. Decree of May 22, 1899, vacated and set aside, and cause restored to the docket and assigned for argument on Monday, January 8 next, but the case may be submitted on printed briefs at any time prior to that day if counsel shall be so advised.

No. 356 of 1898. Samuel H. Stone, auditor, etc., et al., appellants, *v.* The President, etc., of the Bank of Kentucky ;

No. 357 of 1898. The City of Louisville, appellant, *v.* The President, etc., of the Bank of Kentucky ;

No. 360 of 1898. Samuel H. Stone, auditor, etc., et al., appellants, *v.* The Louisville Banking Company ;

No. 361 of 1898. The City of Louisville, appellant, *v.* The Louisville Banking Company ;

No. 385 of 1898. Samuel H. Stone, auditor, etc., et al., appellants, *v.* The Farmers' Bank of Kentucky ; and

No. 387 of 1898. Samuel H. Stone, auditor, etc., et al., appellants, *v.* The Deposit Bank of Frankfort. Petition for a rehearing denied.

No. 303. The Southern Railway Company, plaintiff in error, *v.* The Postal Telegraph Cable Company. Motion to dismiss denied, but supercedes on the writ of error vacated.

No. 331. The Singer Manufacturing Company, petitioner, *v.* Herman Cramer. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 403. Eliza W. Patrick, petitioner, *v.* Frank L. Underwood. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 407. Frank R. Chandler, trustee and executor, etc., et al., petitioners, *v.* Josephine Pomeroy et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 413. The Knights Templars and Masons' Life Indemnity Company, petitioner, *v.* Carrie E. Converse. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 414. Lizzie Stearns Bleecker et al., petitioners, *v.* The Steamship Kensington, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 430. The Huguley Manufacturing Company et al., petitioners, *v.* The Galeton Cotton Mills et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 21. The United States, appellant, *v.* The Bellingham Bay Boom Company. Reassigned for argument on Monday, December 4 next, after the cases already set down for that day, on motion of Mr. Assistant Attorney-General Boyd for appellant.

No. 427. The Carnegie Steel Company, Limited, petitioner, *v.* The Cambria Iron Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Thomas B. Reed and Mr. P. C. Knox for the petitioner, and by Mr. James I. Kay, Mr. Francis T. Chambers and Mr. Philip T. Dodge for the respondent.

No. 369. The Board of Liquidation of the City Debt, plaintiff in error, *v.* The State of Louisiana, on the relation of Miss Lucretia B. Wilder et al.; and

No. 377. The Drainage Commission of New Orleans, plaintiff in error, *v.* Miss Lucretia B. Wilder et al. Motions to dismiss or affirm submitted by Mr. E. H. Farrar in behalf of Mr. H. L. Lazarus in support of motions, and by Mr. Branch K. Miller and Mr. W. W. Howe in opposition, with leave to Mr. Howe to file additional brief within ten days.

No. 253. Ada F. McBonnell, plaintiff in error, *v.* Llewellyn Jordan. Motion to dismiss submitted by Mr. H. J. May and Mr. R. W. Walker in support of motion, and by Mr. Wm. Richardson and Mr. Lawrence Cooper in opposition thereto.

No. —, Original. *Ex parte*: In the matter of C. G. Blake et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. H. J. May for the petitioner, and by Mr. John W. Green in opposition.

No. 389. The Eastern Oregon Land Company, petitioner, *v.* T. J. Cole et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Calderon Carlisle in behalf of Mr. James K. Kelly for the petitioner.

No. 433. The Central Thompson-Houston Company, petitioner, *v.* The Kentucky and Indiana Bridge Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Calderon Carlisle in behalf of Mr. James P. Helm and Mr. Helm Bruce for the petitioner, and by Mr. Alexr. Pope Humphrey and Mr. Geo. M. Davie for the respondents.

No. 411. James M. Ludden, plaintiff in error, *v.* Walker Winston. Motion to advance submitted by Mr. R. C. Garland in behalf of counsel.

No. 416. Simon F. Mackie, appellant, *v.* Brickyard Gold Mining Company et al. Appeal from the circuit court of the United States for the district of Utah. Dismissed, each party to pay its own costs, on motion of Mr. S. M. Stockslager for the appellees.

No. 334. James H. Mills, receiver, petitioner, *v.* The City of Helena. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. A. B. Browne in behalf of Mr. John C. Clayberg and Mr. T. H. Carter for the petitioner.

No. 133. G. W. Boyd et al., appellants, *v.* J. L. Sweet, county treasurer, et al. Motion to dismiss submitted by Mr. Frederick C. Bryan and Mr. Harper S. Cunningham in support of motion.

No. 179. Robert L. Taylor et al., appellants, *v.* The Nashville, Chattanooga and St. Louis Railway. Appeal from the circuit court of the United States for the middle district of Tennessee. Dismissed, per stipulation, on motion of Mr. J. M. Dickinson for the appellee.

No. 290. James K. Brown, plaintiff in error, *v.* The State of New Jersey. Argued by Mr. Wm. D. Daly for the plaintiff in error, and by Mr. James S. Erwin for the defendant in error.

No. 164. J. W. Cumming et al., plaintiffs in error, *v.* The County Board of Education of Richmond County, Ga. Argued by Mr. George F. Edmunds for the plaintiffs in error, and by Mr. J. Ganahl and Mr. Frank H. Miller for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 31, will be as follows: Nos. 131, 40, 106, 115, 122, 127, 156, 167, 395 and 396.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 31, 1899.

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

No. 419. Jacob Gardner et al., plaintiffs in error, *v.* Ebenezer Warmouth. Death of Ebenezer Warmouth suggested, and appearance of Louis H. Bonestell, executor of Ebenezer Warmouth, deceased, as the party defendant in error herein filed and entered on motion of Mr. Frederic D. McKenney for the defendant in error.

No. 419. Jacob Gardner et al., plaintiffs in error, *v.* Louis H. Bonestell, executor, etc. Motions to dismiss or affirm submitted by Mr. Frederic D. McKenney and Mr. Alfred L. Black in support of motions, and by Mr. George W. Monteith in opposition thereto.

No. 131. The Chicago, Milwaukee and St. Paul Railway Company, appellant, *v.* William H. Tompkins et al., as the board of railroad commissioners, etc. Argument commenced by Mr. A. B. Kittredge for the appellant, and continued by Mr. T. H. Null and Mr. John L. Pyle for the appellees, and by Mr. George R. Peck for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 1, will be as follows: Nos. 131, 40, 106, 115, 122, 127, 156, 167, 395 and 396.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 1, 1899.

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

Shelby S. Pleasants of Huntsville, Ala., and Angus Roy Shannon of Chicago, Ill., were admitted to practice.

No. 129. The Dayton Traction Company, plaintiff in error, *v.* Amy R. Campbell. In error to the circuit court of the United States for the southern district of Ohio. Dismissed with costs on motion of counsel for plaintiff in error.

No. 131. The Chicago, Milwaukee and St. Paul Railway Company, appellant, *v.* William H. Tompkins et al., as the board of railroad commissioners, etc. Argument concluded by Mr. Geo. R. Peck for the appellant.

No. 40. Frank M. Rider et al., plaintiffs in error, *v.* The United States. Argued by Mr. F. H. Southard and Mr. S. M. Winn for the plaintiffs in error, and by Mr. George Hines Gorman for the defendant in error.

No. 106. The Steamship Buena Ventura, etc., appellant, *v.* The United States. Argument commenced by Mr. J. Parker Kirlin for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 2, will be as follows: Nos. 106, 115, 122, 127, 156, 167, 395, 396, 248 and 220.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 2, 1899.

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

Eugene G. Hay of Minneapolis, Minn., was admitted to practice.

No. 106. The Steamship Buena Ventura, etc., appellant, *v.* The United States. Argument continued by Mr. J. Parker Kirlin for the appellant, by Mr. Assistant Attorney-General Hoyt for the appellee, and concluded by Mr. J. Parker Kirlin for the appellant.

No. 115. The Steamer Pedro, etc., appellant, *v.* The United States. Argument commenced by Mr. Wilhelmus Mynderse for the appellant, and continued by Mr. James H. Hayden for the captors.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 3, will be as follows: Nos. 115, 122, 127, 156, 167, 395, 396, 248, 220 and 186.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 3, 1899.

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

No. 115. The Steamer Pedro, etc., appellant, *v.* The United States. Argument continued by Mr. James H. Hayden for the captors, and concluded by Mr. Wilhelmus Mynderse for the appellant.

No. 122. The Steamer Guido, etc., appellant, *v.* The United States. Argued by Mr. Wilhelmus Mynderse for the appellant, and by Mr. James H. Hayden for the captors.

No. 127. The Steamship Panama, etc., appellant, *v.* The United States. Argued by Mr. J. Parker Kirlin for the appellant, and by Mr. Assistant Attorney-General Hoyt for the appellee.

No. 156. James A. Farquhar, owner, etc., appellant, *v.* The United States. Argument commenced by Mr. Theodore G. Barker for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 6, will be as follows: Nos. 156, 167, 395, 396, 248, 220, 186, 232, 268 and 43.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 6, 1899.

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

Robert Wesley Wells of Washington, D. C., Harvey L. Christie of St. Louis, Mo., and S. Christy Mead of New York City were admitted to practice.

No. 5. The Hartford Fire Insurance Company et al., plaintiffs in error, *v.* The Chicago, Milwaukee and St. Paul Railway Company. On writ of certiorari 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 northern district of Iowa. Opinion by Mr. Justice Gray.

No. 368. The Bicville Water Supply Company, appellant, *v.* The City of Mobile. Appeal from the circuit court of the United States for the southern district of Alabama. Decree affirmed with costs. Opinion by Mr. Chief Justice Fuller.

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

No. 431. James H. Bacon, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 253. Ada F. McDonnell, plaintiff in error, *v.* Llewellyn Jordan. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 334. James H. Mills, receiver, petitioner, *v.* The City of Helena. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 411. James H. Ludden, plaintiff in error, *v.* Walker Winston. Motion to advance denied.

No. 433. The Central Thompson-Houston Company, petitioner, *v.* The Kentucky and Indiana Bridge Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 419. Jacob Gardner et al., plaintiffs in error, *v.* Louis H. Bonestell, executor, etc. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 59. The United States, appellant, *v.* John R. Gleason et al. Restored to the docket for reargument on Monday, December 4 next, after the cases already set down for that day.

No. 133. G. W. Boyd et al., appellants, *v.* J. L. Sweet, county treasurer, etc. Motion to dismiss postponed to the hearing of the case on its merits.

No. 78. The Missouri, Kansas and Texas Railway Company of Texas, plaintiff in error, *v.* J. M. Evans. In error to the United States circuit court of appeals for the fifth circuit. Dismissed for the want of jurisdiction on the authority of *Mason v. United States*, 136 U. S., 581; *Hardee v. Wilson*, 146 U. S., 179; *Sipperley v. Smith*, 155 U. S., 86.

No. 337. The United States, appellant, *v.* The Choctaw Nation et al.;

No. 338. The Wichita and Affiliated Bands of Indians, appellants, *v.* The Choctaw Nation et al.; and

No. 339. The Choctaw Nation et al., appellants, *v.* The United States et al. Motions to advance submitted by Mr. Solicitor-General Richards for the United States, and by Mr. J. M. Wilson for the Choctaw Nation et al.

No. 318. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.; and

No. 320. The Yazoo and Mississippi Valley Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al. Motions to dismiss or affirm submitted by Mr. Fred Beall in behalf of Mr. R. C. Beckett in support of motions, and by Mr. William D. Guthrie, Mr. James Fentress and Mr. Edward Mayes in opposition thereto.

No. 387. Eben J. Knowlton et al., executors, etc., plaintiffs in error, *v.* Frank R. Moore, United States collector of internal revenue. Motion to advance submitted by Mr. William A. Maury in behalf of Mr. John G. Carlisle for the plaintiffs in error.

No. 346. The Monongahela Coal Company, petitioner, *v.* The Fidelity and Deposit Company of Maryland. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. George A. King in behalf of Mr. W. S. Benedict for the petitioner.

No. 248. William Crawford, appellant, *v.* William L. Hubbell, treasurer, etc. Leave granted to file brief herein for the Hamilton-Brown Shoe Company on motion of Mr. Harvey L. Christie for said company.

No. —, Original. *Ex parte*: In the matter of Arthur C. Farrar-Hickey, petitioner. Motion for leave to file petition for a writ of certiorari submitted by Mr. Angus Roy Shannon for the petitioner, with leave to the Solicitor-General to file brief in opposition.

No. 441. George W. Horton, petitioner, *v.* The United States. Leave granted to proceed in forma pauperis, and that papers be printed at public expense, on motion of Mr. Tracy L. Jeffords for the petitioner.

No. 376. T. O. Abbott, plaintiff in error, *v.* The National Bank of Commerce of Tacoma, Wash., et al. Motions to dismiss or affirm submitted by Mr. Thomas R. Shepard in support of motions, and by Mr. John H. Mitchell in opposition thereto.

No. 156. James A. Farquhar, owner, etc., appellant, *v.* The United States. Argument continued by Mr. Theodore G. Barker for the appellant, by Mr. Assistant Attorney-General Hoyt for the appellee, and concluded by Mr. Theodore G. Barker for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 7, will be as follows: Nos. 167, 395, 396, 248, 220, 186, 232, 268, 43 and 26.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 7, 1899.

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

Charles S. Cushing of San Francisco, Cal., John D. Milliken of McPherson, Kans., B. H. Tracy of Topeka, Kans., and Frederic R. Kellogg of New York City were admitted to practice.

No. 167. The Steamship Adula, etc., appellant, *v.* The United States. Argued by Mr. Everett P. Wheeler for the appellant, by Mr. James H. Hayden for the captors, and by Mr. Assistant Attorney-General Hoyt for the appellee.

No. 395. The Spanish Smack Paquete Habana, etc., appellant, *v.* The United States; and

No. 396. The Spanish Schooner Lola, etc., appellant, *v.* The United States. Argument commenced by Mr. J. Parker Kirlin for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 8, will be as follows: Nos. 395 (and 396), 248, 220, 186, 232, 268, 43, 26, 4 and 6.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 8, 1899.

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

John S. Davenport of New York City and Joachem R. Saussy of Savannah, Ga., were admitted to practice.

No. 395. The Spanish Smack Paquete Habana, etc., appellant, *v.* The United States; and

No. 396. The Spanish Schooner Lola, etc., appellant, *v.* The United States. Argument continued by Mr. J. Parker Kirlin for the appellants, by Mr. Assistant Attorney-General Hoyt for the appellee, and concluded by Mr. J. Parker Kirlin for the appellants.

No. 248. William Crawford, appellant, *v.* William L. Hubbell, treasurer of Adams Express Company. Argument commenced by Mr. Frederic R. Kellogg for the appellant, and continued by Mr. Charles Steele for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 9, will be as follows: Nos. 248, 220, 186, 232, 268, 43, 26, 4, 6 and 48.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 9, 1899.

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

No. 248. William Crawford, appellant, *v.* William L. Hubbell, treasurer of Adams Express Company. Argument continued by Mr. Charles Steele and Mr. C. B. Alexander for the appellee, and concluded by Mr. Allen L. McDermott for the appellant.

No. 220. The American Express Company, plaintiff in error, *v.* F. A. Maynard, attorney-general, ex rel. George F. Moore et al. Argued by Mr. Lewis Cass Ledyard for the plaintiff in error, and by Mr. C. E. Warner for the defendants in error.

No. 186. W. B. Austin, plaintiff in error, *v.* The State of Tennessee. Argument commenced by Mr. W. W. Fuller for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 10, will be as follows: Nos. 186, 232, 268, 43, 26, 4, 6, 48, 79 and 80.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 10, 1899.

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

No. 163. Thomas G. Hardie et al., appellants, *v.* The Equitable Securities Company. Appeal from the circuit court of the United States for the eastern district of Arkansas. Dismissed with costs, on the authority of counsel for the appellants.

No. 186. W. B. Austin, plaintiff in error, *v.* The State of Tennessee. Argument continued by Mr. W. W. Fuller for the plaintiff in error, by Mr. G. W. Pickle for the defendant in error, and concluded by Mr. John G. Johnson for the plaintiff in error.

No. 232. Wm. J. Cruickshank et al., appellants, *v.* George R. Bidwell, collector, etc. Leave granted to file brief on behalf of Wm. J. Buttfield et al., on motion of Mr. James L. Bishop for said parties, with leave to counsel on both sides to file reply thereto within one week. Argument commenced by Mr. John S. Davenport for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 13, will be as follows: Nos. 232, 268, 43, 26, 4, 6, 48, 79, 80 and 81.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 13, 1899.

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

George W. Rea of Washington, D. C., was admitted to practice.

No. 172. The City of New Orleans, petitioner, *v.* John G. Warner. On writ of certiorari to the United States circuit court of appeals for the fifth circuit. Decree modified in respect of the date from which interest is to be calculated, and as so modified, 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 eastern district of Louisiana with a direction to comply with the decree of the circuit court of appeals, as modified. Opinion by Mr. Justice Brown. (Mr. Justice White and Mr. Justice Peckham did not sit in this cause and took no part in its decision.)

No. —, Original. *Ex parte*: In the matter of C. G. Blake et al., petitioners. Motion for leave to file a petition for a writ of mandamus denied. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced that the court would take a recess from Monday, the 20th instant, to Monday, December 4 next.

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

No. 389. The Eastern Oregon Land Company, petitioner, *v.* T. J. Cole et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 369. The Board of Liquidation of the City Debt, plaintiff in error, *v.* The State of Louisiana, on the relation of Miss Lucretia B. Wilder et al.; and

No. 377. The Drainage Commission of New Orleans, plaintiff in error, *v.* Miss Lucretia B. Wilder et al. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 318. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.; and

No. 320. The Yazoo and Mississippi Valley Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 337. The United States, appellant, *v.* The Choctaw Nation et al.;

No. 338. The Wichita and Affiliated Bands of Indians, appellants, *v.* The Choctaw Nation et al.; and

No. 339. The Choctaw Nation et al., appellants, *v.* The United States et al. Motions to advance granted, and cases assigned for argument on Monday, March 5 next.

No. 346. The Monongahela Coal Company, petitioner, *v.* The Fidelity and Deposit Company of Maryland. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 387. Eben J. Knowlton et al., executors, etc., plaintiffs in error, *v.* Frank R. Moore, United States collector of internal revenue. Motion to advance granted, and cause assigned for argument on Monday, December 4 next, with No. 225.

No. 447. Joseph Wilkins, petitioner, *v.* The United States; and

No. 448. Howard Butler, petitioner, *v.* The United States. Petitions for writs of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. J. M. Wilson, Mr. Henry E. Davis and Mr. A. A. Hoehling, jr., for the petitioners, and by Mr. Solicitor-General Richards for the respondent.

No. 281. The City of New Orleans, petitioner, *v.* John Fisher, tutor, etc., et al. Motion for order requiring petitioner to give bond submitted by Mr. Charles Louque in support of motion, and by Mr. S. L. Gilmore, Mr. Branch K. Miller and Mr. James J. McLaughlin in opposition thereto.

No. 405. John O. Briscoe et al., petitioners, *v.* The Minah Consolidated Mining Company (Limited) et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Heber J. May in behalf of Mr. W. F. Sanders for the petitioners, and by Mr. R. C. Garland and Mr. W. W. Wright, jr., for the respondents.

No. 441. George W. Horton, petitioner, *v.* The United States. Petition for a writ of certiorari to the court of appeals of the District of Columbia submitted by Mr. Tracy L. Jeffords and Mr. Robert W. Wells for the petitioner, with leave to Mr. Solicitor-General Richards to file brief for the respondent in two days.

No. 232. William J. Cruickshank et al., appellants, *v.* George R. Bidwell, collector, etc. Argument continued by Mr. John S. Davenport for the appellants, by Mr. E. B. Whitney for the appellee, and concluded by Mr. John S. Davenport for the appellants.

No. 268. S. H. H. Clark et al., receivers, etc., plaintiffs in error, *v.* The City of Kansas City, Kans., et al. Argued by Mr. N. H. Loomis for the plaintiffs in error, and by Mr. T. A. Pollock and Mr. F. D. Hutchings for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 14, will be as follows: Nos. 43, 26, 4, 6, 48, 79, 80, 81 and 82.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 14, 1899.

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

Noel Gale of New York City was admitted to practice.

No. 43. Charles U. Cotting et al., appellants, *v.* A. A. Godard, as attorney-general of the State of Kansas, et al. Argument commenced by Mr. A. H. Horton for the appellants, and continued by Mr. A. A. Godard and Mr. B. H. Tracy for the appellees, and by Mr. Wm. D. Guthrie for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 15, will be as follows: Nos. 43, 26, 4, 6, 48, 79, 80, 81, 82 and 83 (and 84 and 85).

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 15, 1899.

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

No. 447. Joseph Wilkins, petitioner, *v.* The United States; and

No. 448. Howard Butler, petitioner, *v.* The United States. Leave granted to file supplemental brief herein on motion of Mr. A. A. Hoehling, jr., for the petitioners.

No. 43. Charles U. Cotting et al., appellants, *v.* A. A. Godard, as attorney-general of the State of Kansas, et al. Argument concluded by Mr. Wm. D. Guthrie for the appellants.

No. 26. The Keokuk and Hamilton Bridge Company, plaintiff in error, *v.* The People of the State of Illinois. Submitted by Mr. Walter D. Davidge and Mr. Walter D. Davidge, jr., for the plaintiff in error, and by Mr. E. C. Akin for the defendants in error.

No. 4. Daniel Wiley, plaintiff in error, *v.* D. L. Sinkler et al. Reassigned for argument on Monday, December 4 next, after the cases already set down for that day.

No. 6. Frances Rebecca Hamilton, plaintiff in error, *v.* Grace Abbie B. Rathbone. Reargued by Mr. A. S. Worthington for the plaintiff in error, and by Mr. M. J. Colbert for the defendant in error.

No. 48. James M. Sigafus, plaintiff in error, *v.* Dudley Porter et al. Reargument commenced by Mr. Edmund Wetmore for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 16, will be as follows: Nos. 48, 79, 80, 81, 82, 83 (and 84 and 85), 86, 87, 88 and 89.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 16, 1899.

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

No. 48. James M. Sigafus, plaintiff in error, *v.* Dudley Porter et al. Reargument continued by Mr. Edmund Wetmore for the plaintiff in error, by Mr. Albert Stickney for the defendant in error, and concluded by Mr. Edmund Wetmore for the plaintiff in error.

No. 80 (substitute for No. 79). Gertrude J. Niles, appellant, *v.* Cedar Point Club. Argument commenced by Mr. Henry T. Niles for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 17, will be as follows: Nos. 80, 79, 81, 82, 83 (and 84 and 85), 86, 87, 88 and 89.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 17, 1899.

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

No. 80. Gertrude J. Niles, appellant, *v.* Cedar Point Club. Argument continued by Mr. Henry T. Niles for the appellant, by Mr. Thomas Emery for the appellee, and concluded by Mr. Henry T. Niles for the appellant.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 20, 1899.

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

Jacob Newman of Chicago, Ill., was admitted to practice.

No. 15. Paul Fuller, administrator, etc., plaintiff in error, *v.* The United States. In error to the United States circuit court of appeals for the second circuit. Judgment affirmed, and cause remanded to the circuit court of the United States for the southern district of New York. Opinion by Mr. Justice McKenna.

No. 77. Norman Markuson, appellant, *v.* N. F. Boucher, warden of the penitentiary of North Dakota at Bismarck. Appeal from the district court of the United States for the district of North Dakota. Order affirmed with costs. Opinion by Mr. Justice McKenna.

No. 52. William A. Brady, plaintiff in error, *v.* Joseph F. Daly et al., executors, etc. In error to the United States circuit court of appeals for the second circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the southern district of New York. Opinion by Mr. Justice Peckham.

No. 56. The Erie and Western Transportation Company et al., petitioners, *v.* The Union Steamboat Company, claimant, etc. On writ of certiorari to the United States circuit court of appeals for the sixth circuit. Decree reversed, each party to pay one-half of the costs in this court, and cause remanded to the district court of the United States for the eastern district of Michigan for further proceedings in consonance with the opinion of this court. Opinion by Mr. Justice Brown.

No. 290. James K. Brown, plaintiff in error, *v.* The State of New Jersey. In error to the court of oyer and terminer of Hudson County, State of New Jersey. Judgment affirmed. Opinion by Mr. Justice Brewer. (Mr. Justice Harlan concurs in the result.)

No. 16. Charles T. Simms et al., executors, etc., appellants, *v.* Hannah T. Simms. Appeal from the supreme court of the Territory of Arizona. Decree for \$5,250 modified so as to stand as a decree for \$5,000, and as so

modified, affirmed with costs. Opinion by Mr. Justice Gray. Dissenting: Mr. Justice White and Mr. Justice Peckham.

The Chief Justice announced the following orders of the court:

No. 427. The Carnegie Steel Company (Limited), petitioner, *v.* The Cambria Iron Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 152. De Lamar's Nevada Gold Mining Company, plaintiff in error, *v.* James Nesbitt. Motion to dismiss postponed to the hearing of the cause on its merits.

No. 281. The City of New Orleans, petitioner, *v.* John Fisher, tutor, etc., et al. Motion to require the petitioner to furnish bond denied.

No. 405. John O. Briscoe et al., petitioners, *v.* The Minah Consolidated Mining Company (Limited) et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 441. George W. Horton, petitioner, *v.* The United States. Petition for a writ of certiorari to the court of appeals of the District of Columbia denied.

No. 447. Joseph Wilkins, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied. (Mr. Justice McKenna took no part in the consideration and decision of this petition.)

No. 448. Howard Butler, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied. (Mr. Justice McKenna took no part in the consideration and decision of this petition.)

No. 446. Elmer E. Pope et al., petitioners, *v.* Martha E. Hoopes, executrix, etc., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. V. B. Archer for the petitioners, and by Mr. D. J. Pancoast for the respondents.

No. 452. The Mutual Life Insurance Company of New York, petitioner, *v.* Bessie F. Sears, executrix, etc.;

No. 453. The Mutual Life Insurance Company of New York, petitioner, *v.* George E. Hill et al.;

No. 454. The Mutual Life Insurance Company of New York, petitioner, *v.* Tine Cohen; and

No. 455. The Mutual Life Insurance Company of New York, petitioner, *v.* Walter B. Allen, administrator, etc. Petitions for writs of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Edward Lyman Short, Mr. Julian T. Davies, Mr. John B. Allen, Mr. Frederic D. McKenney and Mr. Robert C. Strud-

wick for the petitioners, and by Mr. Stanton Warburton for the respondents in Nos. 452, 453 and 454, and leave granted to counsel for respondent in No. 455 to file brief within two weeks.

No. 451. The Fidelity Insurance, Trust and Safe Deposit Company, executor, etc., plaintiff in error, *v.* Penrose A. McClain. Advanced and assigned for argument on the 4th day of December next with No. 225, on motion of Mr. Richard C. Dale for the plaintiff in error.

No. 351. Edward Clifford, appellant, *v.* Alexander McLean, sheriff, etc. Election and qualification of Carl H. Ruempler as sheriff of Hudson County, N. J., suggested, and his appearance as appellee herein in the place of Alexander McLean filed and entered on motion of Mr. James S. Erwin for the appellee.

Adjourned until Monday, December 4, at 12 o'clock. The day call for Monday, December 4, will be as follows: Nos. 384, 393, 225 (and 387 and 451), 21, 59, 4, 70, 36, 73 (and 74) and 79.



SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 4, 1899.

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

Peter B. Olney of New York City, Joseph Larocque, jr., of New York City, Marcus B. May of Boston, Mass., F. E. Hutchins of Warren, Ohio, Charles H. Otis of Brooklyn, N. Y., A. C. Bishop of Salt Lake City, Utah, Joel W. West of Omaha, Nebr., George F. Chamberlin of New York City, Frederick A. Smith of Chicago, Ill., W. W. Cotton of Portland, Oreg., Henry M. Ward of New York City, Lyman I. Henry of Ouray, Colo., Albert E. Pattison of Denver, Colo., and George W. Northrup, jr., of Chicago, Ill., were admitted to practice.

No. 51. The Addyston Pipe and Steel Company et al., appellants, *v.* The United States. Appeal from the United States circuit court of appeals for the sixth circuit. Decree modified and affirmed, and cause remanded to the circuit court of the United States for the eastern district of Tennessee. Opinion by Mr. Justice Peckham.

No. 76. Joseph Bradfield, appellant, *v.* Ellis H. Roberts, Treasurer of the United States. Appeal from the court of appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Peckham.

No. 42. The New England Railroad Company, plaintiff in error, *v.* Robert T. Conroy, administrator, etc. On a certificate from the United States circuit court of appeals for the first circuit. First question answered in the affirmative, and the second in the negative. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan.

No. 67. John F. Maloney, appellant, *v.* O. H. Adsit. Appeal from the district court of the United States for the district of Alaska. Decree affirmed with costs. Opinion by Mr. Justice Shiras.

No. 322. Anthony F. Seeberger et al., plaintiffs in error, *v.* Leander J. McCormick. In error to the supreme court of the State of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Shiras.

No. 47. Charles E. Bolles, plaintiff in error, *v.* The Outing Company (Limited). In error to the United States circuit court of appeals for the second circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the southern district of New York. Opinion by Mr. Justice Brown. (Mr. Justice White concurs in the result.)

No. 19. May Hays, appellant, *v.* The United States. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice Brown.

No. 65. The City of New Orleans et al., appellants, *v.* Mary G. T. Stempel et al. Appeal from the circuit court of the United States for the eastern district of Louisiana. Decree reversed with costs, and cause remanded to the said circuit court for further proceedings. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice Harlan and Mr. Justice White.

No. 80. Gertrude J. Niles, appellant, *v.* Cedar Point Club. Appeal from the United States circuit court of appeals for the sixth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the northern district of Ohio. Opinion by Mr. Justice Brewer.

No. 68. The Arkansas Building and Loan Association (Perpetual), appellant, *v.* J. W. Madden, secretary of state. Appeal from the circuit court of the United States for the western district of Texas. Decree modified to a dismissal without prejudice, and, as so modified, affirmed with costs. Opinion by Mr. Chief Justice Fuller.

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

No. 172. The City of New Orleans, petitioner, *v.* John G. Warner. Mandate stayed until the further order of the court.

No. 446. Elmer E. Pope et al., petitioners, *v.* Martha E. Hoopes, executrix, etc., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 12. The Mutual Life Insurance Company of New York, petitioner, *v.* Nellie Phinney, executrix, etc. Assigned for argument on Monday, January 8 next, after the case already set down for that day.

No. 192. The Steamship Benito Estenger, etc., appellant, *v.* The United States; and

No. 243. The United States, appellant, *v.* Kleinwort Sons & Co., claimants, etc. Advanced and assigned for argument on Monday, January 8 next, after the cases already set down for that day, on motion of Mr. Solicitor-General Richards for the United States.

No. 435. Charles L. Benedict, appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Richards for the appellee.

No. 458. George T. Murdock, executor, etc., plaintiff in error, *v.* John G. Ward, United States collector, etc.; and

No. 459. George D. Sherman, plaintiff in error, *v.* The United States. Advanced and assigned for argument with No. 225 as one case, on motion of Mr. Charles E. Patterson for the plaintiffs in error.

No. 439. The Adirondack Railway Company, plaintiff in error, *v.* The People of the State of New York. Motion to advance submitted by Mr. Edward Winslow Paige for the defendants in error.

No. 357. Mark K. Lowry et al., plaintiffs in error, *v.* The Silver City Gold and Silver Mining Company. Motion to dismiss submitted by Mr. C. S. Varian and Mr. F. S. Richards in support of motion, and by Mr. Arthur Brown, Mr. H. P. Henderson and Mr. O. W. Powers in opposition thereto.

No. 426. James D. Patton, etc., plaintiff in error, *v.* J. D. Brady, collector, etc. Advanced, as under the thirty-second rule, to be submitted on briefs to be filed on or before February 1 next, on motion of Mr. Wm. L. Royall for the plaintiff in error.

No. 465. The Board of County Commissioners of the County of Ouray, petitioner, *v.* Robert C. Geer. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Lyman I. Henry and Mr. Thomas C. Brown for the petitioner, and by Mr. Albert E. Pattison for the respondent.

No. 138. A. J. Daggs et al., appellants, *v.* The Phoenix National Bank. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mr. A. J. Daggs for the appellants in support of motion, and by Mr. A. B. Browne and Mr. Alexander Britton for the appellee in opposition thereto.

No. 436. United States Rubber Company et al., petitioners, *v.* American Oak Leather Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. H. S. Robbins, Mr. E. S. Isham and Mr. George A. Follansbee for the petitioners, and by Mr. Jacob Newman, Mr. Frederick A. Smith and Mr. H. K. Tenney for the respondents.

No. 150. Henry T. Whitcomb et al., receivers, etc., plaintiffs in error, *v.* John A. Smithson. Motions to dismiss or affirm submitted by Mr. John A. Lovely in support of motions, and by Mr. Howard Morris in opposition thereto.

No. 112. Patrick Cahill et al., plaintiffs in error, *v.* C. H. Benson et al. In error to the court of civil appeals of the fifth supreme judicial district of the State of Texas. Dismissed with costs, on authority of counsel for plaintiffs in error.

No. 358. John A. Post et al., plaintiffs in error, *v.* The Southern Railway Company. In error to the supreme court of the State of Tennessee. Dismissed with costs, on authority of counsel for plaintiffs in error.

No. 225. Shirley T. High et al., appellants, *v.* F. E. Coyne, as collector, etc., et al.;

No. 387. Eben J. Knowlton et al., executors, etc., plaintiffs in error, *v.* Frank R. Moore, United States collector, etc.;

No. 451. The Fidelity Insurance, Trust and Safe Deposit Company, executor, etc., plaintiff in error, *v.* Penrose A. McClain;

No. 458. George T. Murdock, executor, etc., plaintiff in error, *v.* John G. Ward, United States collector, etc.; and

No. 459. George D. Sherman, plaintiff in error, *v.* The United States. Six hours allowed to the counsel for appellants and plaintiffs in error in the argument of these cases, on motion of Mr. John G. Carlisle for the appellants and plaintiffs in error.

No. 384. Charles L. Maxwell, plaintiff in error, *v.* Geo. N. Dow, warden, etc. Argued by Mr. J. W. N. Whitecotton for the plaintiff in error, and by Mr. A. C. Bishop for the defendant in error.

No. 393. Henry Bolln, plaintiff in error, *v.* The State of Nebraska. Argument commenced by Mr. Joel W. West for the plaintiff in error, and continued by Mr. C. J. Smyth for the defendant in error.

Adjourned until to-morrow at 12 o'clock. The day call for Tuesday, December 5, will be as follows: Nos. 393, 225 (and 387, 451, 458 and 459), 59, 4, 70, 36, 73 (and 74), 79, 21 and 52.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 5, 1899.

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

Alfred Stedman Hartwell of Honolulu, Hawaiian Islands, and William H. Gorham of Seattle, Wash., were admitted to practice.

No. 393. Henry Bolln, plaintiff in error, *v.* The State of Nebraska. Argument continued by Mr. C. J. Smyth for the defendant in error, and concluded by Mr. Joel W. West for the plaintiff in error.

No. 225. Shirley T. High et al., appellants, *v.* F. E. Coyne, as collector, etc., et al.;

No. 387. Eben J. Knowlton et al., executors, etc., plaintiffs in error, *v.* Frank R. Moore, United States collector, etc.;

No. 451. The Fidelity Insurance, Trust and Safe Deposit Company, executor, etc., plaintiff in error, *v.* Penrose A. McClain;

No. 458. George F. Murdock, executor, etc., plaintiff in error, *v.* John G. Ward, United States collector, etc.; and

No. 459. George D. Sherman, plaintiff in error, *v.* The United States. Argument commenced by Mr. A. M. Pence for the appellants in No. 225, and continued by Mr. Wheeler H. Peckham for the plaintiffs in error in No. 387, by Mr. Richard C. Dale for the plaintiffs in error in No. 451, and by Mr. Charles H. Otis for the plaintiffs in error in No. 387.

Adjourned until to-morrow at 12 o'clock. The day call for Wednesday, December 6, will be as follows: Nos. 225 (and 387, 451, 458 and 459), 59, 4, 70, 36, 73 (and 74), 79, 21, 53 and 81.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 6, 1899.

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

Frank P. Flint of Los Angeles, Cal., was admitted to practice.

No. 112. Patrick Cahill et al., plaintiffs in error, *v.* C. H. Benson et al. Mandate granted.

No. 78. The Missouri, Kansas and Texas Railway Company of Texas, plaintiff in error, *v.* J. M. Evans. Mandate stayed, on motion of Mr. A. B. Browne in behalf of counsel for plaintiff in error.

No. 225. Shirley T. High et al., appellants, *v.* F. E. Coyne, as collector, etc., et al.;

No. 387. Eben J. Knowlton et al., executors, etc., plaintiffs in error, *v.* Frank R. Moore, United States collector, etc.;

No. 451. The Fidelity Insurance, Trust and Safe Deposit Company, executor, etc., plaintiff in error, *v.* Penrose A. McClain;

No. 458. George F. Murdock, executor, etc., plaintiff in error, *v.* John G. Ward, United States collector, etc.; and

No. 459. George D. Sherman, plaintiff in error, *v.* The United States. Argument continued by Mr. Charles H. Otis for the plaintiffs in error in No. 387, by Mr. Charles E. Patterson for the plaintiffs in error in Nos. 458 and 459, by Mr. Solicitor-General Richards for the appellee and defendants in error, and by Mr. John G. Carlisle for the appellants in No. 225 and plaintiffs in error in No. 387.

Adjourned until to-morrow at 12 o'clock. The day call for Thursday, December 7, will be as follows: Nos. 225 (and 387, 451, 458 and 459), 59, 4, 70, 36, 73 (and 74), 79, 21, 53 and 81 (and 82).



SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 7, 1899.

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

No. 56. The Erie and Western Transportation Company et al., petitioners, *v.* The Union Steamboat Company, claimant of the propeller New York. Ordered that the decree entered herein on November 20, 1899, be vacated and set aside. Announced by Mr. Justice Brown.

No. 56. The Erie and Western Transportation Company et al., petitioners, *v.* The Union Steamboat Company, claimant of the propeller New York. On writ of certiorari to the United States circuit court of appeals for the sixth circuit. Decree reversed, the claimants of the Conemaugh and the claimants of the New York each to pay one-half of all costs in the cause, and cause remanded to the district court of the United States for the eastern district of Michigan, with directions to enter a decree in conformity with the opinion of this court, with interest from July 3, 1896, until paid, at the same rate per annum that decrees bear in the courts of the State of Michigan. Announced by Mr. Justice Brown.

No. 138. A. J. Daggs et al., appellants, *v.* The Phoenix National Bank. Motion to pass submitted by Mr. A. J. Daggs for the appellants.

No. 225. Shirley T. High et al., appellants, *v.* F. E. Coyne, as collector, etc., et al.;

No. 387. Eben J. Knowlton et al., executors, etc., plaintiffs in error, *v.* Frank R. Moore, United States collector, etc.;

No. 451. The Fidelity Insurance, Trust and Safe Deposit Company, executor, etc., plaintiff in error, *v.* Penrose A. McClain;

No. 458. George F. Murdock, executor, etc., plaintiff in error, *v.* John G. Ward, United States collector, etc.;

No. 459. George D. Sherman, plaintiff in error, *v.* The United States. Argument concluded by Mr. John G. Carlisle for the appellants in No. 225 and plaintiffs in error in No. 387. Leave granted to the Solicitor-General to file additional brief within one week, and to Mr. Charles E.

Patterson, for the plaintiffs in error in Nos. 458 and 459, to file reply thereto within one week thereafter.

No. 59. The United States, appellant, *v.* John R. Gleason et al. Reargument commenced by Mr. George H. Gorman for appellant, and continued by Mr. Temple Bodley for the appellees.

Adjourned until to-morrow at 12 o'clock. The day call for Friday, December 8, will be as follows: Nos. 59, 4, 70, 36, 73 (and 74), 79, 21, 53, 81 (and 82) and 83 (and 84 and 85).

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 8, 1899.

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

Horace A. Davis of New York City, Homer Guerry of Washington, D. C., and Franklin L. Velde of Pekin, Ill., were admitted to practice.

No. 59. The United States, appellant, *v.* John R. Gleason et al. Reargument continued by Mr. Temple Bodley and Mr. H. N. Low for the appellees, and concluded by Mr. George H. Gorman for the appellant.

No. 4. Daniel Wiley, plaintiff in error, *v.* D. L. Sinkler et al. Argued by Mr. Charles A. Douglass for the plaintiff in error, and by Mr. W. A. Barber for the defendants in error.

No. 70. The Telluride Power Transmission Company et al., plaintiffs in error, *v.* The Rio Grande Western Railroad Company. Argument commenced by Mr. Arthur Brown for the plaintiffs in error, and continued by Mr. James H. Hayden for the defendant in error.

Adjourned until Monday next at 12 o'clock. The day call for Monday, December 11, will be as follows: Nos. 70, 36, 73 (and 74), 79, 21, 53, 81 (and 82), 83 (and 84 and 85), 86 and 87.



SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 11, 1899.

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

Frederick E. Wadhams of Albany, N. Y., D. F. Reese of St. Paul, Minn., Evans Woollen of Indianapolis, Ind., John D. Miller of Carthage, Ill., and Miles Poindexter of Spokane, Wash., were admitted to practice.

No. 106. The Steamship Buena Ventura, etc., appellant, *v.* The United States. Appeal from the district court of the United States for the southern district of Florida. Decree reversed and cause remanded for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Peckham. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Gray and Mr. Justice McKenna.

No. 28. Theophilus King, etc., et al., plaintiffs in error, *v.* John A. Cross et al. In error to the supreme court of the State of Rhode Island. Judgment affirmed with costs and interest. Opinion by Mr. Justice White.

No. 172. The City of New Orleans, petitioner, *v.* John G. Warner. Ordered that leave be granted to file a petition for rehearing herein on the question of interest only, and that counsel be allowed to file additional briefs within fifteen days. Announced by Mr. Justice Brown.

No. 376. T. O. Abbott, plaintiff in error, *v.* The National Bank of Commerce of Tacoma, Wash., et al. In error to the supreme court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

No. 29. La Abra Silver Mining Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Harlan. (Mr. Justice Gray did not hear the argument on the facts and took no part in their consideration. Mr. Justice McKenna took no part in the decision.)

No. 71. Hosea B. Tullis, plaintiff in error, *v.* The Lake Erie and Western Railroad Company. On a certificate from the United States circuit court of appeals for the seventh circuit. It is the opinion of this court that the statute as construed and applied by the supreme court of Indiana is not invalid and does not violate the fourteenth amendment to the Constitution of the United States. Opinion by Mr. Chief Justice Fuller.

No. 115. The Steamer Pedro, etc., appellant, *v.* The United States. Appeal from the district court of the United States for the southern district of Florida. Decree affirmed. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice White, Mr. Justice Brewer, Mr. Justice Shiras and Mr. Justice Peckham.

No. 122. The Steamer Guido, etc., appellant, *v.* The United States. Appeal from the district court of the United States for the southern district of Florida. Decree affirmed. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham.

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

No. 138. A. J. Daggs et al., appellants, *v.* The Phoenix National Bank. Motion for writ of certiorari to bring up additional record granted, and cause assigned for argument on Monday, January 8 next, after the cases already set down for that day.

No. 357. Mark K. Lowry et al., plaintiffs in error, *v.* The Silver City Gold and Silver Mining Company. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 435. Charles L. Benedict, appellant, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, January 8 next, after the cases already set down for that day.

No. 436. United States Rubber Company et al., petitioners, *v.* American Oak Leather Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit granted.

No. 439. The Adirondack Railway Company, plaintiff in error, *v.* The People of the State of New York. Motion to advance granted, and cause assigned for argument on Monday, January 8 next, after the cases already set down for that day.

No. 465. The Board of County Commissioners of the County of Ouray, petitioner, *v.* Robert C. Geer. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 18. S. W. Fordyce et al., receivers, etc., plaintiffs in error, *v.* R. L. Trigg. In error to the supreme court of the State of Arkansas. Dismissed with costs on the authority of *Hardee v. Wilson*, 146 U. S., 179, and cases cited.

No. 463. The Mechanics' Savings Bank, petitioner, *v.* The Fidelity Insurance, Trust and Safe Deposit Company, administrator, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Russell Duane for the petitioner.

No. 98. Annie R. Kean, plaintiff in error, *v.* Edward Roby et al. Motion to pass for ninety days submitted by Mr. Homer Guerry in

behalf of Mr. W. P. Fennell in support of motion, and by Mr. W. H. H. Miller in opposition thereto.

No. 443. George Webster, appellant, *v.* R. D. Speck, sheriff, etc. Advanced and assigned for argument on Monday, January 8 next, after the cases already set down for that day, on motion of Mr. Miles Poin-dexter for the appellee.

No. 175. The Logansport and Wabash Valley Gas Company, appel-lant, *v.* The City of Peru. Appeal from the circuit court of the United States for the district of Indiana. Decree reversed at the cost of the appellant and cause remanded for further proceedings, per stipulation of counsel, and mandate granted on motion of Mr. W. H. H. Miller for the appellee.

No. 12. The Mutual Life Insurance Company of New York, peti-tioner, *v.* Nellie Phinney, executrix, etc. Reassigned for argument on Monday, January 22 next, on motion of Mr. Frederic D. McKenney for the petitioner.

No. 325. The New York Life Insurance Company, petitioner, *v.* Frank E. Dingley, administrator, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit sub-mitted by Mr. Frederic D. McKenney, Mr. Edward J. McCutchen, Mr. Charles Page and Mr. George H. Durham for the petitioner, and by Mr. Henry P. Blair for the respondent, with leave to Mr. Blair to file affidavits in reply within fifteen days.

No. 201. H. C. Osborne et al., appellants, *v.* The San Diego Land and Town Company of Maine. Leave granted to file brief of John Gar-ber and Frank H. Short herein as amici curiæ, on motion of Mr. A. B. Browne in their behalf.

No. 402. William Boyle, plaintiff in error, *v.* Bartlett Sinclair. Motion to dismiss submitted by Mr. Samuel H. Hays in support of motion, and by Mr. William A. Maury in opposition thereto.

No. 70. The Telluride Power Transmission Company et al., plaintiffs in error, *v.* The Rio Grande Western Railway Company. Argument continued by Mr. James H. Hayden for the defendant in error, and con-cluded by Mr. Arthur Brown for the plaintiffs in error.

No. 36. Chew Hing Lung & Co., petitioners, *v.* John H. Wise, col-lector, etc. Argument commenced by Mr. A. B. Browne for the peti-tioners, and continued by Mr. Assistant Attorney-General Hoyt for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 12, will be as follows: Nos. 36, 73 (and 74), 79, 21, 53, 81 (and 82), 83 (and 84 and 85), 30, 86 and 87.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 12, 1899.

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

William H. Staake of Philadelphia, Pa., and Abram H. Ellis of Beloit, Kans., were admitted to practice.

No. 36. Chew Hing Lung & Co., petitioners, *v.* John H. Wise, collector, etc. Argument continued by Mr. Assistant Attorney-General Hoyt for the respondent, and concluded by Mr. Albert Comstock for the petitioners.

No. 73. The United States, petitioner, *v.* E. A. Morrison & Son; and

No. 74. The United States, petitioner, *v.* H. Wolff & Co. Argued by Mr. Assistant Attorney-General Hoyt for the petitioners, and by Mr. Albert Comstock for the respondents.

No. 21. The United States, appellant, *v.* The Bellingham Bay Boom Company. Passed.

No. 53. The United States, appellant, *v.* The Tennessee and Coosa Railroad Company et al. Argument commenced by Mr. Charles W. Russell for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 13, will be as follows: Nos. 53, 81 (and 82), 79, 83 (and 84 and 85), 86, 87, 30, 88, 89 and 90 (and 91 and 92).

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 13, 1899.

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

Wm. Pinckney Hill of Atlanta, Ga., and Samuel W. Williams of Wytheville, Va., were admitted to practice.

No. 90. John J. Walsh, plaintiff in error, *v.* The Columbus, Hocking Valley and Athens Railroad Company;

No. 91. Robert Wright, plaintiff in error, *v.* The Columbus, Hocking Valley and Athens Railroad Company; and

No. 92. Michael S. Vought, plaintiff in error, *v.* The Columbus, Hocking Valley and Athens Railroad Company. Submitted by Mr. J. B. Foraker for the plaintiffs in error, and by Mr. David L. Sleeper and Mr. C. H. Grosvenor for the defendants in error.

No. 53. The United States, appellant, *v.* The Tennessee and Coosa Railroad Company et al. Argument continued by Mr. Charles W. Russell for the appellant, by Mr. Amos E. Goodhue for the appellees, and concluded by Mr. Charles W. Russell for the appellant.

No. 81. The Houston and Texas Central Railroad Company et al., plaintiffs in error, *v.* The State of Texas; and

No. 82. The Galveston, Harrisburg and San Antonio Railway Company et al., plaintiffs in error, *v.* The State of Texas. Three hours allowed to each side in the argument of these cases, on motion of Mr. John G. Carlisle for the plaintiffs in error. Argument commenced by Mr. R. S. Lovett for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 14, will be as follows: Nos. 81 (and 82), 79, 83 (and 84 and 85), 86, 87, 30, 88, 89, 93 and 94.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 14, 1899.

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

John Ford of New York City, Fred A. Bangs of Chicago, Ill., George W. Miller of Chicago, Ill., David S. Geer of Chicago, Ill., Charles S. Deneen of Chicago, Ill., William W. Wheelock of Chicago, Ill., Herbert Latham Fordham of New York City, W. Z. Davis of Marion, Ohio, Charles S. Fogg of Tacoma, Wash., and Francis W. Cushman of Tacoma, Wash., were admitted to practice.

No. 93. Joseph Smith, plaintiff in error, *v.* The State of Tennessee. Continued per stipulation of counsel.

No. 81. The Houston and Texas Central Railroad Company et al., plaintiffs in error, *v.* The State of Texas; and

No. 82. The Galveston, Harrisburg and San Antonio Railway Company et al., plaintiffs in error, *v.* The State of Texas. Argument continued by Mr. R. S. Lovett for the plaintiffs in error, and by Mr. Charles A. Culberson for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 15, will be as follows: Nos. 81 (and 82), 79, 83 (and 84 and 85), 86, 87, 30, 88, 89, 94 and 21.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 15, 1899.

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

Frank H. Williams of Allegan, Mich., Charles F. Gallenkamp of Union, Mo., and W. S. Reese of Montgomery, Ala., were admitted to practice.

No. 53. The United States, appellant, *v.* The Tennessee and Coosa Railroad Company et al. Leave granted to file supplemental brief herein on motion of Mr. Amos E. Goodhue for the appellees.

No. 21. The United States, appellant, *v.* The Bellingham Bay Boom Company. Submitted by Mr. Solicitor-General Richards for the appellant. No counsel appeared for the appellee.

No. 81. The Houston and Texas Central Railroad Company et al., plaintiffs in error, *v.* The State of Texas; and

No. 82. The Galveston, Harrisburg and San Antonio Railway Company et al., plaintiffs in error, *v.* The State of Texas. Argument concluded by Mr. John G. Carlisle for the plaintiffs in error.

No. 79. Peter Lee Atherton, plaintiff in error, *v.* Mary G. Atherton. Argued by Mr. Alexander Pope Humphrey for the plaintiff in error, and by Mr. William Kernan for the defendant in error.

No. 86. Ellis H. Roberts, Treasurer of the United States, petitioner, *v.* The United States ex rel. Marie A. Valentine. Argument commenced by Mr. Robert A. Howard for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 18, will be as follows: Nos. 86, 83 (and 84 and 85), 87, 30, 88, 89, 94, 95, 96 and 97.



SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 18, 1899.

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

Wm. Hepburn Russell of New York City, John J. Dolan of Washington, D. C., Herman W. Stillman of Chicago, Ill., W. M. Alexander of Dallas, Tex., and A. M. Higgins of Terre Haute, Ind., were admitted to practice.

No. 38. The United States, appellant, *v. J. Francisco Chavez et al.* Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice McKenna.

No. 39. The United States, appellant, *v. J. Francisco Chavez et al.* Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice McKenna.

No. 6. Frances Rebecca Hamilton, plaintiff in error, *v. Grace Abbie B. Rathbone.* In error to the court of appeals of the District of Columbia. Judgment reversed with costs, and cause remanded to the said court of appeals, with instructions to reverse the judgment of the supreme court of the District of Columbia, and to remand the case to that court, with directions to grant a new trial. Opinion by Mr. Justice Brown.

No. 72. The United States, appellant, *v. Antonio Serafin Pena et al.* Appeal from the Court of Private Land Claims. Decree reversed, and cause remanded, with directions to enter a decree in favor of the original grantees or their successors in interest for the lands granted in severalty. It is further ordered that leave be granted to take further testimony for identifying such parties if necessary. Opinion by Mr. Justice Brewer.

No. 164. *J. W. Cumming et al.,* plaintiffs in error, *v. The County Board of Education of Richmond County, State of Georgia.* In error to the superior court of Richmond County, State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

The Chief Justice announced that the court would take a recess from Friday, the 22d instant, until Monday, January 8 next.

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

No. 98. Annie R. Kean, plaintiff in error, *v.* Edward Roby et al. Assigned for argument on Monday, February 26 next, at the head of the call for that day.

No. 402. William Boyle, plaintiff in error, *v.* Bartlett Sinclair. Motion to dismiss postponed until the transcript of record is printed.

No. 78. The Missouri, Kansas and Texas Railway Company of Texas, plaintiff in error, *v.* J. M. Evans. Order staying mandate herein vacated.

No. 351. Edward Clifford, appellant, *v.* Carl H. Ruempler, sheriff, etc. Motions to dismiss or affirm submitted by Mr. James S. Erwin in support of motions, and by Mr. John P. Stockton in opposition thereto.

No. 460. British American Assurance Company, etc., petitioner, *v.* James F. McElroy. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. James Lowndes in behalf of Mr. James B. Howe and Mr. T. C. Van Ness for the petitioner, and by Mr. Henry P. Blair for the respondent.

No. 444. H. M. Bedford et al. *v.* The Eastern Building and Loan Association. Petition for a writ of certiorari to bring up the entire record submitted by Mr. H. J. May in support of petition, and by Mr. Wm. Hepburn Russell in opposition thereto.

No. 466. C. G. Blake et al., plaintiffs in error, *v.* Calvin M. McClung et al., etc. Submitted pursuant to the twentieth rule by Mr. H. J. May and Mr. Tully R. Cornick for the plaintiffs in error, and by Mr. John W. Green for the defendants in error.

No. 261. Robert Rae, jr., et ux., plaintiffs in error, *v.* The Homestead Loan and Guarantee Company. Motions to dismiss or affirm submitted by Mr. Frederic D. McKenney in behalf of Mr. John P. Wilson and Mr. Wm. B. McIlvaine in support of motions, and by Mr. Robert Rae in opposition thereto.

No. 473. Edward Hain, claimant, etc., petitioner, *v.* Samuel E. Wel-tus et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Thomas Harvey Clark in behalf of Mr. Wilhelmus Mynderse for the petitioner, and by Mr. Harrington Putnam for the respondent.

No. 86. Ellis H. Roberts, Treasurer of the United States, petitioner, *v.* The United States ex rel. Marie A. Valentine. Argument continued by Mr. Robert A. Howard for the petitioner, by Mr. B. E. Valentine for the respondent, and concluded by Mr. Robert A. Howard for the petitioner.

No. 83. The Ohio Oil Company, plaintiff in error, *v.* The State of Indiana, use of Madison County;

No. 84. The Ohio Oil Company, plaintiff in error, *v.* The State of Indiana; and

No. 85. The Ohio Oil Company, plaintiff in error, *v.* The State of Indiana, use of Madison County. Argument commenced by Mr. M. F. Elliott for the plaintiffs in error, and continued by Mr. C. C. Shirley and Mr. W. L. Taylor for the defendants in error, and by Mr. George Shirts for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 19, will be as follows: Nos. 83 (and 84 and 85), 87, 30, 88, 89, 94, 95, 96, 97 and 99.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 19, 1899.

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

Gilbert F. Little of Hilo, Hawaiian Islands, Gustave F. Mertins of Montgomery, Ala., and L. B. Treadwell of New York City were admitted to practice.

No. 83. The Ohio Oil Company, plaintiff in error, *v.* The State of Indiana, use of Madison County;

No. 84. The Ohio Oil Company, plaintiff in error, *v.* The State of Indiana; and

No. 85. The Ohio Oil Company, plaintiff in error, *v.* The State of Indiana, use of Madison County. Argument concluded by Mr. George Shirts for the plaintiffs in error.

No. 87 The Baltimore and Potomac Railroad Company, plaintiff in error, *v.* Charles Emmet Cumberland, by his next friend, Charles J. Cumberland. Argued by Mr. Frederic D. McKenney and Mr. Wayne MacVeagh for the plaintiff in error, and by Mr. A. S. Worthington for the defendant in error.

No. 30. Sterling R. Holt et al., appellants, *v.* The Indiana Manufacturing Company. Argument commenced by Mr. Wm. L. Taylor for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 20, will be as follows: Nos. 30, 88, 89, 94, 95, 99, 97 and 96.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 20, 1899.

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

John E. Conley of Providence, R. I., William Reed Bigelow of Boston, Mass., Lawrence Greer of New York City and Alexander T. Vogelsang of San Francisco, Cal., were admitted to practice.

No. 429. Fred. Bardes, trustee, complainant, *v.* The First National Bank of Hawarden, Iowa, et al. Submitted pursuant to the twentieth rule by Mr. C. A. Brandenburg for the complainant, and Mr. William Milchrist for the defendants.

No. 30. Sterling R. Holt et al., appellants, *v.* The Indiana Manufacturing Company. Argument on the question of the jurisdiction of the circuit court continued by Mr. William L. Taylor for the appellants, by Mr. Chester Bradford for the appellee, and concluded by Mr. John K. Richards for the appellants. Leave granted to counsel for appellee to file brief on question of jurisdiction within ten days.

No. 88. The Baltimore and Ohio Southwestern Railway Company, plaintiff in error, *v.* William Voight. Argument commenced by Mr. Edward Colston for the plaintiff in error, and continued by Mr. C. M. Cist for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 21, will be as follows: Nos. 88, 89, 94, 95, 99, 97 and 96.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 21, 1899.

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

Charles W. Beale of Wallace, Idaho, and Roland Crangle of Buffalo, N. Y., were admitted to practice.

No. 88. The Baltimore and Ohio Southwestern Railway Company, plaintiff in error, *v.* William Voight. Argument continued by Mr. Charles M. Cist for the defendant in error, and concluded by Mr. Edward Colston for the plaintiff in error. Leave granted to counsel for plaintiff in error to file additional brief within five days.

No. 89. The Hancock National Bank, plaintiff in error, *v.* Jonathan W. Farnum. Argued by Mr. Wm. Reed Bigelow for the plaintiff in error, and by Mr. Walter F. Angell for the defendant in error.

No. 94. The Saranae Land and Timber Company, plaintiff in error, *v.* James A. Roberts, comptroller of the State of New York. Argument commenced by Mr. Frank E. Smith for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 22, will be as follows: Nos. 94, 95, 99, 97 and 96.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 22, 1899.

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

Delos C. Mellen of New Orleans, La., was admitted to practice.

No. 50. S. Endicott Peabody, appellant, *v.* The United States. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice Peckham.

No. 14. J. Francisco Chavez, appellant, *v.* The United States. Appeal from the Court of Private Land Claims. Decree affirmed. Opinion by Mr. Justice Peckham.

No. 429. Fred. Bardes, trustee, etc., complainant, *v.* The First National Bank of Hawarden, Iowa, et al. On a certificate from the district court of the United States for the northern district of Iowa. Certificate dismissed. Opinion by Mr. Chief Justice Fuller.

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

No. 351. Edward Clifford, appellant, *v.* Carl H. Ruempler, sheriff of Hudson County, N. J. Appeal from the circuit court of the United States for the district of New Jersey. Order affirmed, with costs, on the authority of *Brown v. New Jersey*, 175 U. S., 172; *Clifford v. Heller*, 172 U. S., 641, and mandate ordered issued at once.

No. 444. H. M. Bedford et al. *v.* The Eastern Building and Loan Association. Petition for writ of certiorari to bring up the entire record herein granted.

No. 460. British-American Assurance Company, of Toronto, Canada, petitioner, *v.* James F. McElroy. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 473. Edward Hain, claimant, etc., petitioner, *v.* Samuel E. Weltus et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 332. F. May & Co., plaintiffs in error, *v.* The City of New Orleans. Motion to advance submitted by Mr. D. C. Mellen for the plaintiffs in error.

No. 94. The Saranac Land and Timber Company, plaintiff in error, *v.* James A. Roberts, comptroller of the State of New York. Argument continued by Mr. Frank E. Smith for the plaintiff in error, by Mr. T. E. Hancock for the defendant in error, and concluded by Mr. Frank E. Smith for the plaintiff in error.

No. 95. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v.* William J. Bell et al. Argued by Mr. J. C. Cooper for the plaintiff in error, and submitted by Mr. H. Bisbee for the defendants in error.

Adjourned until Monday, January 8, 1900, at 12 o'clock.

The day call for Monday, January 8, will be as follows: Nos. 99, 97, 96, 113 of 1898, 192, 243, 435, 439, 443 and 138.



SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 8, 1900.

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

Charles M. Walker of Chicago, Ill., Arthur C. Rounds of New York City, Thomas J. Davis of Duluth, Minn., Sanders B. Cox of Sherman, Tex., C. H. Wilson of San Francisco, Cal., Frank Andrews of Houston, Tex., Henry Clay Dillon of Los Angeles, Cal., John Brennan of West Superior, Wis., Wm. Bryan Houston of New York City, Wm. Owen Smith of Honolulu, Hawaiian Islands, Kenneth M. Jackson of Sitka, Alaska, Jesse W. Boyce of Sioux Falls, S. Dak., Frank L. Williams of Washington, D. C., Clement D. Rinehart of Jacksonville, Fla., and Charles E. Hughes of New York City were admitted to practice.

No. 46. The Louisville and Nashville Railroad Company et al., appellants, *v.* Henry W. Behlmer. Appeal from the United States circuit court of appeals for the fourth circuit. Decree of the United States circuit court of appeals reversed with costs, and cause remanded to the circuit court of the United States for the district of South Carolina, with directions to modify its decree in conformity with the opinion of this court. This decree to be entered nunc pro tunc as of the date of the submission of the cause to this court. Opinion by Mr. Justice White.

No. 54. W. H. Blackburn, plaintiff in error, *v.* The Portland Gold Mining Company et al. In error to the circuit court of the United States for the district of Colorado. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice McKenna. (Mr. Justice Brown took no part in the decision of this case.)

No. 59. The United States, appellant, *v.* John R. Gleason et al. Appeal from the Court of Claims. Judgment reversed, and cause remanded with directions to enter judgment in conformity with the opinion of this court. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice Harlan, Mr. Justice Brown and Mr. Justice White.

No. 69. The Canada Sugar Refining Company (Limited), petitioner, *v.* The Insurance Company of North America. On writ of certiorari to

the United States circuit court of appeals for the second circuit. Decree of the United States circuit court of appeals reversed with costs, and the decree of the district court of the United States for the southern district of New York affirmed and cause remanded to said district court. Opinion by Mr. Justice Shiras.

No. 70. The Telluride Power Transmission Company et al., plaintiffs in error, *v.* The Rio Grande Western Railway Company. In error to the supreme court of the State of Utah. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown.

No. 61. The Northern Pacific Railroad Company, plaintiff in error, *v.* Maria Amacker 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 Montana. Opinion by Mr. Justice Brewer.

No. 395. The Spanish Smack Paquete Habana, Juan Pasos, claimant, appellant, *v.* The United States; and

No. 396. The Spanish Schooner Lola, Tomas Betancourt, claimant, appellant, *v.* The United States. Appeals from the district court of the United States for the southern district of Florida. Decrees reversed, and causes remanded with directions to enter decrees that the proceeds of the sale of the vessels, together with the proceeds of any sale of their cargoes, be restored to the claimants, with damages and costs. Opinion by Mr. Justice Gray. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Harlan and Mr. Justice McKenna.

No. 9. The United States, appellant, *v.* The Oregon and California Railroad Company et al. 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 district of Oregon. Opinion by Mr. Justice Harlan. (Mr. Justice McKenna did not participate in the decision of this case.)

No. 23. John D. Wilcox, appellant, *v.* The Eastern Oregon Land Company. Appeal from the United States circuit court of appeals for the ninth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the district of Oregon. Opinion by Mr. Justice Harlan. (Mr. Justice McKenna did not participate in the decision of this case.)

No. 24. E. I. Messenger, appellant, *v.* The Eastern Oregon Land Company. Appeal from the United States circuit court of appeals for the ninth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the district of Oregon. Opinion by Mr. Justice Harlan. (Mr. Justice McKenna did not participate in the decision of this case.)

No. 466. C. G. Blake et al., plaintiffs in error, *v.* Calvin M. McClung et al., etc. In error to the supreme court of the State of Tennessee. Judgment reversed with costs, and cause remanded for such further proceedings as may be consistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 26. The Keokuk and Hamilton Bridge Company, plaintiff in error, *v.* The People of the State of Illinois. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 150. Henry F. Whitcomb et al., receivers, etc., plaintiffs in error, *v.* John A. Smithson. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

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

No. 332. F. May & Co., plaintiff in error, *v.* The City of New Orleans. Motion to advance granted, and cause assigned for argument on Monday, March 5 next, after the cases already set down for that day.

No. 19. May Hays, appellant, *v.* The United States. Motion for leave to withdraw certain original papers herein submitted by Mr. Solicitor-General Richards for the appellee.

No. 481. The East Tennessee, Virginia and Georgia Railway Company et al., appellants, *v.* The Interstate Commerce Commission. Motion to advance submitted by Mr. Solicitor-General Richards for the appellee.

No. 370. John T. Boske, sheriff, etc., appellant, *v.* David N. Comin-gore. Submitted pursuant to the twentieth rule by Mr. John G. Carlisle, Mr. H. M. Winslow and Mr. W. S. Taylor for the appellant, and by Mr. Assistant Attorney-General Boyd for the appellee, and leave granted to counsel for appellant to file reply brief within fifteen days.

No. 260. The Pittsburg and Lake Angeline Iron Company, plaintiff in error, *v.* The Cleveland Iron Mining Company et al. Motions to dismiss submitted by Mr. A. C. Dustin and Mr. Dan H. Ball in support of motions, and by Mr. F. O. Clark and Mr. Alfred Russell in opposition thereto.

No. 5, Original. The State of Minnesota, complainant, *v.* Ethan Allen Hitchcock, Secretary, etc., et al. Leave granted to file stipulation herein and time in which to file answer extended to the first Monday in April next, on motion of Mr. Assistant Attorney-General Vandevanter for the defendants.

No. 485. The Farmers' Loan and Trust Company, petitioner, *v.* W. H. Whitehead et al. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Herbert

B. Turner, Mr. E. O. Wolcott and Mr. J. F. Vaile for the petitioner, and by Mr. John F. Shafroth for the respondents.

No. 305. Mary Louise Kenaday, executrix, etc., plaintiff in error and appellant, *v.* Arabella D. Sinnott et al. Motions to dismiss or affirm submitted by Mr. F. P. B. Sands and Mr. Wm. A. Milliken in support of motions, and by Mr. Wm. Henry Dennis in opposition thereto.

No. 484. Turret Steam Shipping Company (Limited), claimant, *v.* petitioner, *v.* A. G. Hall et al. Petition for writ of certiorari to the United States circuit court of appeals for the first circuit submitted by Mr. J. Parker Kirlin for the petitioner, and by Mr. Charles Theodore Russell for the respondents.

No. 440. Abner T. Bowen, petitioner, *v.* The Needles National Bank et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Charles E. Hughes and Mr. Walter S. Carter for the petitioner, and by Mr. Henry C. Dillon for the respondent.

No. 458. George T. Murdock, executor, etc., plaintiff in error, *v.* John G. Ward, United States collector, etc.; and

No. 459. George D. Sherman, plaintiff in error, *v.* The United States. On motion of Mr. Frederic D. McKenney in behalf of certain interested parties leave granted to file brief herein within one week; and on motion of Mr. Solicitor-General Richards leave granted him to file reply brief within two weeks thereafter.

No. 198 of 1897. William W. Hubbell, appellant, *v.* The United States. Motion to restore case to the docket to be heard with No. 96 submitted by Mr. Frederic D. McKenney for the appellant.

No. 29. La Abra Silver Mining Company, appellant, *v.* The United States. Mandate stayed for thirty days on motion of Mr. Crammond Kennedy for the appellant.

No. 158. Henry L. Mitchell, governor, etc., et al., appellants, *v.* Charles M. Furman, as administrator, etc., et al. Motions to dismiss or affirm submitted by Mr. C. D. Rinehart, Mr. H. Bisbee and Mr. F. P. Fleming in support of motions, and by Mr. Wm. W. Dewhurst in opposition thereto.

No. 229. Wm. C. Glass, plaintiff in error, *v.* The Police Jury of the Parish of Concordia. Submitted pursuant to the twentieth rule by Mr. J. D. Rouse and Mr. Wm. Grant for the plaintiff in error, and by Mr. E. H. Farrar, Mr. B. F. Jonas and Mr. E. B. Kruttschnitt for the defendant in error.

No. 437. The Chicago and Eastern Illinois Railroad Company, plaintiff in error, *v.* The State of Indiana, ex rel. Wm. A. Ketcham, attorney-

general. In error to the supreme court of the State of Indiana. Dismissed per stipulation of counsel.

No. 99. Helen Douglass, appellant, *v.* Lewis H. Douglass et al. Appeal from the court of appeals of the District of Columbia. Dismissed with costs per stipulation of counsel, on motion of Mr. B. F. Leighton for the appellant.

No. 443. George Webster, appellant, *v.* R. D. Speck, sheriff, etc. Appeal from the circuit court of the United States for the district of Washington. Dismissed with costs, pursuant to the tenth rule.

No. 97. Waters-Pierce Oil Company, plaintiff in error, *v.* The State of Texas. One hour additional time granted to plaintiff in error in the argument of this case, on motion of Mr. George Clark for plaintiff in error. Argument commenced by Mr. George Clark for the plaintiff in error, and continued by Mr. J. D. Johnson for the plaintiff in error and by Mr. T. S. Smith for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 9, will be as follows: Nos. 97, 96, 113 of 1898, 192, 243, 435, 439, 138, 100 and 101.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 9, 1900.

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

John J. Vortrees of Nashville, Tenn., Walstein F. Douthirt of Glen Ridge, N. J., Edward G. Niles of Washington, D. C., and Lee Cowart of Birmingham, Ala., were admitted to practice.

No. 489. Harry Plummer, as executor, etc., plaintiff in error, *v.* Bird S. Coler, comptroller, etc. Motion to advance submitted by Mr. W. V. Rowe for the plaintiff in error.

No. —, Original. Ex parte: In the matter of A. J. Daggs et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. A. J. Daggs for the petitioners.

No. 97. Waters-Pierce Oil Company, plaintiff in error, *v.* The State of Texas. Argument continued by Mr. J. D. Johnson for the plaintiff in error, by Mr. T. S. Smith for the defendant in error, and concluded by Mr. John G. Johnson for the plaintiff in error.

No. 96. Wm. Wheeler Hubbell, appellant, *v.* The United States. Argument commenced by Mr. Frederic D. McKenney for the appellant, and continued by Mr. C. C. Binney for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 10, will be as follows: Nos. 96, 113 of 1898, 192, 243, 435, 439, 138, 100, 101 and 102.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 10, 1900.

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

J. W. M. Stewart of Ashland, Ky., was admitted to practice.

No. 103. Josephine H. Throckmorton et al., plaintiffs in error, *v.* Washington D. Holt et al. Passed on account of sickness of counsel, subject to the provisions of section 9 of rule 26, on motion of Mr. Calderon Carlisle for the plaintiffs in error.

No. 96. Wm. Wheeler Hubbell, appellant, *v.* The United States. Argument continued by Mr. C. C. Binney for the appellee, and concluded by Mr. George S. Boutwell for the appellant.

No. 113 of October term, 1898. Thomas M. Adams et al., administrators, etc., petitioners, *v.* Benjamin R. Cowen et al., trustees. Argument commenced by Mr. Lawrence Maxwell, jr., for the petitioners, and continued by Mr. J. J. Glidden for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 11, will be as follows: Nos. 113 of 1898, 192, 243, 435, 439, 138, 100, 101, 102 and 104.



SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 11, 1900.

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

No. 113 of October term, 1898. Thomas M. Adams et al., administrators, etc., petitioners, *v.* Benjamin R. Cowen et al., trustees. Argument continued by Mr. Judson Harmon for the respondents, and concluded by Mr. Lawrence Maxwell, jr., for the petitioners.

No. 192. The Steamship Benito Estenger, etc., appellant, *v.* The United States. Argument commenced by Mr. Harrington Putnam for the appellant, and continued by Mr. Assistant Attorney-General Hoyt for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 12, will be as follows: Nos. 192, 243, 435, 439, 138, 100, 101, 102, 104 and 105.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 12, 1900.

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

John A. Troette, of Cambridge, Ohio, John F. Wilson of Prescott, Ariz., and Moman Pruiett of Pauls Valley, Ind. T., were admitted to practice.

No. 192. The Steamship Benito Estenger, etc., appellant, *v.* The United States. Argument continued by Mr. Assistant Attorney-General Hoyt for the appellee, and concluded by Mr. Harrington Putnam for the appellant.

No. 243. The United States, appellant, *v.* Kleinwort Sons & Co., claimants, etc. Argued by Mr. James H. Hayden and Mr. Assistant Attorney-General Hoyt for the appellant, and by Mr. Wilhelmus Mynderse for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 15, will be as follows: Nos. 435, 439, 138, 100, 101, 102, 104, 105, 107 and 108.



SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 15, 1900.

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

Frederick Lee Mansfield of Athens, Tenn., Arthur St. John Newberry of Cleveland, Ohio, and Timothy J. Fell of Chicago, Ill., were admitted to practice.

No. 156. James A. Farquhar, owner, etc., appellant, *v.* The United States. Appeal from the district court of the United States for the district of South Carolina. Decree reversed, and cause remanded with directions to enter a decree restoring the vessel and cargo, or if they have been sold, the proceeds of the sale, but without damages or costs. Opinion by Mr. Justice McKenna.

No. 268. S. H. H. Clark et al., receivers, etc., plaintiffs in error, *v.* The City of Kansas City, Kans., et al. In error to the supreme court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 393. Henry Bolln, plaintiff in error, *v.* The State of Nebraska. In error to the supreme court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Harlan.

No. 172. The City of New Orleans, petitioner, *v.* John G. Warner. Decree of November 13, 1899, vacated and set aside. Announced by Mr. Justice Brown.

No. 172. The City of New Orleans, petitioner, *v.* John G. Warner. On writ of certiorari to the United States circuit court of appeals for the fifth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the eastern district of Louisiana, with a direction to comply with the decree of the circuit court of appeals. It is further ordered that this decree be entered nunc pro tunc as of March 13, 1899. Announced by Mr. Justice Brown.

No. 44. Lindsay & Phelps Company, plaintiff in error, *v.* John H. Mullen et al. In error to the circuit court of the United States for the

district of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice Peckham, Mr. Justice Harlan, Mr. Justice Brown and Mr. Justice White.

No. 30. Sterling R. Holt et al., appellants, *v.* The Indiana Manufacturing Company. Appeal from the circuit court of the United States for the district of Indiana. Decree reversed with costs, and cause remanded with a direction to dismiss the bill. Opinion by Mr. Chief Justice Fuller.

No. 232. William J. Cruickshank et al., appellants, *v.* George R. Bidwell, collector of customs, etc. Appeal from the circuit court of the United States for the southern district of New York. Decree affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 6, Original. The State of Louisiana, complainant, *v.* The State of Texas et al. Demurrer sustained, and bill of complaint dismissed with costs. Opinion by Mr. Chief Justice Fuller. (Mr. Justice Harlan, Mr. Justice Brown and Mr. Justice White concurred in the result.)

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

No. 325. The New York Life Insurance Company, petitioner, *v.* Frank E. Dingley, administrator, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 463. The Mechanics' Savings Bank, petitioner, *v.* The Fidelity Insurance, Trust and Safe Deposit Company, administrator, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 19. May Hays, appellant, *v.* The United States. Motion for leave to withdraw certain original papers denied without prejudice.

No. 158. Henry L. Mitchell, governor, etc., et al., appellants, *v.* Charles M. Furman, as administrator, etc., et al. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 260. The Pittsburgh and Lake Angeline Iron Company, plaintiff in error, *v.* The Cleveland Iron Mining Company et al. Motions to dismiss postponed to the hearing of the cause on its merits.

No. 305. Mary Louise Kenaday, executrix, etc., plaintiff in error and appellant, *v.* Arabella D. Sinnott et al. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 440. Abner T. Bowen, petitioner, *v.* The Needles National Bank et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 481. The East Tennessee, Virginia and Georgia Railway Company et al., appellants, *v.* The Interstate Commerce Commission. Motion to advance granted, and cause assigned for argument on Monday, February 26 next, after the case already set down for that day.

No. 484. Turret Steam Shipping Company (Limited), claimant, etc., petitioner, *v.* A. G. Hall et al. Petition for a writ of certiorari to the United States circuit court of appeals for the first circuit granted.

No. 485. The Farmers' Loan and Trust Company, petitioner, *v.* W. H. Whitehead et al. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 489. Harry Plummer, as executor, etc., plaintiff in error, *v.* Bird S. Coler, comptroller, etc. Motion to advance granted, and cause assigned for argument on Monday, February 26 next, after the cases already set down for that day.

No. —, Original. Ex parte: In the matter of A. J. Daggs et al., petitioners. Ordered that notice of this petition be served on counsel for appellee in No. 138.

No. 360. Charles F. Champion, appellant, *v.* John C. Ames, United States marshal. Motion to advance submitted by Mr. Solicitor-General Richards for the appellee.

No. 176. Edward B. Wesley, appellant, *v.* Howard P. Eells. Motion on behalf of J. D. M. Shaw for leave to file brief and make argument herein submitted by Mr. W. A. Barber in support of motion, and by Mr. Wm. H. Lyles and Mr. Arthur St. John Newberry in opposition thereto.

No. 239. Nancy B. Hargrove et al., appellants, *v.* The Cherokee Nation. Appeal from the United States court in the Indian Territory. Dismissed with costs, on motion of Mr. Heber J. May for the appellants.

No. 240. Thomas L. Clinkenbeard et al., appellants, *v.* The Cherokee Nation. Appeal from the United States court in the Indian Territory. Dismissed with costs, on motion of Mr. Heber J. May for the appellants.

No. 494. The McCord Lumber Company et al., petitioners, *v.* Frank L. Doyle. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. L. E. Payson in behalf of Mr. A. L. Sanborn for the petitioners, and by Mr. Thomas J. Davis for the respondent.

No. 480. Clarence Murphy, plaintiff in error, *v.* The Commonwealth of Massachusetts. Motion to advance submitted by Mr. Frederic D. McKenney in behalf of counsel for the plaintiff in error.

No. 243. The United States, appellant, *v.* Kleinwort Sons & Co., claimants, etc. Leave granted to Mr. Assistant Attorney-General Hoyt to file additional brief herein.

No. 107. E. F. Black, appellant, *v.* Walter P. Jackson. Passed to be heard with No. 143 as one case, on motion of Mr. Fred. Beall for the appellee.

No. 435. Charles L. Benedict, appellant, *v.* The United States. Argued by Mr. Robert D. Benedict for the appellant, and by Mr. Assistant Attorney-General Pradt for the appellee.

No. 439. The Adirondack Railway Company, plaintiff in error, *v.* The People of the State of New York. Argument commenced by Mr. R. Burnham Moffat for the plaintiff in error, and continued by Mr. Edward Winslow Paige for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 16, will be as follows: Nos. 439, 138, 100, 101, 102, 104, 108, 109, 110 and 111.

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 16, 1900.

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

Theodore Frelinghuysen Hascall of New York City, W. K. Cowden of Huntington, W. Va., and Robert D. Gilmer of Waynesville, N. C., were admitted to practise.

No. 439. The Adirondaek Railway Company, plaintiff in error, *v.* The People of the State of New York. Argument continued by Mr. Edward Winslow Paige for the defendants in error, and concluded by Mr. R. Burnham Moffat for the plaintiff in error.

No. 138. A. J. Daggs et al., appellants, *v.* The Phoenix National Bank. Order assigning case rescinded and cause restored to its place on the docket.

No. 100. Felix Jellenik et al., appellants, *v.* The Huron Copper Mining Company et al. Argued by Mr. F. O. Clark for the appellants, and submitted by Mr. T. L. Chadbourne for the appellees!

No. 101. Stanton Warburton, plaintiff in error, *v.* Matilda B. White et al. Argued by Mr. S. Warburton for the plaintiff in error, and by Mr. Charles S. Fogg for the defendants in error. Leave granted to counsel for defendants in error to file an additional brief within one week.

No. 102. Fred Stearns, county auditor, etc., plaintiff in error, *v.* The State of Minnesota, on the relation of James N. Marr. Three hours allowed each side and three counsel to be heard on each side in the argument of this case, on motion of Mr. W. B. Hornblower for the plaintiff in error. Argument commenced by Mr. C. W. Bunn for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 17, will be as follows: Nos. 102, 104, 105, 108, 109, 110, 111, 113, 114 and 116.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 17, 1900.

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

Edward C. Crow of Jefferson City, Mo., B. Schnurmacher of St. Louis, Mo., George H. Sullivan of Stillwater, Minn., and Samuel M. Burdett of Chicago, Ill., were admitted to practice.

No. 111. The Township of Garfield, Finney County, Kans., et al., plaintiffs in error and appellants, *v.* C. H. Potter & Co. In error to and appeal from the circuit court of the United States for the district of Kansas. Dismissed with costs, pursuant to the tenth rule.

No. 116. R. K. Hawley et al., appellants, *v.* L. Edgar Diller. Appeal from the United States circuit court of appeals for the ninth circuit. Dismissed with costs, pursuant to the tenth rule.

No. 197. The Board of Supervisors of Presque Isle County, plaintiff in error, *v.* William J. Ashley. In error to the circuit court of the United States for the eastern district of Michigan. Dismissed per stipulation and mandate granted.

No. —, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Motion for leave to file bill of complaint herein submitted by Mr. Edward C. Crow for the complainant.

No. —, Original. The State of Missouri, plaintiff, *v.* The State of Nebraska. Motion for leave to file petition herein submitted by Mr. Edward C. Crow for the plaintiff.

No. 102. Fred Stearns, county auditor, etc., plaintiff in error, *v.* The State of Minnesota, on the relation of James N. Marr. Argument continued by Mr. C. W. Bunn and Mr. Julien T. Davies for the plaintiff in error, by Mr. H. W. Childs, Mr. W. B. Douglass and Mr. A. Y. Merrill for the defendant in error, and by Mr. Wm. B. Hornblower for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 18, will be as follows: Nos. 102, 104, 105, 108, 109, 110, 113, 114, 117 and 118.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 18, 1900.

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

Julius Kahn of San Francisco, Cal., and Robert E. Steiner of Montgomery, Ala., were admitted to practice.

No. 102. Fred. Stearns, county auditor, etc., plaintiff in error, *v.* The State of Minnesota, on the relation of James N. Marr. Argument concluded by Mr. Wm. B. Hornblower for the plaintiff in error.

No. 104. John E. Roller, plaintiff in error, *v.* Stephen Holly et al. Submitted by Mr. John E. Roller and Mr. W. S. Laidley for the plaintiff in error, and by Mr. W. T. Jackson, Mr. H. W. Williams and Mr. Joe Peeples in propria persona.

No. 105. C. P. Huntington, special receiver, etc., appellant, *v.* W. K. Cowden, administrator, etc., et al. Argument commenced by Mr. Maxwell Evarts for appellant, and continued by Mr. Z. T. Vinson and Mr. Holmes Conrad for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 19, will be as follows: Nos. 105, 108, 109, 110, 113, 114, 117, 118, 119 and 120.



SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 19, 1900.

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

John J. Stoddart of Columbus, Ohio, was admitted to practice.

No. 105. C. P. Huntington, special receiver, etc., appellant, *v.* W. K. Cowden, administrator, etc., et al. Argument concluded by Mr. Maxwell Evarts for the appellant.

No. 108. The Farmers' Loan and Trust Company, plaintiff in error, *v.* The Lake Street Elevated Railroad Company et al. Argued by Mr. J. J. Herrick and Mr. William Burry for the plaintiff in error, and by Mr. Clarence A. Knight and Mr. T. A. Moran for the defendants in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 22, will be as follows: Nos. 109, 110, 12, 113, 114, 117, 118, 119, 120 and 121.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 22, 1900.

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

George Welwood Murray of New York City, E. C. Henderson of New York City, F. Spiegelberg of New York City, Ellsworth E. Lonabaugh of Sheridan, Wyo., Alfred S. Frost of Chicago, Ill., and Charles Alston Cook of Warrenton, N. C., were admitted to practice.

No. 36. Chew Hing Lung & Co., petitioners, *v.* John H. Wise, collector of customs for the port of San Francisco. On writ of certiorari to the United States circuit court of appeals for the ninth circuit. Judgment of the United States circuit court of appeals reversed with costs, and the judgment of the circuit court of the United States for the northern district of California affirmed, and cause remanded to the said circuit court. Opinion by Mr. Justice Peckham.

No. 33. Harry W. Dickerman, trustee, etc., et al., petitioners, *v.* The Northern Trust Company et al., trustees. On writ of certiorari to the United States circuit court of appeals for the seventh circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the northern district of Illinois. Opinion by Mr. Justice Brown. (Mr. Justice Shiras and Mr. Justice Peckham concurred in the result.)

No. 131. The Chicago, Milwaukee and St. Paul Railway Company, appellant, *v.* William H. Tompkins et al., etc. Appeal from the circuit court of the United States for the district of South Dakota. Decree reversed with costs, and cause remanded with directions to refer the case to some competent master to report fully the facts, and to proceed upon such report as equity shall require. Opinion by Mr. Justice Brewer.

No. 261. Robert Rae, jr., et ux., plaintiffs in error, *v.* The Homestead Loan and Guarantee Company. 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:

No. 176. Edward B. Wesley, appellant, *v.* Howard P. Eells. Leave granted to Mr. Wm. A. Barber to file brief herein as *amicus curiæ*.

No. 360. Charles F. Champion, appellant, *v.* John C. Ames, United States marshal. Motion to advance granted, and cause assigned for argument on Monday, October 15 next.

No. 480. Clarence Murphy, plaintiff in error, *v.* The Commonwealth of Massachusetts. Motion to advance granted, and cause assigned for argument on Monday, February 26 next, after the cases already set down for that day.

No. 494. The McCord Lumber Company et al., petitioners, *v.* Frank L. Doyle. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 7, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Motion for leave to file bill of complaint granted, and subpoena ordered returnable on Monday, April 2 next.

No. 8, Original. The State of Missouri, complainant, *v.* The State of Nebraska. Leave granted to file petition herein as a bill of complaint, and subpoena ordered returnable on Monday, April 2 next.

No. 298. Rothschild & Bro., appellants, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Richards for the appellee.

No. 395. The Spanish Smack Paquete Habana, etc., appellant, *v.* The United States; and

No. 396. The Spanish Schooner Lola, etc., appellant, *v.* The United States. Motion to modify decrees herein submitted by Mr. Solicitor-General Richards and Mr. Assistant Attorney-General Hoyt in support of motion, and by Mr. J. Parker Kirlin in opposition thereto.

No. 502. The Central Trust Company of New York et al., petitioners, *v.* The Denver and Rio Grande Railroad Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Henry M. Teller in behalf of Mr. A. H. Joline, Mr. Henry T. Rogers and Mr. Lucius M. Cuthbert for the petitioners.

No. 500. The Toledo, St. Louis and Kansas City Railroad Company et al., petitioners, *v.* The Continental Trust Company of New York, surviving trustee, et al.; and

No. 501. Dana A. Rose, petitioner, *v.* The Continental Trust Company of New York, etc., et al. Petitions for writs of certiorari to the United States circuit court of appeals for the sixth circuit for a stay of proceedings and for an order dispensing with certification of the record submitted by Mr. J. D. Springer, Mr. F. Spiegelberg and Mr. John Ford for the petitioner in No. 500, by Mr. John S. Miller for the petitioner in No. 501, and by Mr. E. C. Henderson, Mr. Willard Parker Butler and Mr. Henry Crawford in opposition thereto.

No. 499. John Fitzpatrick, plaintiff in error, *v.* The United States. On motion of Mr. A. B. Browne in behalf of Mr. Julius Kahn for the plaintiff in error, leave granted to plaintiff in error to proceed in forma pauperis, and cause advanced and assigned for argument on Monday, February 26 next, after the cases already set down for that day.

No. 156. James A. Farquhar, owner, etc., et al., appellants, *v.* The United States. On motion of Mr. Frederic D. McKenney for the appellants, decree entered herein January 15, 1900, set aside by consent of counsel, new decree entered and mandate granted.

No. 156. James A. Farquhar, owner, etc., et al., appellants, *v.* The United States. Appeal from the district court of the United States for the district of South Carolina. Decree reversed, and cause remanded with directions to enter a decree restoring the vessel and cargo, or any sum which may have been deposited in lieu thereof, under stipulation for value or sale, but without damages or costs. Per Mr. Justice McKenna.

No. 311. P. J. Willis & Bro. et al., petitioners, *v.* F. 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. Thomas Harvey Clark in behalf of Mr. Eugene Williams and Mr. George Clark for the petitioners, and by Mr. John G. Winter for the respondents.

No. 236. S. Duffield Mitchell, trustee, etc., plaintiff in error, *v.* J. McD. Scott, bankrupt. In error to the district court of the United States for the western district of Pennsylvania. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 341. Antoinette Thormann, plaintiff in error, *v.* Andrew J. Frame et al. Motions to dismiss or affirm submitted by Mr. Charles F. Buck, Mr. D. S. Tullar and Mr. T. E. Ryan in support of motions, and by Mr. Wm. A. Maury and Mr. E. Howard McCaleb in opposition thereto.

No. 109. James Bristol, executor, etc., plaintiff in error, *v.* Washington County, Minn. Argued by Mr. C. W. Bunn and Mr. Emerson Hadley for the plaintiff in error, and by Mr. Moses E. Clapp and Mr. George H. Sullivan for the defendant in error.

No. 110. The County of Coconino, appellant, *v.* The County of Yavapai. Argued by Mr. Edward M. Doe for the appellant. No counsel appeared for the appellee.

No. 12. The Mutual Life Insurance Company of New York, petitioner, *v.* Nellie Phinney, executrix, etc. Argument commenced by Mr. Julien T. Davies for the petitioner and continued by Mr. Warburton for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 23, will be as follows: Nos. 12, 113, 114, 117, 118, 119, 120, 121 (and 408), 123 and 124.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 23, 1900.

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

Granville W. Browning of Chicago, Ill., Wm. H. Atwell of Dallas, Tex., and Wm. C. Campbell of Prescott, Ariz., were admitted to practice.

No. 96. Wm. Wheeler Hubbell, appellant, *v.* The United States. Leave granted to file supplemental brief herein on motion of Mr. Wm. Wheeler Hubbell in propria persona.

No. 12. The Mutual Life Insurance Company of New York, petitioner, *v.* Nellie Phinney, executrix, etc. Argument continued by Mr. Julien T. Davies for the petitioner, by Mr. Stanton Warburton for the respondent, and concluded by Mr. Julien T. Davies for the petitioner. Leave granted to counsel to file additional briefs within one week.

No. 113. Samuel Castner, jr., et al., petitioners, *v.* W. H. Coffman, doing business as Pocahontas Coke and Coal Company, etc. Argument commenced by Mr. Arthur v. Briesen for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 24, will be as follows: Nos. 113, 114, 117, 118, 119, 120, 121 (and 408), 123, 124 and 125.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 24, 1900.

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

Wm. Beverly Winslow of New York City was admitted to practice.

No. 113. Samuel Castner, jr., et al., petitioners, *v.* W. H. Coffman, doing business as Pocahontas Coke and Coal Company, etc. Argument continued by Mr. Arthur v. Briesen for the petitioners, by Mr. E. B. Stocking for the respondent, and concluded by Mr. Frederick P. Fish for the petitioners.

No. 114. The Illinois Central Railroad Company, plaintiff in error, *v.* The City of Chicago. Argument commenced by Mr. William D. Guthrie for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 25, will be as follows: Nos. 114, 117, 118, 119, 120, 121 (and 408), 123, 124, 125 and 126.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 25, 1900.

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

Howard M. Snapp of Joliet, Ill., was admitted to practice.

No. —, Original. Ex parte: In the matter of A. J. Daggs et al., petitioners. Leave granted to file reply brief herein on motion of Mr. A. J. Daggs for the petitioners.

No. 114. The Illinois Central Railroad Company, plaintiff in error, *v.* The City of Chicago. Argument continued by Mr. Wm. D. Guthrie for the plaintiff in error, and concluded by Mr. Granville W. Browning for the defendant in error.

No. 117. Edward S. Dreyer, appellant, *v.* James Pease, sheriff, etc.; and

No. 118. Robert Berger, appellant, *v.* James Pease, sheriff, etc. Submitted by Mr. Levy Mayer for the appellants, and by Mr. Charles S. Deneen for the appellee.

No. 119. D. P. Tarpey, plaintiff in error, *v.* Andrew Madsen. Argument commenced by Mr. L. E. Payson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 26, will be as follows: Nos. 119, 120, 121 (and 408), 123, 124, 125, 126, 128, 130 and 132.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 26, 1900. *

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

No. 36. Chew Hing Lung & Co., petitioners, *v.* John H. Wise, collector, etc. Mandate granted on motion of Mr. A. B. Browne for the petitioners.

No. 162. S. R. Phelps et al., plaintiffs in error, *v.* S. J. Johnson, as administrator, etc., et al. In error to the supreme court of the State of Arkansas. Dismissed with costs, on the authority of counsel for the plaintiffs in error.

No. 109. James Bristol, executor, etc., plaintiff in error, *v.* Washington County, Minnesota. Leave granted to file a supplemental brief herein, on motion of Mr. C. W. Bunn for the plaintiff in error.

No. 119. D. P. Tarpey, plaintiff in error, *v.* Andrew Madsen. Argument continued by Mr. L. E. Payson for the plaintiff in error, by Mr. B. Howell Jones for the defendant in error, and concluded by Mr. L. E. Payson for the plaintiff in error.

No. 120. The Kittaning Coal Company, appellant, *v.* J. L. Zabriskie et al., executors, etc. Argued by Mr. John B. Uhle for the appellant, and by Mr. Henry Crofut White for the appellees.

No. 121. Andrew Doherty, plaintiff in error, *v.* The Northern Pacific Railway Company; and

No. 408. The United States, appellant, *v.* The Northern Pacific Railroad Company et al. Argument commenced by Mr. C. W. Russell for the United States.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 29, will be as follows: Nos. 121 (and 408), 123, 124, 126, 128, 130, 132, 133, 134 and 135.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 29, 1900.

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

A. Delos Kneeland of Rome, N. Y., Milton S. Gunn of Helena, Mont., Cipriano Andrade, jr., of Philadelphia, Pa., L. A. Doherty of Spokane, Wash., John B. Strasburger of Chicago, Ill., Charles C. Gilbert of Chicago, Ill., Timothy G. Tarsney of Detroit, Mich., Robert L. Stanton of New York City and Newton W. McConnell of Helena, Mont., were admitted to practice.

No. 21. *The United States, appellant, v. The Bellingham Bay Boom Company.* Appeal from the United States circuit court of appeals for the ninth circuit. Decree of the United States circuit court of appeals and the decree of the circuit court of the United States for the district of Washington, northern division, reversed, and cause remanded to the said circuit court for further proceedings to be had therein in accordance with the opinion of this court. Opinion by Mr. Justice Peckham.

No. 395. *The Spanish Smack Paquete Habana, etc., appellant, v. The United States; and*

No. 396. *The Spanish Schooner Lola, etc., appellant, v. The United States.* Appeals from the district court of the United States for the southern district of Florida. Decrees of January 8, 1900, herein so modified as to direct that the damages to be allowed shall be compensatory only and not punitive. Announced by Mr. Justice Gray.

No. 8. *Southern Railway Company, petitioner, v. Carnegie Steel Company, Limited.* 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 eastern district of Virginia. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice White. (Mr. Justice Brewer, not having heard the argument in this case, did not participate in the decision.)

No. 22. *The Lackawanna Iron and Coal Company et al., petitioners, v. The Farmers' Loan and Trust Company et al.* On writ of certiorari

to the United States circuit court of appeals for the fifth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the eastern district of Texas. Opinion by Mr. Justice Harlan.

No. 229. William C. Glass, plaintiff in error, *v.* The Police Jury of the Parish of Concordia. 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. —, Original. *Ex parte* : In the matter of A. J. Daggs et al., petitioners. Motion for leave to file petition for a writ of mandamus denied.

No. 298. Rothschild & Brother, appellants, *v.* The United States. Motion to advance denied, but the case will be taken on printed briefs on or before March 5 next, if counsel shall be so advised.

No. 311. P. J. Willis & Brother et al., petitioners, *v.* F. A. Rice et al. Petitions for writs of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 500. The Toledo, St. Louis and Kansas City Railroad Company et al., petitioners, *v.* The Continental Trust Company of New York, surviving trustee, et al. ; and

No. 501. Dana A. Rose, petitioner, *v.* The Continental Trust Company of New York, etc., et al. Petitions for writs of certiorari to the United States circuit court of appeals for the sixth circuit denied. Opinion on motion to dispense with the certification of the record by Mr. Chief Justice Fuller.

No. 502. The Central Trust Company of New York et al., petitioners, *v.* The Denver and Rio Grande Railroad Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 110. The County of Coconino, appellant, *v.* The County of Yavapai. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs, on the authority of *Utter v. Franklin*, 172 U. S., 416.

No. 117. Edward S. Dreyer, appellant, *v.* James Pease, sheriff, etc. ; and

No. 118. Robert Berger, appellant, *v.* James Pease, sheriff, etc. Appeals from the circuit court of the United States for the northern district of Illinois. Final orders affirmed with costs, on the authority of *Markuson v. Boucher*, 175 U. S., 184 ; *Baker v. Grice*, 169 U. S., 284 ; *Tinsley v. Anderson*, 171 U. S., 101, and cases cited.

No. 120. The Kittaning Coal Company, appellant, *v.* J. L. Zabriskie et al., executors, etc. Appeal from the circuit court of the United States for the eastern district of New York. Dismissed for want of jurisdiction, on the authority of *Smith v. McKay*, 161 U. S., 355; *Blythe v. Hinckley*, 173 U. S., 501.

The Chief Justice also announced that the court would take a recess from Monday, February 5, to Monday, February 26 next.

No. 350. John Bad Elk, plaintiff in error, *v.* The United States. Advanced and assigned for argument on Monday, February 26 next, after the cases already set down for that day, on motion of Mr. Solicitor-General Richards for the defendant in error.

No. 486. The Oregon Railroad and Navigation Company et al., petitioners, *v.* Robert Balfour et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. A. B. Browne for the petitioners, with leave to counsel for respondents to file brief within thirty days.

No. 133. G. W. Boyd et al., appellants, *v.* J. L. Sweet, county treasurer, et al. Appeal from the supreme court of the Territory of Oklahoma. Dismissed with costs, pursuant to the tenth rule.

No. 123. The United States, appellant, *v.* Mrs. Gue Lim et al. Submitted by Mr. Assistant Attorney-General Hoyt for the appellant. No counsel appeared for the appellees.

No. 121. Andrew Doherty, plaintiff in error, *v.* The Northern Pacific Railway Company; and

No. 408. The United States, appellant, *v.* The Northern Pacific Railroad Company et al. Argument continued by Mr. C. W. Russell for the United States, by Mr. James B. Kerr and Mr. C. W. Bunn for the Northern Pacific Railway Company et al., and concluded by Mr. C. W. Russell for the United States. Submitted on printed brief by Mr. M. S. Bright for Doherty.

No. 124. Louise M. Matteson et al., plaintiffs in error, *v.* Wm. H. Dent, receiver, etc. Submitted by Mr. E. S. Durment for the plaintiffs in error, and by Mr. Frank B. Kellogg for the defendant in error.

No. 126. Thomas W. Hyde, plaintiff in error, *v.* Bishop Iron Company et al. Argument commenced by Mr. John Brennan for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 30, will be as follows: Nos. 126, 128, 130, 134, 135, 136, 137, 138, 139 (and 272) and 140.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 30, 1900.

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

No. 138. A. J. Daggs et al., appellants, *v.* The Phoenix National Bank. Submitted on briefs to be filed by counsel for appellants on or before February 19 next, and by counsel for the appellee on or before February 26 next.

No. 140. Josephine Burnett et al., plaintiffs in error, *v.* The Commonwealth of Massachusetts et al. In error to the superior court of the State of Massachusetts. Dismissed per stipulation.

No. 126. Thomas W. Hyde, plaintiff in error, *v.* Bishop Iron Company et al. Argument continued by Mr. John Brennan for the plaintiff in error, by Mr. J. K. Redington for the defendants in error, by Mr. John Brennan and Mr. Louis A. Pradt for the plaintiff in error, and concluded by Mr. James K. Redington for the defendants in error. Leave granted to counsel for the plaintiff in error to file additional brief within ten days, and to counsel for defendants in error to file reply brief within three days thereafter.

No. 128. Frederick Weyerhaeuser et al., plaintiffs in error, *v.* The State of Minnesota. Argued by Mr. George Welwood Murray for the plaintiffs in error, and submitted by Mr. Moses E. Clapp for the plaintiffs in error, and by Mr. W. B. Douglas for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 31, will be as follows: Nos. 130, 134, 135, 136, 137, 139 (and 272), 141, 142, 143 (and 107) and 144.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 31, 1900.

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

H. M. Jordan of Washington, D. C., was admitted to practice.

No. 503. Fred. Bardes, trustee, etc., appellant, *v.* The First National Bank of Hawarden, Iowa, et al. Advanced under the thirty-second rule, and submitted by Mr. C. A. Brandenburg for the appellant and by Mr. Wm. Milchrist for the appellees, on briefs filed in No. 429.

No. 144. Bessie Barnett, appellant, *v.* Joseph Barnett. Appeal from the supreme court of the Territory of New Mexico. Dismissed with costs, pursuant to the tenth rule.

No. 130. The United States, appellant, *v.* The Parkhurst-Davis Mercantile Company et al. Submitted by Mr. Solicitor-General Richards and Mr. F. E. Hutchins for the appellant. No brief filed for the appellees.

No. 134. Guaranty Savings Bank, plaintiff in error, *v.* Albert Bladow et al. Submitted by Mr. S. B. Pinney for the plaintiff in error, and by Mr. W. H. Standish for the defendants in error.

No. 135. The Chicago, Rock Island and Pacific Railway Company et al., plaintiffs in error, *v.* Lissa Martin, administratrix. Submitted by Mr. M. A. Low, Mr. W. S. Pierce, Mr. A. L. Williams, Mr. W. R. Kelly, Mr. W. F. Evans and Mr. N. H. Loomis for the plaintiffs in error, and by Mr. A. A. Godard for the defendant in error.

No. 136. The Crown Cork and Seal Company of Baltimore City, plaintiff in error, *v.* John F. Parlett, city collector. In error to the court of appeals of the State of Maryland. Dismissed with costs, on authority of counsel for plaintiff in error.

No. 137. The Crown Cork and Seal Company, of Baltimore City, plaintiff in error, *v.* The State of Maryland. In error to the court of appeals of the State of Maryland. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 139. Oscar M. Springer, petitioner, *v.* Anders Jacobsen, claimant, etc.; and

No. 272. Anders Jacobsen, claimant, etc., petitioner, *v.* Oscar M. Springer et al. Argued by Mr. Richard De Gray and Mr. T. E. Tarsney for Springer, and by Mr. Wilhelmus Mynderse for Jacobsen.

No. 141. Carrie Moss, appellant, *v.* Richard Dowman. Argument commenced by Mr. James K. Redington for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, February 1, will be as follows: Nos. 141, 142, 143 (and 107), 145, 146, 147, 148, 149, 151 and 152.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, FEBRUARY 1, 1900.

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

Kate Pier of Milwaukee, Wis., Harriet H. Pier of Milwaukee, Wis., George H. Walker of Washington, D. C., W. W. Dyar of Washington, D. C., Richard R. Beall of Washington, D. C., T. Percy Myers of Washington, D. C., and Edward C. Bates of Boston, Mass., were admitted to practice.

No. 466. C. G. Blake et al., plaintiffs in error, *v.* Calvin M. McClung et al. Mandate granted on motion of Mr. H. J. May for the plaintiffs in error.

No. 146. Johanna Quirk, appellant, *v.* William W. Liebert. Appeal from the court of appeals of the District of Columbia. Dismissed with costs, pursuant to the tenth rule.

No. 147. Benjamin Lombard, jr., plaintiff in error, *v.* B. F. McMillan et al. In error to the supreme court of the State of Wisconsin. Dismissed with costs, pursuant to the tenth rule.

No. 148. The City of Los Angeles et al., appellants, *v.* Los Angeles City Water Company et al. Passed, subject to the provisions of section 9, rule 26.

No. 151. Waples Platter Co. et al., plaintiffs in error, *v.* C. W. Turner. In error to the United States circuit court of appeals for the eighth circuit. Dismissed with costs, pursuant to the tenth rule.

No. 171. The Knoxville and Ohio Railroad Company, plaintiff in error, *v.* James A. Harris, comptroller, etc. In error to the supreme court of the State of Tennessee. Dismissed with costs, on the authority of counsel for the plaintiff in error.

No. 141. Carrie Moss, appellant, *v.* Richard Dowman. Argument concluded by Mr. James K. Redington for the appellant, and cause submitted on brief by Mr. Charles A. Towne for the appellee.

No. 142. The Jamestown and Northern Railroad Company, plaintiff in error, *v.* Theodore J. Jones. Argued by Mr. A. B. Browne for the plaintiff in error. No counsel appeared for the defendant in error.

No. 107. E. F. Black, appellant, *v.* Walter P. Jackson; and

No. 143. J. C. Potts, appellant, *v.* Thomas N. Hollen. Submitted by Mr. J. W. Shartel for the appellants, and by Mr. Fred. Beall for the appellees.

No. 145. John N. Quackenbush, appellant, *v.* The United States. Argued by Mr. John Paul Jones and Mr. Richard R. Beall for the appellant, and by Mr. George H. Walker for the appellee.

No. 149. Mast, Foos & Co., petitioner, *v.* Stover Manufacturing Company. Argument commenced by Mr. H. A. Toulmin for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 2, will be as follows: Nos. 149, 152, 153, 155, 157, 158, 160, 161, 165 and 166.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, FEBRUARY 2, 1900.

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

John C. Brown of Nashville, Tenn., William P. Metcalf of Memphis, Tenn., Alexander Rosenthal of New York City and Frederic E. Fuller of New York City were admitted to practice.

No. 116. R. K. Hawley et al., appellants, *v.* L. Edgar Diller. Decree of dismissal entered herein January 17 vacated, and cause submitted on briefs to be filed on or before February 26, on motion of Mr. A. B. Browne for the appellants.

No. 155. Charles Denehy & Co. et al., petitioners, *v.* John McNulta, receiver, etc., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Moses Solomon for the petitioners.

No. 161. D. L. Boyd et al., appellants, *v.* The United States. Appeal from the United States circuit court of appeals for the fourth circuit. Dismissed, pursuant to the tenth rule.

No. 125. The Union and Planters' Bank, plaintiff in error, *v.* The City of Memphis. In error to the supreme court of the State of Tennessee. Dismissed, per stipulation, on motion of Mr. William P. Metcalf for the defendant in error.

No. 149. Mast, Foos & Co., petitioner, *v.* Stover Manufacturing Company. Argument continued by Mr. H. A. Toulmin for the petitioner, by Mr. C. K. Offield and Mr. C. C. Linticum for the respondent, and concluded by Mr. Lysander Hill for the petitioner.

No. 157. Robert Jackson, appellant, *v.* George E. Emmons et al. Submitted by Mr. Jos. J. Waters for the appellant, and by Mr. William F. Mattingly for the appellees.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 5, 1900.

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

No. 53. The United States, appellant, *v.* The Tennessee and Coosa Railroad Company et al. Appeal from the United States circuit court of appeals for the fifth circuit. Decree reversed, and cause remanded to the circuit court of the United States for the northern district of Alabama, with directions to proceed in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 86. Ellis H. Roberts, Treasurer of the United States, petitioner, *v.* The United States ex rel. Marië A. Valentine. On writ of certiorari to the court of appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 87. The Baltimore and Potomac Railroad Company, plaintiff in error, *v.* Charles Emmet Cumberland, an infant, by his next friend, Charles J. Cumberland. In error to the court of appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice White and Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 452. The Mutual Life Insurance Company of New York, petitioner, *v.* Bessie F. Sears, executrix, etc.;

No. 453. The Mutual Life Insurance Company of New York, petitioner, *v.* George E. Hill et al.;

No. 454. The Mutual Life Insurance Company of New York, petitioner, *v.* Tine Cohen; and

No. 455. The Mutual Life Insurance Company of New York, petitioner, *v.* Walter B. Allen, administrator, etc. Petitions for writs of certiorari to the United States circuit court of appeals for the ninth circuit granted, and cases set down to be heard as one case on Monday, March 12 next.

No. 155. Charles Denchey & Co. et al., petitioners, *v.* John McNulta, receiver, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 520. Francis E. Spencer 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 Richards for the appellees.

No. 521. Manuela Villaescusa de Marquez et al., appellants, *v.* The United States. Appeal from the Court of Private Land Claims. Docketed and dismissed, on motion of Mr. Solicitor-General Richards for the appellee.

No. 116. R. K. Hawley et al., appellants, *v.* L. Edgar Diller. Death of R. K. Hawley suggested, and appearance of Chauncey S. Truax and L. Dean Holden, trustees of the estate of R. K. Hawley, deceased, as parties appellants herein, filed and entered, on motion of Mr. Charles K. Jenner for the appellants.

No. 516. The People of the State of Illinois ex rel. George Hunt, petitioner, *v.* Illinois Central Railroad Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. J. H. Hamline and Mr. E. C. Akin for the petitioner, and by Mr. John N. Jewett for the respondents.

No. 46. The Louisville and Nashville Railroad Company et al., appellants, *v.* Henry W. Behlmer. Motion to modify decree herein submitted by Mr. C. B. Northrop for the appellee.

No. 109. James Bristol, executor, etc., plaintiff in error, *v.* Washington County, Minn. Leave granted to file reply brief for the defendant in error, on motion of Mr. George H. Sullivan for the defendant in error.

No. 519. William G. Peters, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Frederic D. McKenney and Mr. W. H. Pritchard for petitioner, with leave to respondent to file brief in opposition on or before the 26th instant.

No. 513. Oberlin M. Carter, on the petition of Abram J. Rose, petitioner, *v.* Benjamin K. Roberts. Petition for writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Abram J. Rose and Mr. L. Laffin Kellogg for the petitioner, with leave to counsel for respondent to file brief in opposition within ten days.

No. 471. The Board of Commissioners of Wilkes County et al., appellants, *v.* W. N. Coler & Co. Motions to advance and extend time for argument submitted by Mr. A. C. Avery for the appellants. Motion for leave to be heard in behalf of certain interested parties submitted by Mr. R. O. Burton and Mr. J. E. Shepard for motion.

No. 515. Lamport & Holt, owners of the steamship Strabo, petitioners, *v.* John J. King. Petition for writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Edward I. Renick and Mr. Frank D. Sturges for the petitioners, and by Mr. W. C. Beecher for the respondent.

No. 69. The Canada Sugar Refining Company, Limited, petitioner, *v.* The Insurance Company of North America. Motion to amend decree submitted by Mr. Thomas Harvey Clark in behalf of counsel for the petitioner, and by Mr. C. A. Hand in opposition thereto.

Adjourned until Monday, February 26, at 12 o'clock.

The day call for Monday, February 26, will be as follows: Nos. 98, 481, 489, 480, 499, 350, 152, 153, 158 and 160.

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SUPREME COURT OF THE UNITED STATES

MONDAY, FEBRUARY 26, 1900.

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

Wm. D. Bishop, jr., of Bridgeport, Conn., Wade H. Ellis of Cincinnati, Ohio, Jabish Holmes, jr., of New York City, Alfred J. Daly of Juneau, Alaska, Edward J. Levey of New York City, Benjamin W. Hahn of Pasadena, Cal., Frederick W. Winter of Washington, D. C., George C. Dean of Washington, D. C., Moses Taggart of Grand Rapids, Mich., George S. Sawyer of Pioche, Nev., C. J. Frederick of Fort Smith, Ark., Ezra Ripley Thayer of Boston, Mass., William Parker Jewett of St. Paul, Minn., Francis C. Downey of Topeka, Kans., Wm. C. Shelley of Washington, D. C., John W. Carter of Butte, Mont., and William H. Stafford of Chippewa Falls, Wis., were admitted to practice.

No. 128. Frederick Weyerhauser et al., plaintiffs 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 McKenna.

No. 157. Robert Jackson, plaintiff in error, *v.* George E. Emmons et al. In error to the court of appeals of the District of Columbia. Judgment reversed with costs, and cause remanded with directions to reverse the judgment of the supreme court of the District of Columbia. Opinion by Mr. Justice McKenna.

No. 123. The United States, appellant, *v.* Mrs. Gae Linx et al. Appeal from the district court of the United States for the district of Washington. Decrees affirmed. Opinion by Mr. Justice Peckham.

No. 134. Guaranty Savings Bank, plaintiff in error, *v.* Albert Bladow et al. In error to the fourth judicial district court of Richland County, State of North Dakota. Judgment modified and affirmed with costs. Opinion by Mr. Justice Peckham.

No. 384. Charles L. Maxwell, plaintiff in error, *v.* George N. Dow, warden, etc. In error to the supreme court of the State of Utah. Judgment affirmed with costs. Opinion by Mr. Justice Peckham. Dissenting: Mr. Justice Harlan.

No. 20. The United States, appellant, *v. Luis Maria Ortiz et al.* Appeal from the Court of Private Land Claims. Decree reversed, and cause remanded with directions to enter a decree rejecting the grant and dismissing the petition. Opinion by Mr. Justice White.

No. 124. Louise M. Matteson et al., plaintiffs in error, *v. William H. Dent, receiver, etc.* In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 101. Stanton Warburton, plaintiff in error, *v. Matilda B. White et al.* In error to the supreme court of the State of Washington. Judgment affirmed with costs and interest. Opinion by Mr. Justice White.

No. 88. The Baltimore and Ohio Southwestern Railway Company, plaintiff in error, *v. William Voight.* 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 Shiras. Dissenting: Mr. Justice Harlan.

No. 95. The Florida Central and Peninsular Railroad Company, plaintiff in error, *v. William J. Bell et al.* In error to the United States circuit court of appeals for the fifth circuit. Judgment of United States circuit court of appeals and of the circuit court of the United States for the southern district of Florida reversed with costs, and cause remanded to said circuit court with directions to dismiss the action for want of jurisdiction. Opinion by Mr. Justice Shiras.

No. 435. Charles L. Benedict, appellant, *v. The United States.* Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brown. (Mr. Justice McKenna took no part in the decision of this case.)

No. 90. John J. Walsh, plaintiff in error, *v. The Columbus, Hocking Valley and Athens Railroad Company;*

No. 91. Robert Wright, plaintiff in error, *v. The Columbus, Hocking Valley and Athens Railroad Company;* and

No. 92. Michael S. Vought, plaintiff in error, *v. The Columbus, Hocking Valley and Athens Railroad Company.* In error to the supreme court of the State of Ohio. Judgments affirmed with costs. Opinions by Mr. Justice Brown.

No. 104. John E. Roller, plaintiff in error, *v. Stephen Holly et al.* In error to the court of civil appeals for the fourth supreme judicial district, State of Texas. Judgment reversed with costs, and cause remanded with instructions to remand the case to the district court of Limestone County for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brown. Dissenting: Mr. Chief Justice Fuller and Mr. Justice Brewer.

No. 167. The Steamship Adula, etc., appellant, *v.* The United States. Appeal from the district court of the United States for the southern district of Georgia. Decree affirmed. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice Shiras, Mr. Justice Gray, Mr. Justice White and Mr. Justice Peckham.

No. 130. The United States, appellant, *v.* The Parkhurst-Davis Mercantile Company et al. Appeal from the circuit court of the United States for the district of Kansas. Decree affirmed. Opinion by Mr. Justice Brewer.

No. 141. Carrie Moss, appellant, *v.* Richard Dowman. Appeal from the United States circuit court of appeals for the eighth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the district of Minnesota. Opinion by Mr. Justice Brewer.

No. 127. The Steamship Panama, etc., appellant, *v.* The United States. Appeal from the district court of the United States for the southern district of Florida. Decree affirmed. Opinion by Mr. Justice Gray. Dissenting: Mr. Justice Peckham.

No. 516. The People of the State of Illinois *ex rel.* George Hunt, attorney-general, petitioner, *v.* Illinois Central Railroad Company et al. Petition for writ of certiorari to the United States circuit court of appeals for the seventh circuit denied. Announced by Mr. Justice Harlan. (The Chief Justice took no part in the consideration or decision of this petition.)

No. 341. Antoinette Thormann, plaintiff in error, *v.* Andrew J. Frame et al. In error to the circuit court of Waukesha County, State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 439. The Adirondack Railway Company, plaintiff in error, *v.* The People of the State of New York. In error to the court of appeals of the State of New York. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

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

Order. The reporter having represented that, owing to the number of decisions at the term, it will be impracticable to put the reports in one volume, it is therefore now here ordered that he publish an additional volume in this year, pursuant to section 681 of the Revised Statutes.

No. 46. The Louisville and Nashville Railroad Company et al., appellants, *v.* Henry W. Behlmer. Motion to modify decree herein denied.

No. 69. The Canada Sugar Refining Company, Limited, petitioner, *v.* The Insurance Company of North America. Motion to amend decree herein denied.

No. 471. The Board of Commissioners of Wilkes County et al., appellants, *v.* W. N. Coler & Co. Motion to extend time for oral argument herein denied. Leave granted to counsel in other cases to file briefs herein. Motion to advance granted, and cause assigned for argument on Monday, October 15 next, after the case already set down for that day, or the case will be taken on printed briefs on or before the 2d of April next, if counsel shall be so advised.

No. 513. Oberlin M. Carter, petitioner, *v.* Benjamin K. Roberts. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied. (Mr. Justice McKenna took no part in the consideration and disposition of this application.)

No. 515. Lamport & Holt, owners, etc., petitioners, *v.* John J. King. Petition for a writ of certiorari to the United States circuit of appeals for the second circuit denied.

No. 225. Shirley T. High et al., appellants, *v.* F. E. Coyne as collector, etc., et al.;

No. 387. Eben J. Knowlton et al., etc., plaintiffs in error, *v.* Frank R. Moore, United States collector, etc.;

No. 451. The Fidelity Insurance, Trust and Safe Deposit Company, etc., plaintiff in error, *v.* Penrose A. McCain;

No. 458. George T. Murdock, executor, etc., plaintiff in error, *v.* John G. Ward, United States collector; and

No. 459. George D. Sherman, plaintiff in error, *v.* The United States. Ten days given counsel to submit briefs on the construction of the act under consideration in respect of the question whether the tax or duty imposed on each of the legacies is measured by the volume of the estate or by the amount of the legacy.

No. 233. The Credits Commutation Company et al., appellants, *v.* The United States et al.; and

No. 234. The Credits Commutation Company et al., appellants, *v.* F. Gordon Dexter et al. Motions to dismiss or affirm submitted by Mr. Solicitor-General Richards, Mr. Attorney-General Griggs, Mr. J. C. Cowin, Mr. John F. Dillon, Mr. W. S. Pierce, Mr. W. R. Kelly and Mr. G. M. Lambertson in support of motions, and by Mr. Henry J. Taylor and Mr. John C. Coombs in opposition thereto.

No. 235. The Credits Commutation Company et al., appellants, *v.* Oliver Ames, second, et al., etc. Motions to dismiss or affirm submitted by Mr. Winslow S. Pierce, Mr. John F. Dillon, Mr. W. R. Kelly and Mr. G. M. Lambertson in support of the motions, and by Mr. Henry J. Taylor and Mr. John C. Coombs in opposition thereto.

No. 271. The Cincinnati, Hamilton and Dayton Railroad Company, plaintiff in error, *v.* Benjamin F. Thiebaud, administrator, etc. Motions

to dismiss or affirm submitted by Mr. Charles M. Cist in support of motions, and by Mr. Lawrence Maxwell, jr., in opposition thereto.

No. 458. George T. Murdock, executor, etc., plaintiff in error, *v.* John G. Ward, United States collector; and

No. 459. George D. Sherman, plaintiff in error, *v.* The United States. Leave granted to Mr. Wm. V. Rowe to file additional brief herein in behalf of certain interested parties.

No. —, Original. *Ex parte*: In the matter of Franklin J. Sawyer, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Pliney B. Smith for the petitioner in support of motion, and by Mr. Willard Parker Butler in opposition thereto, on brief to be filed on or before Friday next.

No. —, Original. *Ex parte*: In the matter of George M. Thornton, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Pliney B. Smith for the petitioner in support of motion, and by Mr. Willard Parker Butler in opposition thereto, on briefs to be filed on or before Friday next.

No. 379. Elgin National Watch Company, appellant, *v.* Illinois Watch Case Company et al. Motion to advance submitted by Mr. George S. Prindle for the appellant.

No. 510. Fred A. Maynard, attorney-general, petitioner, *v.* The Granite State Provident Association et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Fred A. Maynard for the petitioner, and by Mr. Moses Taggart for the respondents.

No. 509. The International Navigation Company, petitioner, *v.* Farr & Bailey Manufacturing Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. J. Rodman Paul for the petitioner, and by Mr. H. L. Cheyney and Mr. John F. Lewis for the respondent.

No. 539. The Westinghouse Air Brake Company, petitioner, *v.* The New York Air Brake Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Thomas B. Reed, Mr. George H. Christy and Mr. Frederic H. Betts for the petitioner, and by Mr. F. P. Fish for the respondent, on briefs to be filed within two weeks. Leave granted to Mr. Solicitor-General Richards to file suggestion herein on behalf of the United States.

No. —, Original. *Ex parte*: In the matter of W. P. Connaway, receiver, etc., petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. W. L. Hillyer for the petitioner.

No. 523. Fred A. McMaster, administrator, etc., petitioner, *v.* The New York Life Insurance Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. Henry J. Taylor for the petitioner, and by Mr. G. W. Hubbell, Mr. W. E. Odell and Mr. Frederic D. McKenney for the respondent, with leave to Mr. McKenney to file additional brief on or before Friday next.

No. 4, Original. *Ex parte*: In the matter of Jonas Grossmayer, petitioner. Submitted by Mr. Thomas Harvey Clark for the petitioner, and by Mr. Wm. W. MacFarland for the respondent, with leave to Mr. Clark to file an additional brief if he shall be so advised.

No. 533. Henry M. Baker, petitioner, *v.* Horace S. Cummings. Petition for a writ of certiorari to the court of appeals of the District of Columbia submitted by Mr. Frederic D. McKenney in behalf of Mr. C. A. Brandenburg for the petitioner.

No. 538. Thomas A. Hamilton et ux., petitioners, *v.* J. Gurney Fowler et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. Thomas B. Turley and Mr. Wm. M. Randolph for the petitioners.

No. 191. The Farmers' National Bank of Arkansas City, Kans., plaintiff in error, *v.* George W. Robinson, receiver. Motions to dismiss or affirm submitted by Mr. Frederic C. Bryan and Mr. John C. Pollock in support of motions.

No. 274. Richard F. Caffrey, county clerk, etc., plaintiff in error, *v.* The Territory of Oklahoma ex rel. Wm. R. Taylor, county attorney, etc. Stipulation that this case abide the decision in No. 182 filed.

No. 132. R. M. Manley, executor, etc., plaintiff in error, *v.* M. E. Larkin, sheriff, etc., et al. Continued per stipulation.

No. 98. Annie R. Kean, plaintiff in error, *v.* Edward Roby et al. In error to the supreme court of the State of Indiana. Dismissed with costs, pursuant to the tenth rule.

No. 489. Harry Plummer, as executor, etc., plaintiff in error, *v.* Bird S. Coler, as comptroller, etc. Leave granted to Mr. Solicitor-General Richards to file brief herein on behalf of the United States.

No. 350. John Bad Elk, plaintiff in error, *v.* The United States. Submitted by Mr. Thos. B. McMartin for the plaintiff in error, and by Mr. Assistant Attorney-General Boyd for the defendant in error, with leave to file briefs within three weeks.

No. 481. The East Tennessee, Virginia and Georgia Railway Company et al., appellants, *v.* The Interstate Commerce Commission. Argument commenced by Mr. Ed. Baxter for the appellant, and continued by Mr. L. A. Shaver for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, February 27, will be as follows: Nos. 481, 489, 480, 499, 152, 153, 158, 160, 165 and 166.

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, FEBRUARY 27, 1900.

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

John B. Early of Phoenix, Ariz., Frederic C. Robertson of Spokane, Wash., James H. Forney of Moscow, Idaho, John Larkin Thorndike of Boston, Mass., and Henry P. Schmidt of Milwaukee, Wis., were admitted to practice.

No. 499. John Fitzpatrick, plaintiff in error, *v.* The United States. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. Assistant Attorney-General Boyd for the defendant in error.

No. 481. The East Tennessee, Virginia and Georgia Railway Company et al., appellants, *v.* The Interstate Commerce Commission. Argument continued by Mr. L. A. Shaver for the appellee, and concluded by Mr. Ed Baxter for the appellants.

No. 489. Henry Plummer, as executor, etc., plaintiff in error, *v.* Bird S. Coler, as comptroller, etc. Argument commenced by Mr. William V. Rowe for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, February 28, will be as follows: Nos. 489, 480, 152, 153, 158, 160, 165, 166, 57 and 168.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, FEBRUARY 28, 1900.

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

S. N. Hawkins of New Richmond, Wis., William Thompson of Dallas, Tex., James E. Ellegood of Salisbury, Md., and Stephen B. Stanton of New York City were admitted to practice.

No. 489. Harry Plummer, as executor, etc., plaintiff in error, *v.* Bird S. Coler, as comptroller, etc. Argument continued by Mr. Jabish Holmes, jr., and Mr. Edward J. Levey for defendant in error, and concluded by Mr. Treadwell Cleveland for the plaintiff in error.

No. 480. Clarence Murphy, plaintiff in error, *v.* The Commonwealth of Massachusetts. Argument commenced by Mr. Ezra Ripley Thayer for the plaintiff in error, and continued by Mr. Hosea M. Knowlton for the defendant in error and by Mr. Ezra Ripley Thayer for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 1, will be as follows: Nos. 480, 152, 153, 158, 160, 165, 166, 57, 168 and 169.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 1, 1900.

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

Guy C. Scott of Aledo, Ill., and William Strauss of New York City were admitted to practice.

No. 480. Clarence Murphy, plaintiff in error, *v.* The Commonwealth of Massachusetts. Argument concluded by Mr. Ezra Ripley Thayer for the plaintiff in error.

No. 152. De La Mars Nevada Gold Mining Company, plaintiff in error, *v.* James Nesbitt. Argued by Mr. J. H. Ralston and Mr. William M. Stewart for the plaintiff in error, and by Mr. Walter A. Johnston and Mr. George S. Sawyer for the defendant in error.

No. 153. Willis Thorp, plaintiff in error, *v.* S. A. Bonnifield et al. Argued by Mr. J. T. Ronald for the plaintiff in error, and by Mr. S. M. Stockslager for the defendants in error.

No. 158. Henry L. Mitchell, governor, etc., et al., appellants, *v.* Charles M. Furman, as administrator, etc., et al. Argument commenced by Mr. W. W. Dewhurst for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 2, will be as follows: Nos. 158, 160, 165, 166, 57, 168, 169, 170, 173 and 174.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 2, 1900.

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

Charles D. Richards of Chicago, Ill., was admitted to practice.

No. 165. Frank A. Magowan, plaintiff in error, *v.* Mary E. Magowan. Submitted on briefs to be filed by the plaintiff in error within three weeks, and by the defendant in error within three weeks thereafter, on motion of Mr. Fred Beall in behalf of counsel.

No. 173. The Fred Miller Brewing Company, plaintiff in error, *v.* W. M. Stevens et al. In error to the supreme court of the State of Iowa. Dismissed with costs, pursuant to the tenth rule.

No. 158. Henry L. Mitchell, governor, etc., et al., appellants, *v.* Charles M. Furman, as administrator, etc., et al. Argument continued by Mr. W. W. Dewhurst for the appellants, by Mr. Francis P. Fleming for the appellees, and concluded by Mr. W. W. Dewhurst for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 5, will be as follows: Nos. 160, 166, 57, 168, 169, 170, 174, 337 (and 338 and 339), 332 and 176.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 5, 1900.

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

Charles Cowles Tucker of Washington, D. C., John G. Lamb of Philadelphia, Pa., John H. Hazelton of New York City, Ellis G. Kinkead of Cincinnati, Ohio, Edward de Graffenried of Greensboro, Ala., George M. Wagner of Philadelphia, Pa., Joseph W. Hunsicker of Philadelphia, Pa., Benj. Micou of Washington, D. C., and Philip Walker of Washington, D. C., were admitted to practice.

No. 27. George L. Whitman, petitioner, *v.* The National Bank of Oxford. On writ of certiorari to the United States circuit court of appeals for the second circuit. Judgment of the circuit court of the United States for the southern district of New York affirmed, with costs and interest, and cause remanded to said circuit court. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice Peckham.

No. 58. J. Frank Aldrich, receiver, etc., appellant, *v.* The Chemical National Bank of New York. Appeal from the United States circuit court of appeals for the sixth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the southern district of Ohio. Opinion by Mr. Justice Harlan.

No. 192. The Steamship Benito Estenger, etc., appellant, *v.* The United States. Appeal from the district court of the United States for the southern district of Florida. Decree affirmed. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Shiras, Mr. Justice White and Mr. Justice Peckham.

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

No. 519. William G. Peters, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 271. The Cincinnati, Hamilton and Dayton Railroad Company, plaintiff in error, *v.* Benjamin F. Thiebaud, administrator. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 379. Elgin National Watch Company, appellant, *v.* Illinois Watch Case Company et al. Motion to advance denied.

No. 509. The International Navigation Company, petitioner, *v.* Farr & Bailey Manufacturing Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted.

No. 510. Fred A. Maynard, attorney-general, etc., petitioner, *v.* The Granite State Provident Association et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit granted.

No. 533. Henry M. Baker, petitioner, *v.* Horace S. Cummings. Petition for a writ of certiorari to the court of appeals of the District of Columbia granted.

No. 538. Thomas A. Hamilton et ux., petitioners, *v.* J. Gurney Fowler et al. Consideration of the petition for writ of certiorari to the United States circuit court of appeals for the sixth circuit postponed until the record and opinion of the said United States circuit court of appeals are furnished in print.

No. —, Original. *Ex parte*: In the matter of Franklin J. Sawyer, petitioner; and

No. —, Original. *Ex parte*: In the matter of George M. Thornton, petitioner. Motions for leave to file petitions for writs of mandamus denied.

No. —, Original. *Ex parte*: In the matter of W. P. Connoway, as receiver, etc., petitioner. Motion for leave to file petition for a writ of mandamus granted, and rule to show cause awarded, returnable on Monday, April 9 next.

No. 191. The Farmers' National Bank of Arkansas City, Kans., plaintiff in error, *v.* George W. Robinson, receiver, etc. In error to the supreme court of the State of Kansas. Judgment affirmed with costs, on the authority of *Conde v. York*, 168 U. S., 642; *Leyson v. Davis*, 170 U. S., 36.

No. 184. John Cadwalader, late collector, etc., petitioner, *v.* Charles H. Meyer et al. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. Solicitor-General Richards for the petitioner.

No. 546. George Dewey, appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor-General Richards for the appellee.

No. 190. The United States, appellant, *v.* Bartolome Sanchez et al. Appeal from the Court of Private Land Claims. Dismissed on motion of Mr. Solicitor-General Richards for the appellant.

No. 526. William P. Landon, petitioner, *v.* Justus L. Bulkley et al. Petition for a writ of certiorari to the United States circuit court of

appeals for the second circuit submitted by Mr. Edward Winslow Paige for the petitioner, and by Mr. C. N. Bovee, jr., Mr. John E. Parsons and Mr. James L. Bishop in opposition thereto, with leave to Mr. Paige to file reply brief within three days.

No. 548. The Bethlehem Iron Company, petitioner, *v.* John Weiss. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Frank P. Prichard and Mr. John G. Johnson for the petitioner, with leave to Mr. George Demming for the respondent to file brief *pro hac vice*.

No. 498. The New Lincoln Hotel Company, plaintiff in error, *v.* The Penn Mutual Life Insurance Company. In error to the circuit court of the United States for the district of Nebraska. Dismissed with costs, per stipulation.

No. 160. The Minneapolis and St. Louis Railway Company et al., plaintiffs in error, *v.* Henry A. Gardner. Argued by Mr. William Strauss for the plaintiffs in error, and by Mr. F. W. M. Cutcheon for the defendant in error.

No. 166. William Carmichael et al., plaintiffs in error and appellants, *v.* Francis X. Eberle. Submitted by Mr. Wm. B. Childers for the plaintiffs in error and appellants, and by Mr. T. B. Catron for the defendant in error and appellee.

No. 57. Morris Keim, appellant, *v.* The United States. Submitted by Mr. John C. Chaney for the appellant, and by Mr. Assistant Attorney-General Boyd for the appellee.

No. 168. Elizabeth S. Overby et al., plaintiffs in error, *v.* Fannie H. Gordon. Argued by Mr. Samuel F. Phillips for the plaintiffs in error, and by Mr. Charles Cowles Tucker and Mr. Henry E. Davis for the defendant in error.

No. 169. The United States, petitioner, *v.* Joseph S. Harris et al., receivers, etc. Argument commenced by Mr. Solicitor-General Richards for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 6, will be as follows: Nos. 169, 170, 174, 337 (and 338 and 339), 332, 176, 177, 178, 180 and 181.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 6, 1900.

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

R. Skiff Shelden of Houghton, Mich., Howard Carrow of Camden, N. J., Wm. J. Kraft of Camden, N. J., Dudley M. Shively of South Bend, Ind., and Charles B. Wheeler of Buffalo, N. Y., were admitted to practice.

No. 169. The United States, petitioner, *v.* James A. Harris, comptroller, etc. Argument continued by Mr. Solicitor-General Richards for the petitioner, and concluded by Mr. John G. Lamb for the respondent.

No. 170. Supreme Lodge Knights of Pythias, plaintiff in error, *v.* Josephine R. Withers. Argued by Mr. A. B. Browne for the plaintiff in error, and by Mr. Edward de Graffenreid for the defendant in error.

No. 174. Camden and Suburban Railway Company, plaintiff in error, *v.* David S. Stetson. Argued by Mr. E. A. Armstrong and Mr. D. J. Pancoast for the plaintiff in error, and by Mr. Howard Carrow for the defendant in error.

No. 332. F. May & Co., plaintiff in error, *v.* The City of New Orleans. Argument commenced by Mr. D. C. Mellen for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 7, will be as follows: Nos. 332, 337 (and 338 and 339), 176, 177, 178, 180, 181, 182, 183 and 185.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 7, 1900.

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

Thomas J. Walsh of Helena, Mont., Riley L. Crane of Saginaw, Mich., and Henry J. Cookinham of Utica, N. Y., were admitted to practice.

No. 332. *F. May & Co.*, plaintiff in error, *v.* *The City of New Orleans*. Argument continued by Mr. D. C. Mellen for the plaintiff in error, by Mr. W. B. Sommerville for the defendant in error, and concluded by Mr. D. C. Mellen for the plaintiff in error.

No. 337. *The United States*, appellant, *v.* *The Choctaw Nation et al.*;

No. 338. *The Wichita and Affiliated Bands of Indians*, appellants, *v.* *The Choctaw Nation et al.*; and

No. 339. *The Choctaw Nation et al.*, appellants, *v.* *The United States et al.* On motion of Mr. Attorney-General Griggs, four hours allowed to counsel for the United States, two hours allowed to counsel for the Wichita and Affiliated Bands of Indians, and three hours to counsel for the Choctaw and Chickasaw Nation in the argument of these cases. Argument commenced by Mr. George T. Barnes for the Choctaw Nation, and continued by Mr. Philip Walker for the Wichita and Affiliated Bands of Indians, and by Mr. C. C. Binney for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 8, will be as follows: Nos. 337 (and 338 and 339), 176, 177, 178, 180, 181, 182, 183, 185 and 187.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 8, 1900.

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

J. N. Teal of Portland, Oreg., was admitted to practice.

No. 481. The East Tennessee, Virginia and Georgia Railway Company et al., appellants, *v.* The Interstate Commerce Commission. Leave granted to file an additional brief for the appellee on motion of Mr. Attorney-General Griggs for appellee.

No. 337. The United States, appellant, *v.* The Choctaw Nation et al.;

No. 338. The Wichita and Affiliated Bands of Indians, appellants, *v.* The Choctaw Nation et al.; and

No. 339. The Choctaw Nation et al., appellants, *v.* The United States et al. Leave granted to file reply brief for the United States on motion of Mr. Attorney-General Griggs for the United States. Argument continued by Mr. C. C. Binney and Mr. Attorney-General Griggs for the United States, and by Mr. A. A. Lipscomb for the Wichita and Affiliated Bands of Indians.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 9, will be as follows: Nos. 337 (and 338 and 339), 176, 177, 178, 180, 181, 182, 183, 185 and 187.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 9, 1900.

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

No. 337. The United States, appellant, *v.* The Choctaw Nation et al.;

No. 338. The Wichita and Affiliated Bands of Indians, appellants, *v.* The Choctaw Nation et al.; and

No. 339. The Choctaw Nation et al., appellants, *v.* The United States et al. Argument continued by Mr. A. A. Lipscomb for the Wichita and Affiliated Bands of Indians, by Mr. H. E. Paine for the Chickasaw Nation, and concluded by Mr. J. M. Wilson for the Choctaw Nation.

No. 176. Edward B. Wesley, appellant, *v.* Howard P. Eells. Argued by Mr. Wm. H. Lyles for the appellant, and submitted by Mr. Arthur St. John Newberry for the appellee, and by Mr. Wm. A. Barber as *amicus curiæ*.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 12, will be as follows: Nos. 177, 178, 180, 181, 182, 183, 185, 187, 452 (and 453, 454 and 455) and 188.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 12, 1900.

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

J. L. Frazee of Nashville, Tenn., Zeb. V. Walzer of Raleigh, N. C., R. A. Tichenor of New Orleans, La., George A. Dupuy of Chicago, Ill., and Kenesaw M. Landis of Chicago, Ill., were admitted to practice.

No. 114. The Illinois Central Railroad Company, plaintiff in error, *v.* The City of Chicago. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 89. The Hancock National Bank, plaintiff in error, *v.* Jonathan W. Farnum. In error to the supreme court of the State of Rhode Island. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice Peckham.

No. 100. Felix Jellenik et al., appellants, *v.* The Huron Copper Mining Company et al. Appeal from the circuit court of the United States for the western district of Michigan. Decree reversed with costs, and cause remanded with directions for such further proceedings as are consistent with the opinion of this court and with law. Opinion by Mr. Justice Harlan. (Mr. Justice Brown and Mr. Justice Shiras did not participate in the decision of this case.)

Mr. Justice Harlan also announced the following orders of the court:

No. 523. Fred. A. McMaster, administrator, etc., petitioner, *v.* The New York Life Insurance Company. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit granted.

No. 546. George Dewey, appellant, *v.* The United States. Motion to advance granted, and cause assigned for argument on Monday, April 9 next.

No. 548. The Bethlehem Iron Company, petitioner, *v.* John Weiss. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 195. Li Sing, petitioner, *v.* The United States. Passed, subject to the provisions of section 9, rule 26, on motion of Mr. Assistant Attorney-General Hoyt for the respondent.

No. 505. John P. Mallett et al., plaintiffs in error, *v.* The State of North Carolina. Motions to dismiss or affirm submitted by Mr. C. A. Cook and Mr. Zeb. V. Walser in support of motions, and by Mr. R. O. Burton in opposition thereto.

Nos. 318 and 319. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.;

No. 320. The Yazoo and Mississippi Valley Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al. ; and

No. 324. The Yazoo and Mississippi Valley Railroad Company, plaintiff in error, *v.* Wirt Adams, State revenue agent. Motion to advance for argument after No. 244 submitted by Mr. J. Hubley Ashton in behalf of counsel.

No. 223. Blanche I. Harrison et al., plaintiffs in error, *v.* Franklin J. Morton. Motion for additional time in which to print record submitted by Mr. Walter H. Harrison in propria persona.

No. 177. Patrick Moran, plaintiff in error, *v.* Joseph Horsky, jr. Argued by Mr. Thomas J. Walsh for the plaintiff in error, and submitted by Mr. E. W. Toole for the defendant in error.

No. 178. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* A. L. Schmidt, etc., et al. Argument commenced by Mr. Helm Bruce for the plaintiff in error, and continued by Mr. John G. Simrall for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 13, will be as follows: Nos. 178, 180, 181, 182, 183, 185, 187, 452 (and 453 and 455), 188 and 189.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 13, 1900.

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

Geo. H. White of Tarboro, N. C., Arthur W. Hickman of Buffalo, N. Y., Arthur F. Means of Boston, Mass., and C. M. Frazier of Phoenix, Ariz., were admitted to practice.

No. 178. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* A. L. Schmidt, etc., et al. Argument continued by Mr. Edmund F. Trabue for the defendant in error, and concluded by Mr. James P. Helm for the plaintiff in error.

No. 180. Oliver O. Forsyth, as administrator, etc., plaintiff in error, *v.* Henry F. T. Vehmeyer. Submitted by Mr. Edward Roby for the plaintiff in error, and by Mr. M. W. Robinson for the defendant in error.

No. 181. The County of Apache, appellant, *v.* Julia Barth, executrix. Submitted by Mr. J. F. Wilson for the appellant, and by Mr. Reuben Hatch for the appellee.

No. 185. The Canal and Claiborne Railroad Company, etc., et al., plaintiffs in error, *v.* The State of Louisiana et al. In error to the supreme court of the State of Louisiana. Dismissed with costs, on motion of Mr. A. O. Bacon for the plaintiffs in error.

No. 182. Richard F. Caffrey, as county clerk, etc., plaintiff in error and appellant, *v.* The Territory of Oklahoma ex rel. Harper S. Cunningham, attorney-general. Argument commenced by Mr. J. S. Flannery for the plaintiff in error and appellant, and continued by Mr. Frederick C. Bryan for the defendant in error and appellee, and by Mr. J. R. Keaton for plaintiff in error and appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 14, will be as follows: Nos. 182, 183, 187, 452 (and 453, 454 and 455), 188, 189, 193, 194, 196 and 198.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 14, 1900.

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

Joseph W. Molyneaux of Minneapolis, Minn., Edward T. Young of Appleton, Minn., and George C. Lambert of St. Paul, Minn., were admitted to practice.

No. 196. William Pelzer, petitioner, *v.* Horn & Brannen Manufacturing Company. On writ of certiorari to the United States circuit court of appeals for the third circuit. Dismissed with costs, pursuant to the tenth rule.

No. 182. Richard F. Caffrey, as county clerk, etc., plaintiff in error, *v.* The Territory of Oklahoma ex rel. Harper S. Cunningham, attorney-general. Argument concluded by Mr. James R. Keaton for the plaintiff in error and appellant.

No. 183. John W. Arnold, plaintiff in error, *v.* Lewis Hatch. Argued by Mr. Kenesaw M. Landis for the plaintiff in error, and by Mr. George A. Dupuy for the defendant in error.

No. 187. George W. Crossman et al., petitioners, *v.* Wm. Burrill et al. Argued by Mr. Everett P. Wheeler for the petitioners, and by Mr. Lawrence Kneeland for the respondents.

No. 452. The Mutual Life Insurance Company of New York, petitioner, *v.* Bessie F. Sears, executrix, etc.;

No. 453. The Mutual Life Insurance Company of New York, petitioner, *v.* George E. Hill et al.;

No. 454. The Mutual Life Insurance Company of New York, petitioner, *v.* Tine Cohen; and

No. 455. The Mutual Life Insurance Company of New York, petitioner, *v.* Walter B. Allen, administrator, etc. Argument commenced by Mr. Julian T. Davies for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 15, will be as follows: Nos. 452 (and 453, 454 and 455), 188, 189, 193, 194, 198, 199, 200, 201 and 202.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 15, 1900.

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

Edmund Lincoln Baylies of New York City was admitted to practice.

No. 41. The Crystal Springs Land and Water Company et al., appellants, *v.* The City of Los Angeles. Submitted by Mr. Stephen M. White and Mr. John Garber for the appellants, and by Mr. S. O. Houghton for the appellee.

No. 148. The City of Los Angeles et al., appellants, *v.* Los Angeles City Water Company et al. Submitted by Mr. S. O. Houghton for the appellants, and by Mr. Stephen M. White and Mr. John Garber for the appellees.

No. 200. The Consolidated Canal Company, appellant, *v.* The Mesa Canal Company. Submitted by Mr. John D. Pope for the appellant, and by Mr. C. M. Frazier, Mr. R. C. Garland and Mr. Wm. W. Wright, jr., for the appellee.

No. 452. The Mutual Life Insurance Company of New York, petitioner, *v.* Bessie F. Sears, executrix, etc.;

No. 453. The Mutual Life Insurance Company of New York, petitioner, *v.* George E. Hill et al.;

No. 454. The Mutual Life Insurance Company of New York, petitioner, *v.* Tine Cohen; and

No. 455. The Mutual Life Insurance Company of New York, petitioner, *v.* Walter B. Allen, administrator. Argument continued by Mr. Julien T. Davies for the petitioner, by Mr. S. Warburton and Mr. Harold Preston for the respondents, and concluded by Mr. John B. Allen for the petitioner. Leave granted to counsel for petitioner to file additional brief within three days, and to counsel for respondent to file reply thereto within three days thereafter.

No. 188. John Rochm, petitioner, *v.* Paul R. G. Horst et al. Argument commenced by Mr. Samuel Dickson for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 16, will be as follows: Nos. 188, 189, 193, 194, 198, 199, 201, 202, 203 and 204.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 16, 1900.

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

John D. Works of Los Angeles, Cal., James C. Jones of St. Louis, Mo., Alfred Haines of San Diego, Cal., and Charles G. Sachse of Chicago, Ill., were admitted to practice.

No. 223. Blanche I. Harrison et al., plaintiffs in error, *v.* Franklin J. Morton. Leave granted to file brief in opposition to motion for extension of time in which to print record, on motion of Mr. E. H. Gans for the defendant in error.

No. 188. John Roehm, petitioner, *v.* Paul R. G. Horst et al. Argument continued by Mr. Samuel Dickson for the petitioner, by Mr. Frank P. Prichard for the respondents, and concluded by Mr. Samuel Dickson for the petitioner.

No. 189. Philip Werlein, plaintiff in error, *v.* The City of New Orleans. Death of plaintiff in error suggested, and appearance of Bettie P. Werlein, testamentary executrix of Philip Werlein, deceased, filed and entered, on motion of Mr. E. T. Merrick for the plaintiff in error.

No. 189. Bettie P. Werlein, testamentary executrix, etc., plaintiff in error, *v.* The City of New Orleans. Argued by Mr. E. T. Merrick for the plaintiff in error, and by Mr. R. A. Tichenor for the defendant in error.

No. 193. Seth Carter, plaintiff in error, *v.* The State of Texas. Submitted by Mr. W. H. Smith and Mr. E. M. Hewlett for the plaintiff in error, and by Mr. T. S. Smith for the defendant in error.

No. 194. Paul J. Petit, plaintiff in error, *v.* The State of Minnesota. Argued by Mr. Joseph W. Molyneaux for the plaintiff in error, and by Mr. W. B. Douglas for the defendant in error.

No. 198. The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, plaintiff in error, *v.* The People of the State of Illinois *ex rel.* Thomas M. Jett. Argued by Mr. John T. Dye for the plaintiff in error, and submitted by Mr. E. C. Akin for the defendants in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 19, will be as follows: Nos. 199, 201, 202, 203, 204, 205, 206, 207, 208 and 209.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 19, 1900.

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

Henry B. Closson of New York City, Benjamin S. Warren of Detroit, Mich., Henry D. Green of Reading, Pa., Douglas A. Fiske of Minneapolis, Minn., and James W. Hawes of New York City were admitted to practice.

No. 97. Waters-Pierce Oil Company, plaintiff in error, *v.* The State of Texas. In error to the court of civil appeals for the third supreme judicial district of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Harlan.

No. 153. Willis Thorp, plaintiff in error, *v.* S. A. Bonnifield et al. Transferred from the United States circuit court of appeals for the ninth circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Peckham.

No. 526. William P. Landon, petitioner, *v.* Justus L. Bulkley et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied. Announced by Mr. Justice Gray. (The Chief Justice took no part in the consideration and disposition of this application.)

No. 105. C. P. Huntington, as special receiver, etc., appellant, *v.* W. K. Cowden, administrator, etc., et al. Appeal from the circuit court of the United States for the district of West Virginia. Decree reversed with costs, and cause remanded for further proceedings. Opinion by Mr. Justice Gray. Dissenting: Mr. Justice Brewer.

No. 145. John N. Quackenbush, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Fuller.

The Chief Justice announced that the court would take a recess from Monday, March 26, until Monday, April 9, next.

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

No. 223. Blanche I. Harrison et al., plaintiffs in error, *v.* Franklin J. Morton. Motion for additional time in which to print record denied, but the case will not be called for argument before Monday, April 9 next.

Nos. 318 and 319. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent;

No. 320. The Yazoo and Mississippi Valley Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.; and

No. 324. The Yazoo and Mississippi Valley Railroad Company, plaintiff in error, *v.* Wirt Adams, State revenue agent. Motion to advance, to be heard after No. 244, granted, provided the cases shall be argued as one case.

No. 486. The Oregon Railroad and Navigation Company et al., petitioners, *v.* Robert Balfour et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 505. John P. Mallett et al., plaintiffs in error, *v.* The State of North Carolina. Motions to dismiss or affirm postponed to the hearing of the cause on its merits.

No. 539. The Westinghouse Air Brake Company, petitioner, *v.* The New York Air Brake Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 538. Thomas A. Hamilton et ux., petitioners, *v.* J. Gurney Fowler et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 563. Antonio Griego et al., appellants, *v.* The United States;

No. 564. Joseph H. Gurule et al., appellants, *v.* The United States et al.; and

No. 565. Florencio Sandoval et al., appellants, *v.* The United States. Appeals from the Court of Private Land Claims. Docketed and dismissed, on motion of Mr. Solicitor-General Richards for the appellees.

No. 255. The Texas and Pacific Railway Company, plaintiff in error, *v.* Mattie Wagley et al. In error to the United States circuit court of appeals for the fifth circuit. Dismissed with costs, on motion of Mr. John F. Dillon for the plaintiff in error.

No. 350. John Bad Elk, plaintiff in error, *v.* The United States. Time to file brief for defendant in error extended to April 9 next, on motion of Mr. Assistant Attorney-General Boyd for the defendant in error.

No. 557. The Streator Cathedral Glass Company et al., petitioners, *v.* The Wire Glass Company et al. Petition for writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted

by Mr. Horace K. Tenney for the petitioners, and by Mr. Lysander Hill for the respondents.

No. 560. The Waterbury Manufacturing Company, petitioner, *v.* Harriot H. Wales. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. John K. Beach and Mr. Edmund Wetmore for the petitioner, and by Mr. Roger Foster for the respondent, with leave to respondent to file additional brief within two weeks.

No. 392. Ellen J. O. Phinney et al., plaintiffs in error, *v.* The Trustees of the Sheppard and Enoch Pratt Hospital. Motion to dismiss submitted by Mr. William Pinkney Whyte in support of motion, and by Mr. E. J. D. Cross in opposition thereto.

No. 559. The American Sugar Refining Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. H. B. Closson and Mr. John E. Parsons for the petitioner.

No. 205. J. H. Hampson, appellant, *v.* Frank Dysart. Appeal from the supreme court of the Territory of Arizona. Dismissed with costs, pursuant to the tenth rule.

No. 199. The Wisconsin, Minnesota and Pacific Railroad Company, plaintiff in error, *v.* Jacob F. Jacobson. Argued by Mr. W. B. Douglas for the defendant in error, and submitted by Mr. Albert E. Clarke for the plaintiff in error.

No. 201. H. C. Osborne et al., appellants, *v.* The San Diego Land and Town Company, of Maine. Argued by Mr. Alfred Haines for the appellants, and by Mr. John D. Works for the appellee.

No. 202. The Western Union Telegraph Company, appellant, *v.* The Ann Arbor Railroad Company. Argument commenced by Mr. John F. Dillon for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 20, will be as follows: Nos. 202, 203, 204, 206, 207, 208, 209, 210, 211 (and 212, 213, 214 and 215) and 216.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 20, 1900.

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

John Desmona of Rochester, N. Y., Clarence Blair Mitchell of New York City, L. Benton Tussing of Columbus, Ohio, and John S. Rodgers of Charleroi, Pa., were admitted to practice.

No. 202. The Western Union Telegraph Company, appellant, *v.* The Ann Arbor Railroad Company. Argument concluded by Mr. John F. Dillon for the appellant, and leave granted to counsel for appellee to file brief within ten days.

No. 203. The North American Transportation Company, plaintiff in error, *v.* Donald Morrison. Submitted by Mr. Frederick Bausman for the plaintiff in error, and by Mr. John Arthur and Mr. L. H. Wheeler for the defendant in error.

No. 204. George L. Hote et al., plaintiffs in error, *v.* The City of New Orleans. Argued by Mr. E. Howard McCaleb for the plaintiffs in error, and by Mr. J. J. McLoughlin for the defendant in error, with leave to Mr. Branch K. Miller to file brief for the defendant in error within one week.

No. 206. August J. Henkel, plaintiff in error, *v.* The City of Cincinnati et al. Argument commenced by Mr. L. Benton Tussing for the plaintiff in error, and continued by Mr. Wade H. Ellis for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 21, will be as follows: Nos. 206, 207, 208, 209, 210, 211 (and 212, 213, 214 and 215), 216, 217, 218 (and 219) and 221.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 21, 1900.

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

Wm. Parmenter Martin of New York City, J. N. Luce of New Orleans, La., John E. Sater of Columbus, Ohio, and Louis G. Addison of Columbus, Ohio, were admitted to practice.

No. 221. A. H. Bishop, etc., appellant, *v.* The Excelsior Needle Company et al. Appeal from the United States circuit court of appeals for the seventh circuit. Dismissed with costs, pursuant to the tenth rule.

No. 206. August J. Henkel, plaintiff in error, *v.* The City of Cincinnati et al. Argument continued by Mr. Wade H. Ellis and Mr. Ellis G. Kinkead for the defendants in error, and concluded by Mr. L. Benton Tussing for the plaintiff in error.

No. 207. The Union Refrigerator Transit Company, plaintiff in error, *v.* Stephen H. Lynch, treasurer, etc. Argued by Mr. Percy Werner for the plaintiff in error, and by Mr. J. L. Rawlins for the defendant in error.

No. 208. The Shoshone Mining Company, appellant, *v.* Royal J. Rutler et al. Argued by Mr. W. B. Heyburn for the appellant, and by Mr. Curtis H. Lindley for the appellees.

No. 210. The Great Southern Fire Proof Hotel Company, petitioner, *v.* Benjamin F. Jones et al. Argument commenced by Mr. John E. Sater for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 22, will be as follows: Nos. 210, 209, 211 (and 212, 213, 214 and 215), 216, 217, 218, 219, 222, 224 and 226.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 22, 1900.

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

S. M. Sparkman of Tampa, Fla., M. B. Macfarlane of Tampa, Fla., Francis H. Dexter of San Juan, Puerto Rico, and Lee D. Mathias of Chicago, Ill., were admitted to practice.

No. 224. J. W. Goodson, appellant, *v.* J. S. Raley et al. Appeal from the district court of the United States for the southern district of Georgia. Dismissed with costs, pursuant to the tenth rule.

No. 226. Joseph B. Glenn et al., appellants, *v.* The Choctaw Nation. Appeal from the United States court in the Indian Territory. Dismissed with costs, pursuant to the tenth rule.

No. —, Original. *Ex parte*: In the matter of Orange Fuller, assignee, etc., petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. J. L. Rawlins for the petitioner.

No. 210. The Great Southern Fire Proof Hotel Company, petitioner, *v.* Benjamin F. Jones et al. Argument continued by Mr. John E. Sater for the petitioner, by Mr. T. P. Linn and Mr. L. G. Addison for the respondent, and concluded by Mr. D. F. Pugh for the petitioner.

No. 209. Harry Gundling, plaintiff in error, *v.* The City of Chicago. Argued by Mr. Lee D. Mathias for the plaintiff in error, and by Mr. Frederic D. McKenney for the defendant in error.

No. 211. Emilie Saxlehner, petitioner, *v.* Eisner & Mendelson Company;

No. 212. Emilie Saxlehner, petitioner, *v.* Siegel-Cooper Company;

No. 213. Emilie Saxlehner, petitioner, *v.* Rudolph Gies;

No. 214. Emilie Saxlehner, petitioner, *v.* Louis Marquet; and

No. 215. Emilie Saxlehner, petitioner, *v.* Alexander Nielsen. Argument commenced by Mr. Antonio Knauth for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 23, will be as follows: Nos. 211 (and 212, 213, 214 and 215), 216, 217, 218 (and 219), 222, 227, 228, 230, 231 and 237.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 23, 1900.

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

Richard F. Lewis of Juneau, Alaska, Herbert R. Green of Reading, Pa., S. H. Cowan of Fort Worth, Tex., and Winthrop H. Perry of Southport, Conn., were admitted to practice.

No. 559. The American Sugar Refining Company, petitioner, *v.* The United States. Leave to file brief for respondent granted, on motion of Mr. Assistant Attorney-General Hoyt for the respondent.

No. 230. Hazen S. Pingree, plaintiff in error, *v.* The Michigan Central Railroad Company. In error to the supreme court of the State of Michigan. Dismissed with costs, pursuant to the tenth rule.

No. 231. Glenn Tucker et al., appellants, *v.* The Choctaw Nation. Appeal from the United States court in the Indian Territory. Dismissed with costs, pursuant to the tenth rule.

No. 211. Emilie Saxlehner, petitioner, *v.* Eisner & Mendelson Company;

No. 212. Emilie Saxlehner, petitioner, *v.* Siegel-Cooper Company;

No. 213. Emilie Saxlehner, petitioner, *v.* Rudolph Gies;

No. 214. Emilie Saxlehner, petitioner, *v.* Louis Marquet; and

No. 215. Emilie Saxlehner, petitioner, *v.* Alexander Nielsen. Argument continued by Mr. Antonio Knauth for the petitioner, by Mr. Charles G. Coe and Mr. Edmund Wetmore for the respondents in Nos. 211, 212, 213 and 214, and concluded by Mr. John G. Johnson for the petitioner, and submitted by Mr. Louis C. Raegen for respondent in No. 215.

Adjourned until Monday next at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 26, 1900.

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

Arthur Peter of Washington, D. C., George Whitefield Betts, jr., of New York City, Jno. W. Fewell of Meridian, Miss., and Drury W. Cooper of New York City were admitted to practice.

No. 142. The Jamestown and Northern Railroad Company, plaintiff in error, *v.* Theodore J. Jones. In error to the supreme court of the State of North Dakota. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 81. The Houston and Texas Central Railroad Company et al., plaintiffs in error, *v.* The State of Texas; and

No. 82. The Galveston, Harrisburg and San Antonio Railway Company et al., plaintiffs in error, *v.* The State of Texas. In error to the court of civil appeals of the third supreme judicial district of the State of Texas. Judgments reversed with costs, and causes remanded with instructions to remand the cases to the district court with directions to reverse its judgments and for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Peckham. Mr. Justice Brown concurred in the result.

No. 35. The United States, appellant, *v.* Clarence P. Elder et al. Appeal from the Court of Private Land Claims. Decree reversed, and cause remanded with directions to reject the claim and dismiss the petition. Opinion by Mr. Justice White. Dissenting: Mr. Justice Shiras and Mr. Justice McKenna. Mr. Justice Brewer and Mr. Justice Brown concurred in the result.

No. 108. The Farmers' Loan and Trust Company, plaintiff in error, *v.* The Lake Street Elevated Railroad Company et al. 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 Shiras.

No. 4, Original. *Ex parte*: In the matter of Jonas Grossmayer, petitioner. Petition for a writ of mandamus denied. Opinion by Mr. Justice Gray.

No. 107. E. F. Black, appellant, *v.* Walter P. Jackson. Appeal from the supreme court of the Territory of Oklahoma. Decree reversed with costs, and cause remanded with directions to set aside the decree and for such further proceedings as may be consistent with law and the opinion of this court. Opinion by Mr. Justice Harlan.

No. 143. J. C. Potts, appellant, *v.* Thomas N. Hollen. Appeal from the supreme court of the Territory of Oklahoma. Decree reversed with costs, and cause remanded for such further proceedings as may be consistent with law and the opinion of this court. Opinion by Mr. Justice Harlan.

No. 166. William Carmichael et al., plaintiffs in error and appellants, *v.* Francis X. Eberle. In error to and appeal from the supreme court of the Territory of New Mexico. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

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

No. 43. Charles U. Cotting et al., appellants, *v.* A. A. Godard, as attorney-general of the State of Kansas, et al. Restored to the docket for reargument at the next term.

No. 557. The Streator Cathedral Glass Company et al., petitioners, *v.* The Wire Glass Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 559. The American Sugar Refining Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. —, Original. *Ex parte*: In the matter of Orange Fuller, assignee, etc., petitioner. Motion for leave to file petition for writ of mandamus granted and rule awarded returnable on Monday, April 16 next.

No. 158. Henry L. Mitchell, governor, etc., et al., appellants, *v.* Charles M. Furman, as administrator, etc., et al. Restored to the docket for reargument at the next term.

No. 552. Oliver S. Kelly et al., petitioners, *v.* The Springfield Railway Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Julian C. Dowell and Mr. Frederick P. Fish for the petitioners, and by Mr. Drury W. Cooper and Mr. Thomas B. Kerr for the respondents.

No. 573. La Compagnie Générale Transatlantique, petitioner, *v.* Charles H. Middleton, as administrator, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted

by Mr. Edward K. Jones for the petitioner, and by Mr. George Whitefield Betts, jr., and Mr. J. Parker Kirlin for the respondent, with leave to respondent to file brief within one week.

No. 568. James W. Oakford, petitioner, *v.* Frances A. Hackley. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. J. Hubley Ashton in behalf of Mr. Maxwell Evarts for the petitioner, and by Mr. H. W. Palmer and Mr. R. C. Dale for the respondent.

No. 569. The Tennessee Coal, Iron and Railroad Company, petitioner, *v.* Frank H. Pierce. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. Thomas Harvey Clark in behalf of Mr. W. I. Grubb and Mr. Walker Percy for the petitioner.

No. 567. The Geiser Manufacturing Company, petitioner, *v.* Frick Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. John G. Johnson for the petitioner, and by Mr. Francis Rawle and Mr. Frederick P. Fish for the respondent.

No. —, Original. *Ex parte*: In the matter of Ramon Baez, petitioner. Motion for leave to file petition for writs of habeas corpus and certiorari submitted by Mr. Frederic D. McKenney for the petitioner; with leave to the Solicitor-General to file brief in opposition within one week, and to the petitioner to file reply brief within three days thereafter.

No. 241. Fred Hewett, plaintiff in error, *v.* Emil Schultz et al. Passed, to be heard with Nos. 283, 284 and 285 as one case, on motion of Mr. A. B. Browne in behalf of counsel.

Adjourned until Monday, April 9, at 12 o'clock.

The day call for Monday, April 9, will be as follows: Nos. 546, 216, 217, 218 (and 219), 222, 223, 227, 228, 237 and 238.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 9, 1900.

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

John S. Verner of Columbia, S. C., Mrs. Victoria Conkling Whitney of St. Louis, Mo., Charles F. Loesch of Chicago, Ill., Wm. H. Robeson of Washington, D. C., D. B. H. Chaffe of New Orleans, La., Francis Pope of San Francisco, Cal., Wm. M. Abbott of San Francisco, Cal., John W. Lacey of Cheyenne, Wyo., M. Charles Foley of Brooklyn, N. Y., Porter M. French of Rochester, N. Y., Edwin L. Kalish of New York City, H. T. Reed of Cresco, Iowa, Dayton A. Dagh of Akron, Ohio, Samuel Park of New York City, George H. Emerson of New York City, and R. G. Bickford of Newport News, Va., were admitted to practice.

No. 94. The Saranac Land and Timber Company, plaintiff in error, *v.* James A. Roberts, comptroller, etc. In error to the circuit court of the United States for the northern district of New York. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 160. The Minneapolis and St. Louis Railway Company et al., plaintiffs in error, *v.* Henry A. Gardner. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 182. Richard F. Caffrey, as county clerk, etc., plaintiff in error and appellant, *v.* The Territory of Oklahoma ex rel. Harper S. Cunningham, attorney-general. In error to and appeal from the supreme court of the Territory of Oklahoma. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 274. Richard F. Caffrey, county clerk, etc., plaintiff in error, *v.* The Territory of Oklahoma ex rel. Wm. R. Taylor, county attorney. In error to and appeal from the supreme court of the Territory of Oklahoma. Dismissed for the want of jurisdiction per stipulation to abide the decision in No. 182.

No. 174. Camden and Suburban Railway Company, plaintiff in error, *v.* David S. Stetson. On a certificate from the United States circuit

court of appeals for the third circuit. Third question answered in the affirmative. Opinion by Mr. Justice Peckham. Dissenting: Mr. Justice Harlan.

No. 180. Oliver O. Forsyth, as administrator, etc., plaintiff in error, *v.* Henry F. T. Vehmeyer. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 209. Harry Gundling, plaintiff in error, *v.* The City of Chicago. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 178. The Louisville and Nashville Railroad Company, plaintiff in error, *v.* A. L. Schmidt, etc., et al. In error to the court of appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 168. Elizabeth S. Overby et al., plaintiff in error, *v.* Fannie H. Gordon. In error to the court of appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 84. The Ohio Oil Company, plaintiff in error, *v.* The State of Indiana;

No. 83. The Ohio Oil Company, plaintiff in error, *v.* The State of Indiana, use of Madison County; and

No. 85. The Ohio Oil Company, plaintiff in error, *v.* The State of Indiana, use of Madison County. In error to the supreme court of the State of Indiana. Judgments affirmed with costs. Opinions by Mr. Justice White.

No. 169. The United States, petitioner, *v.* Joseph S. Harris et al., receivers. On writ of certiorari to the United States circuit court of appeals for the third circuit. Judgment affirmed, and cause remanded to the district court of the United States for the eastern district of Pennsylvania. Opinion by Mr. Justice Shiras.

No. 233. The Credits Commutation Company et al., appellants, *v.* The United States et al. Appeal from the United States circuit court of appeals for the eighth circuit. Decree affirmed. Opinion by Mr. Justice Shiras. (Mr. Justice McKenna took no part in the decision of this case.)

No. 234. The Credits Commutation Company et al., appellants, *v.* F. Gordon Dexter et al.; and

No. 235. The Credits Commutation Company et al., appellants, *v.* Oliver Ames, Second, et al., executor, etc., et al. Appeals from the United States circuit court of appeals for the eighth circuit. Decrees affirmed with costs. Opinion by Mr. Justice Shiras. (Mr. Justice McKenna took no part in the decision of these cases.)

No. 139. Oscar M. Springer, petitioner, *v.* Anders Jakobsen, claimant, etc.; and

No. 272. Anders Jakobsen, claimant, petitioner, *v.* Oscar M. Springer. On writs of certiorari to the United States circuit court of appeals for the fifth circuit. Decree affirmed, each petitioner to pay one-half of the costs in this court, and cause remanded to the district court of the United States for the eastern district of Louisiana. Opinion by Mr. Justice Brown. Dissenting: Mr. Chief Justice Fuller and Mr. Justice Peckham.

No. 170. Supreme Lodge Knights of Pythias, plaintiff in error, *v.* Josephine R. Withers. In error to the United States circuit court of appeals for the fifth circuit. Judgments affirmed with costs, and cause remanded to the circuit court of the United States for the middle district of Alabama. Opinion by Mr. Justice Brown.

No. 183. John W. Arnold, plaintiff in error, *v.* Lewis Hatch. In error to the United States circuit court of appeals for the seventh circuit. Judgment affirmed with costs, and cause remanded to the district court of the United States for the northern district of Illinois. Opinion by Mr. Justice Brown.

No. 57. Morris Keim, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brewer.

No. 126. Thomas W. Hyde, plaintiff in error, *v.* Bishop Iron Company et al. In error to the supreme court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 200. The Consolidated Canal Company, appellant, *v.* The Mesa Canal Company. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice Brewer.

No. 370. John T. Boske, sheriff, etc., appellant, *v.* David N. Comingore. Appeal from the district court of the United States for the district of Kentucky. Order affirmed with costs. Opinion by Mr. Justice Harlan.

No. 176. Edward B. Wesley, appellant, *v.* Howard P. Eells. Appeal from the circuit court of the United States for the northern district of Ohio. Decree affirmed with costs. Opinion by Mr. Justice Harlan.

No. 210. The Great Southern Fire Proof Hotel Company, petitioner, *v.* Benjamin F. Jones et al. On writ of certiorari to the United States circuit court of appeals for the sixth circuit. Decrees of the United States circuit court of appeals and of the circuit court of the United States for the southern district of Ohio reversed with costs, and cause remanded to said circuit court for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 109. James Bristol, executor, etc., plaintiff in error, *v.* Washington County, Minn. In error to the circuit court of the United States for the district of Minnesota. Judgment reversed with costs, and cause remanded with a direction to exclude the taxes for the years 1883 to 1888, inclusive, and to render judgment for the taxes, penalties, and interest after the latter year. Opinion by Mr. Chief Justice Fuller. Mr. Justice White concurs on the ground of *stare decisis* only.

No. 207. The Union Refrigerator Transit Company, plaintiff in error, *v.* Stephen H. Lynch, treasurer, etc. In error to the supreme court of the State of Utah. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller. (Mr. Justice White took no part in the decision of this case.)

No. 480. Clarence Murphy, plaintiff in error, *v.* The Commonwealth of Massachusetts. In error to the superior court of the State of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 194. Paul J. Petit, 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. Chief Justice Fuller.

No. 41. The Crystal Springs Land and Water Company et al., appellants, *v.* The City of Los Angeles. Appeal from the circuit court of the United States for the southern district of California. Decree affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 206. August J. Henkel, plaintiff in error, *v.* The City of Cincinnati et al. In error to the supreme court of the State of Ohio. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

No. 392. Ellen J. O. Phinney et al., plaintiffs in error, *v.* The Trustees of the Sheppard and Enoch Pratt Hospital. In error to the court of appeals of the State of Maryland. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller.

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

No. 560. The Waterbury Manufacturing Company, petitioner, *v.* Harriott H. Wales. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 552. Oliver S. Kelly et al., petitioners, *v.* The Springfield Railway Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 567. The Geiser Manufacturing Company, petitioner, *v.* Frick Company. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 568. James W. Oakford, petitioner, *v.* Frances A. Hackley. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 569. The Tennessee Coal, Iron and Railroad Company, petitioner, *v.* Frank H. Pierce. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 573. La Compagnie Générale Transatlantique, petitioner, *v.* Charles N. Middleton, administrator. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 570. Oberlin M. Carter, etc., appellant and plaintiff in error, *v.* Capt. Benjamin K. Roberts. Motion to dismiss or affirm submitted by Mr. Solicitor-General Richards in support of motions, and by Mr. Abram J. Rose and Mr. Benjamin F. Tracy in opposition thereto.

No. 5, Original. The State of Minnesota, complainant, *v.* Ethan Allen Hitchcock, Secretary of the Interior, et al. Time in which to plead extended to May 7, on motion of Mr. Assistant Attorney-General Vandevanter for the respondents.

No. 9, Original. *Ex parte*: In the matter of W. P. Connaway, petitioner. Submitted by Mr. W. L. Hillyer for petitioner, and by Mr. T. C. Catchings in behalf of Mr. W. H. Anderson for the respondent, with leave to petitioner to file reply brief within ten days.

No. 576. The New Orleans and Northeastern Railroad Company, petitioner, *v.* E. T. Clements. Petition for writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. T. C. Catchings in behalf of Mr. John W. Fewell for the petitioner, and by Mr. Hoke Smith for the respondent.

No. —, Original. *Ex parte*: In the matter of Adrian B. Westervelt et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. T. A. Connolly for the petitioner.

No. 7, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Leave granted to file demurrer herein on motion of Mr. W. M. Springer for the defendants, and leave granted to complainant to file brief thereon within twenty days.

No. 484. Turret Steam Shipping Company (Limited), claimant, petitioner, *v.* A. G. Hall et al. Motion for execution submitted by Mr. E. E. Blodgett for the respondents.

No. 561. Edward Clifford, etc., appellants, *v.* Carl H. Reumpler, sheriff, etc. Motions to dismiss or affirm and that mandate issue submitted by Mr. James S. Erwin in support of motions.

No. 595. Henry Clews et al., petitioners, *v.* Malcolm M. Jamieson et al. Petition for a writ of certiorari to the United States circuit court

of appeals for the seventh circuit submitted by Mr. Henry D. Estabrook for the petitioners, and by Mr. John H. Hamline, Mr. F. H. Scott, Mr. F. E. Lord, Mr. S. P. McConnell and Mr. H. K. Tenney for respondents.

No. 582. The Thames Tow Boat Company, petitioner, *v.* Henry A. Haines, master, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. Samuel Park and Mr. James E. Carpenter for the petitioner, and by Mr. R. M. Hughes, Mr. T. S. Garnett and Mr. T. G. Beckford for the respondent.

No. 589. Frank L. Neal, trustee, petitioner, *v.* The Thames Tow Boat Company, claimant. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Henry Galbraith Ward for the petitioner, and by Mr. Samuel Park for the respondent.

No. 228. Lizzie Manogue et al., plaintiffs in error, *v.* J. E. Herrell et al. In error to the court of appeals of the District of Columbia. Dismissed with costs on authority of counsel for plaintiffs in error.

No. 216. Henry P. Clarke, plaintiff in error, *v.* Nancy B. Clarke et al. Argument commenced by Mr. S. F. Phillips for the plaintiff in error, and continued by Mr. John H. Perry for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 10, will be as follows: Nos. 216, 546, 217, 218 (and 219), 222, 227, 237, 238, 242 and 244.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 10, 1900.

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

J. H. Atterbury of Litchfield, Ill., James C. Stillwell of Philadelphia, Pa., George W. Edminster of Elmira, N. Y., Benj. F. Looney of Greenville, Tex., and Alfred Day Wiler of Philadelphia, Pa., were admitted to practice.

No. 216. Henry P. Clarke, plaintiff in error, *v.* Nancy B. Clarke et al. Argument continued by Mr. John H. Perry for the defendants in error, and concluded by Mr. Leroy F. Youmans for the plaintiff in error.

No. 546. George Dewey, appellant, *v.* The United States. Argued by Mr. William B. King, Mr. Benjamin Micou and Mr. H. A. Herbert for the appellant, and by Mr. Assistant Attorney-General Pradt for the appellee.

No. 217. Moffatt, Hodgkins & Clarke Co., petitioner, *v.* The City of Rochester et al. Argument commenced by Mr. Louis Marshall for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 11, will be as follows: Nos. 217, 218 (and 219), 222, 227, 237, 238, 242, 244, 318 (and 319, 320 and 324) and 245.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 11, 1900.

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

William B. Rodgers of Pittsburg, Pa., and James M. Givens of Muscogee, Ind. T., were admitted to practice.

No. —, Original. Fred Bell, plaintiff, *v.* The State of Mississippi. Motion for leave to file declaration submitted by Mr. C. J. Jones for the plaintiff.

No. 217. Moffett, Hodgkins & Clarke Co., petitioner, *v.* The City of Rochester et al. Argument continued by Mr. Louis Marshall for the petitioner, and concluded by Mr. Porter M. French for the respondents.

No. 218. George H. Earle, jr., receiver, etc., plaintiff in error, *v.* The Commonwealth of Pennsylvania use of the Commonwealth Title Insurance and Trust Company, trustee; and

No. 219. George H. Earle, jr., receiver, etc., plaintiff in error, *v.* William Conway. Argument commenced by Mr. John G. Johnson for the plaintiff in error, and continued by Mr. A. D. Wiler for the defendant in error in No. 218, and by Mr. James C. Stillwell for the defendant in error in No. 219, and concluded by Mr. Asa W. Waters for the plaintiff in error.

No. 222. George S. Williams, plaintiff in error, *v.* C. E. Wingo. Argument commenced by Mr. W. J. Henson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 12, will be as follows: Nos. 222, 227, 237, 238, 242, 244, 318 (and 319, 320 and 324), 245, 246 and 247.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 12, 1900.

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

James H. Davidson of Oshkosh, Wis., Nathaniel Carusi of Washington, D. C., Charles F. Ainsworth of Phoenix, Ariz., Oscar Englander of New York City and Eugene O'Dunne of Baltimore, Md., were admitted to practice.

No. —, Original. Ex parte: In the matter of Ramon Baez, petitioner. Motion for leave to file petition for writs of habeas corpus and certiorari denied. Announced by Mr. Chief Justice Fuller.

No. 10, Original. Ex parte: In the matter of Orange Fuller, assignee, petitioner. Time to make return to rule herein extended to Monday, May 14, per stipulation of counsel, on motion of Mr. A. B. Browne, in behalf of counsel.

No. 222. George S. Williams, plaintiff in error, *v.* C. E. Wingo. Argument continued by Mr. W. J. Henson for the plaintiff in error, by Mr. Samuel W. Williams for the defendant in error, and concluded by Mr. W. J. Henson for the plaintiff in error.

No. 227. James Bryar, jr., et al., appellants, *v.* Thomas Campbell. Argued by Mr. L. C. Barton and Mr. Edward Campbell for the appellants, and by Mr. W. B. Rodgers for the appellee.

No. 237. S. Duffield Mitchell, receiver, etc., plaintiff in error, *v.* John C. McClure et al. Submitted by Mr. S. Duffield Mitchell and Mr. Thomas Patterson for the plaintiff in error, and by Mr. John S. Ferguson for the defendants in error.

No. 238. Robert S. Leovy, petitioner, *v.* The United States. Argument commenced by Mr. Victor Leovy for the petitioner, and continued by Mr. George H. Gorman for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 16, will be as follows: Nos. 238, 242, 244, 318 (and 319, 320 and 324), 245, 246, 247, 223, 249 and 250.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 16, 1900.

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

Linn McQuown of Bowling Green, Ky., James Russell Soley of New York City, H. C. Burnett of Washington, D. C., Kie Oldham of Little Rock, Ark., Thomas Burke of Seattle, Wash., Simeon M. Johnson of Cincinnati, Ohio, John Cunneen of Buffalo, N. Y., and James R. Pringle of San Francisco, Cal., were admitted to practice.

No. 189. Bettie P. Werlein, testamentary executrix, etc., plaintiff in error, *v.* The City of New Orleans. In error to the supreme court of the State of Louisiana. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Peckham. (Mr. Justice McKenna did not hear the argument, and took no part in the decision of this case.)

No. 220. The American Express Company, plaintiff in error, *v.* Fred. A. Maynard, attorney-general of the State of Michigan, *ex rel.* George F. Moore et al. In error to the supreme court of the State of Michigan. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice White. Dissenting: Mr. Justice Harlan and Mr. Justice McKenna.

No. 248. William Crawford, appellant, *v.* Wm. L. Hubbell, as treasurer, etc. On a certificate from the United States circuit court of appeals for the second circuit. Second question answered in the negative. Opinion by Mr. Justice White.

No. 121. Andrew Doherty, plaintiff in error, *v.* The Northern Pacific Railroad Company. In error to the supreme court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. (Mr. Justice McKenna did not take part in the decision of this case.)

No. 408. The United States, appellant, *v.* The Northern Pacific Railroad Company et al. Appeal from the United States circuit court of appeals for the eighth circuit. Decree affirmed, and cause remanded to

the circuit court of the United States for the district of Minnesota. Opinion by Mr. Justice Shiras. (Mr. Justice McKenna did not take part in the decision of this case.)

No. 113 of October term, 1898. Thomas M. Adams et al., administrators, etc., petitioners, *v.* Benjamin R. Cowen et al., trustees. On writ of certiorari to the United States circuit court of appeals for the sixth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the district of Kentucky. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice Harlan, Mr. Justice Gray, Mr. Justice Brown and Mr. Justice White.

No. 193. Seth Carter, plaintiff in error, *v.* The State of Texas. In error to the court of criminal appeals of the State of Texas. Judgment reversed, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Gray.

The Chief Justice announced the following orders of the court:

No. 484. Turret Steam Shipping Company, Limited, claimant, petitioner, *v.* A. G. Hall et al. Motion for execution denied.

No. 561. Edward Clifford, etc., appellants, *v.* Carl H. Reumpler, sheriff, etc. Appeal from the circuit court of the United States for the district of New Jersey. Order affirmed with costs, on the authority of *Nobles v. Georgia*, 168 U. S., 398; *Kohl v. Lehlback*, 160 U. S., 293; *Clifford v. Heller*, 172 U. S., 641; *Clifford v. Reumpler*, 175 U. S., 723, and *Brown v. New Jersey*, 175 U. S., 172, and mandate ordered issued at once.

No. 576. The New Orleans and North Eastern Railroad Company, petitioner, *v.* E. T. Clement. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 582. The Thames Towboat Company, petitioner, *v.* Henry A. Hames, master, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 589. Frank L. Neal, trustee, petitioner, *v.* The Thames Towboat Company, claimant. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 595. Henry Clews et al., petitioners, *v.* Malcolm M. Jamieson et al. Petition for a writ of certiorari to the United States circuit of appeals for the seventh circuit granted.

No. —, Original. *Ex parte*: In the matter of Adrian B. Westervelt et al., petitioners. Motion for leave to file petition for a writ of mandamus denied.

No. —, Original. Fred Bell, plaintiff, *v.* The State of Mississippi. Motion for leave to file declaration denied on the authority of *Hans v. Louisiana*, 134 U. S., 51.

No. 602. Louis Loeb, petitioner, *v.* The Trustees of Columbia Township, Ohio. Petition for a writ of certiorari to the United States court of appeals for the sixth circuit submitted by Mr. John K. Richards in behalf of Mr. J. W. Warrington and Mr. C. Hammond Avery for the petitioner, and by Mr. Simeon M. Johnson for the respondents.

No. 598. Albert H. Waite, petitioner, *v.* The City of Santa Cruz. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. John F. Dillon, Mr. Harry Hubbard and Mr. John M. Dillon for the petitioner, and by Mr. James G. Maguire, Mr. John Garber and Mr. Carl E. Lindsay for the respondent.

No. 105. C. P. Huntington, special receiver, appellant, *v.* W. K. Cowden, administrator, etc., et al. Motion to retax costs submitted by Mr. W. K. Cowden in support of motion, and by Mr. Maxwell Evarts and Mr. F. D. Enslow in opposition thereto.

No. 165. Frank A. Magowan, plaintiff in error, *v.* Mary E. Magowan. In error to the court of errors and appeals for the State of New Jersey. Dismissed with costs, on motion of Mr. John B. Lerner for the plaintiff in error.

No. 607. Charles P. Coles, petitioner, *v.* The Collector of Customs for the Port of San Francisco. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. Calderon Carlisle and Mr. Sidney V. Smith for the petitioner, and by Mr. Solicitor-General Richards for the respondent.

No. 603. William S. Taylor et al., plaintiffs in error, *v.* J. C. W. Beckham; and

No. 604. William S. Taylor et al., plaintiffs in error, *v.* J. C. W. Beckham et al. Advanced and assigned for argument on Monday, April 30. Four hours allowed each side in the argument and three counsel to be heard for the plaintiffs in error, on motion of Mr. Helm Bruce for the plaintiffs in error.

No. 244. The Yazoo and Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Wirt Adams, State revenue agent;

No. 318. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.;

No. 319. The Illinois Central Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.;

No. 320. The Yazoo and Mississippi Valley Railroad Company, appellant, *v.* Wirt Adams, State revenue agent, et al.; and

No. 324. The Yazoo and Mississippi Valley Railroad Company, plaintiff in error, *v.* Wirt Adams, State revenue agent. Continued on motion of Mr. J. M. Dickinson for the railroad companies, and assigned

for argument on Monday, October 15 next, after the cases already set down for that day.

No. 605. The Lake Street Elevated Railroad Company, petitioner, *v.* William Ziegler et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Henry S. Robbins for the petitioner, and by Mr. John J. Herrick for the respondents.

No. 606. The Spring Valley Coal Company, petitioner, *v.* Alexander Patting. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Henry S. Robbins for the petitioner.

No. 139. Oscar M. Springer, petitioner, *v.* Anders Jakobsen, claimant, etc.; and

No. 272. Anders Jakobsen, claimant, etc., petitioner, *v.* Oscar M. Springer et al. Mandates granted, on motion of Mr. H. M. Jordan in behalf of counsel.

No. 275. Josiah A. Gould et al., petitioners, *v.* Asa S. Hughes, owner and claimant. Motion for new bond submitted by Mr. H. L. Cheyney for the motion, and by Mr. Henry R. Edmonds in opposition thereto.

No. —, Original. *Ex parte*: In the matter of the Union Steamboat Company, petitioners. Motion for leave to file petition for writ of mandamus submitted by Mr. C. E. Kremer for the petitioner.

No. 11, Original. The State of Tennessee, complainant, *v.* The State of Virginia. Leave granted to file bill of complaint herein, on motion of Mr. G. W. Pickle for the complainant. Leave granted to file answer herein, on motion of Mr. A. J. Montague for the defendant.

No. 223. Blanche I. Harison et al., plaintiffs in error, *v.* Franklin J. Morton. In error to the court of appeals of the State of Maryland. Dismissed with costs, pursuant to the tenth rule.

No. 238. Robert S. Leovy, petitioner, *v.* The United States. Argument concluded by Mr. Victor Leovy for the petitioner.

No. 242. C. W. Smith, as successor, etc., plaintiff in error, *v.* Truman Reeves, as treasurer, etc. Argued by Mr. C. N. Sterry for the plaintiff in error, and by Mr. William M. Abbott and Mr. Tiley L. Ford for the defendant in error.

No. 245. Wm. C. Browning et al., etc., plaintiffs in error and appellants, *v.* Charles H. De Ford. Argument commenced by Mr. John W. Shartel for the plaintiffs in error and appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 17, will be as follows: Nos. 245, 246, 247, 249, 195, 251, 252, 253 and 254.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 17, 1900.

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

Austin L. Kumler of Lafayette, Ind., Joe R. Lane of Davenport, Iowa, Wm. B. C. Brown of Kansas City, Mo., Walter C. Clephane of Washington, D. C., and R. Ross Perry, jr., of Washington, D. C., were admitted to practice.

No. 11, Original. The State of Tennessee, complainant, *v.* The State of Virginia. On motion of Mr. G. W. Pickle, leave granted to file replication, stipulation as to decree and proposed form of decree, and cause submitted by Mr. G. W. Pickle for complainant, and by Mr. A. J. Montague for the defendant.

No. 264. The American Sugar Refining Company, plaintiff in error, *v.* The State of Louisiana et al. Continued per stipulation.

Nos. 288 and 289. The People of the State of New York ex rel. The New York Clearing House Building Company, plaintiffs in error, *v.* Edward P. Barker et al., commissioners of taxes and assessments, etc. Continued per stipulation.

No. 252. James C. Berryhill et al., appellants, *v.* The Muskogee Nation. Appeal from the United States court in the Indian Territory. Dismissed with costs, pursuant to the tenth rule.

No. 254. The Missouri, Kansas and Texas Railway Company, plaintiff in error, *v.* Ira Steinberger. In error to the supreme court of the State of Kansas. Dismissed with costs, pursuant to the tenth rule.

No. 245. Wm. C. Browning et al., etc., plaintiffs in error and appellants, *v.* Charles H. De Ford. Argument continued by Mr. John W. Shartel for the plaintiffs in error and appellants, by Mr. A. A. Birney for the defendant in error and appellee, and concluded by Mr. John W. Shartel for the plaintiffs in error and appellants.

No. 246. A. L. Howard et al., appellants, *v.* P. De Cordova et al. Argued by Mr. F. C. Zacharie for appellants, and submitted by Mr. R. H. Ward for appellees.

No. 247. The Chesapeake and Ohio Railway Company, plaintiff in error, *v.* William Howard et ux. Argument commenced by Mr. Leigh Robinson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 18, will be as follows: Nos. 247, 249, 250, 195, 251, 253, 256, 257, 258 and 103.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 18, 1900.

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

H. P. Bush of San Francisco, Cal., was admitted to practice.

The Chief Justice announced that the court would suspend the call of the docket for the term on Friday, the 27th instant.

No. 247. The Chesapeake and Ohio Railway Company, plaintiff in error, *v.* William Howard et ux. Argument continued by Mr. R. Ross Perry for the defendant in error, and concluded by Mr. Leigh Robinson for the plaintiff in error.

No. 249. Newman Erb, as receiver, etc., plaintiff in error, *v.* Otto J. Morasch et al. Submitted by Mr. B. P. Waggener and Mr. A. H. Horton for the plaintiff in error, and by Mr. George B. Watson for the defendants in error.

No. 250. The Wabash Railroad Company, plaintiff in error, *v.* Peter Tourville. Submitted by Mr. Wells H. Blodgett for the plaintiff in error, with leave to counsel for the defendant in error to file brief within ten days.

No. 195. Li Sing, petitioner, *v.* The United States. Argument commenced by Mr. W. C. Beecher for the petitioner, and continued by Mr. Assistant Attorney-General Hoyt for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 19, will be as follows: Nos. 195, 251, 253, 256, 257, 258, 103, 259, 260 and 262.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 19, 1900.

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

John Russell Van Derlip of Minneapolis, Minn., Alfred C. Petté of New York City, Charles G. Saunders of Council Bluffs, Iowa, and Emmet J. Murphy of New York City were admitted to practice.

No. 195. Li Sing, petitioner, *v.* The United States. Argument continued by Mr. Assistant Attorney-General Hoyt for the respondent, and concluded by Mr. W. C. Beecher for the petitioner.

No. 251. Georgette A. Chamberlin et al., appellants, *v.* Horatio Browning et al. Argued by Mr. O. B. Hallam for the appellants, and by Mr. Arthur Peter and Mr. A. A. Birney for the appellees.

No. 253. Ada F. McDonnell, plaintiff in error, *v.* Llewellyn Jordan. Argument commenced by Mr. Lawrence Cooper for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 20, will be as follows: Nos. 253, 256, 257, 258, 103, 259, 260, 262, 263 and 265.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 20, 1900.

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

Maurice E. Locke of Dallas, Tex., was admitted to practice.

No. 609. Pin Kwan, petitioner, *v.* The United States; and

No. 610. Ping Yik, petitioner, *v.* The United States. Petitions for writs of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Richard Crowley for the petitioners, with leave to Mr. Assistant Attorney-General Hoyt to file opposition on or before Monday next.

No. 253. Ada F. McDonnell, plaintiff in error, *v.* Llewellyn Jordan. Argument continued by Mr. Lawrence Cooper for the plaintiff in error, by Mr. Richard W. Walker for the defendant in error, and concluded by Mr. Lawrence Cooper for the plaintiff in error.

No. 256. The Chicago, Milwaukee and St. Paul Railway Company, petitioner, *v.* Heman Clark. Argument commenced by Mr. Burton Hanson for the petitioner, and continued by Mr. L. Laffin Kellogg for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 23, will be as follows: Nos. 256, 257, 258, 103, 259 (and 271), 260, 262, 263, 265 and 266.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 23, 1900.

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

T. W. Hubbard of San Francisco, Cal., James H. Cravens of Kansas City, Mo., Marshall L. Howell of Cassopolis, Mich., Edmond B. Dillon of Columbus, Ohio, Thomas Ewing Steele of Columbus, Ohio, Ralph E. Twitchell of Las Vegas, N. Mex., and E. J. Baxter of Jonesboro, Tenn., were admitted to practice.

No. 149. Mast, Foos & Co., petitioner, *v.* Stover Manufacturing Company. On writ of certiorari to the United States circuit court of appeals for the seventh circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the northern district of Illinois. Opinion by Mr. Justice Brown.

No. 570. Oberlin M. Carter, etc., appellant and plaintiff in error, *v.* Capt. Benjamin K. Roberts. Appeal from and 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.

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

No. 105. C. P. Huntington, special receiver, appellant, *v.* W. K. Cowden, administrator, etc., et al. Motion to retax costs denied.

No. 275. Josiah A. Gould et al., petitioners, *v.* Asa S. Hughes, owner, etc. Motion to require additional bond denied.

No. 598. Albert H. Waite, petitioner, *v.* The City of Santa Cruz. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit granted.

No. 602. Louis Loeb, petitioner, *v.* The Trustees of Columbia Township, Ohio. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 605. The Lake Street Elevated Railroad Company, petitioner, *v.* William Ziegler et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 606. The Spring Valley Coal Company, petitioner, *v.* Alexander Patting. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 607. Charles P. Coles, petitioner, *v.* The Collector of Customs of the Port of San Francisco. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit denied.

No. 12, Original. *Ex parte*: In the matter of The Union Steamboat Company, petitioner. Motion for leave to file petition for writ of mandamus granted, and rule to show cause awarded returnable May 14 next.

No. 102. Fred Stearns, county auditor, etc., plaintiff in error, *v.* The State of Minnesota on the relation of James N. Marr. Restored to the docket for reargument.

No. 588. Michael W. O'Brien et al., executors, etc., petitioners, *v.* John G. Wheelock et al. Petition for writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Henry M. Duffield for the petitioners, with leave to Mr. Benjamin Harrison, of counsel for the respondents, to file opposition within one week.

No. 542. William B. Tyler, plaintiff in error, *v.* The Judges of the Court of Registration. Motion to advance submitted by Mr. Wm. H. Moody in behalf of counsel for the defendants in error.

No. 303 of October term, 1898. Charles E. Pope, receiver, etc., appellant, *v.* The Louisville, New Albany and Chicago Railway Company. Motion to set aside decree dismissing the appeal herein, for leave to file certain papers, and that mandate be stayed submitted by Mr. Augustus E. Willson in support of motion, with leave to Mr. G. W. Kretzinger to file opposition on or before Friday next.

No. 594. The Central Trust Company, of New York, petitioner, *v.* The Indiana and Lake Michigan Railway Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. R. Ross Perry in behalf of Mr. A. H. Joline, Mr. A. L. Mason and Mr. Henry Crawford for the petitioner, and by Mr. S. O. Pickens and Mr. Lawrence Maxwell, jr., for the respondent, with leave to Mr. Maxwell to file reply brief within three days.

No. —, Original. *Ex parte*: In the matter of Thomas Vasquez, petitioner; and

No. —, Original. *Ex parte*: In the matter of Jose Juan Vidal et al., petitioners. Motions for leave to file petitions for writs of certiorari submitted by Mr. Frederic D. McKenney, Mr. Wayne MacVeagh and Mr. Francis H. Dexter for the petitioners, with leave to Mr. Solicitor-General Richards to file brief in opposition on or before Monday next.

No. 256. The Chicago, Milwaukee and St. Paul Railway Company, petitioner, *v.* Heman Clark. Argument continued by Mr. L. Laffin Kellogg for the respondent, and concluded by Mr. Burton Hanson for the petitioner.

No. 257. Columbus Winchester Motes, etc., et al., plaintiffs in error, *v.* The United States. Submitted by Mr. Lee Cowart for the plaintiffs in error, with leave to Mr. Assistant Attorney-General Boyd to file brief for the defendant in error within one week.

No. 258. T. Walter Beam et al., appellants, *v.* Gustav H. Schwab. Argued by Mr. Edward F. Richardson for the appellants, and by Mr. Henry T. Rogers for the appellee.

No. 103. Josephine H. Throckmorton et al., plaintiffs in error, *v.* Washington D. Holt et al. Continued per stipulation.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 24, will be as follows: Nos. 259 (and 271), 260, 262, 263, 265, 266, 267, 269, 271, 273 and 275.

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 24, 1900.

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

George Hayden of Ishpeming, Mich., Jonathian P. Dolliver of Fort Dodge, Iowa, and Eugene Mackey of Titusville, Pa., were admitted to practice.

No. 570. Oberlin M. Carter, appellant and plaintiff in error, *v.* Capt. Benjamin K. Roberts. Ordered that mandate issue at once. Announced by Mr. Chief Justice Fuller.

No. 263. The Knapp-Stout & Co. Company, plaintiff in error, *v.* John McCaffrey. Submitted by Mr. Charles P. Wise for the plaintiff in error, and by Mr. C. E. Kremer and Mr. Guy C. Scott for the defendant in error.

No. 267. The Coralitas Company, appellant, *v.* The United States et al. Submitted by Mr. John Critcher for the appellant, and by Mr. Assistant Attorney-General Thompson for the appellees.

No. 259. The Cincinnati, Hamilton and Dayton Railroad Company, plaintiff in error, *v.* Benjamin F. Thiebaud, administrator, etc. Argued by Mr. Lawrence Maxwell, jr., for the plaintiff in error, and by Mr. Harlan Cleveland for the defendant in error.

No. 271. The Cincinnati, Hamilton and Dayton Railroad Company, plaintiff in error, *v.* Benjamin F. Thiebaud, administrator, etc. Submitted by Mr. Lawrence Maxwell, jr., for the plaintiff in error, and by Mr. Harlan Cleveland and Mr. Charles M. Cist for the defendant in error.

No. 260. The Pittsburgh and Lake Angeline Iron Company, plaintiff in error, *v.* The Cleveland Iron Mining Company et al. Argument commenced by Mr. F. O. Clark for the plaintiff in error, and continued by Mr. Benton Hanchett and Mr. James H. Hoyt for the defendants in error, and by Mr. F. O. Clark for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 25, will be as follows: Nos. 260, 262, 265, 266, 269, 273, 275, 276, 277 and 278.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 25, 1900.

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

H. H. Carr of Johnson City, Tenn., John H. Bowman of Johnson City, Tenn., George S. Ingraham of Brooklyn, N. Y., and James Westervelt of New York City were admitted to practice.

No. 260. The Pittsburgh and Lake Angeline Iron Company, plaintiff in error, *v.* The Cleveland Iron Mining Company et al. Argument concluded by Mr. F. O. Clark for the plaintiff in error.

No. 262. The New York Life Insurance Company, plaintiff in error, *v.* Fannie Cravens. Argued by Mr. Frederic N. Judson for the plaintiff in error, and by Mr. William B. C. Brown for the defendant in error.

No. 265. Frederick A. Bell, plaintiff in error, *v.* Mary G. Bell. Argument commenced by Mr. Henry H. Seymour for the plaintiff in error, and continued by Mr. Charles B. Wheeler for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 26, will be as follows: Nos. 265, 266, 269, 273, 275, 276, 277, 278, 279 and 280.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 26, 1900.

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

Rudolph Kleberg of Cuero, Tex., John L. Sheppard of Texarkana, Tex., A. S. Burleson of Austin, Tex., W. J. Milroy of Olympia, Wash., Seymour D. Thompson of New York City, William Wallace Burch of Cincinnati, Ohio, and C. Hammond Avery of Cincinnati, Ohio, were admitted to practice.

No. 275. Josiah A. Gould et al., petitioners, *v.* Asa S. Hughes, owner, etc. Continued.

No. 315. John W. Schofield, receiver, etc., et al., plaintiffs in error, *v.* The Territory of New Mexico ex rel. American Valley Company. In error to the supreme court of the Territory of New Mexico. Dismissed on motion of Mr. Niell B. Field for the defendant in error.

No. 530. Charles M. White et al. *v.* August T. Sehloerb et al. Advanced on motion of Mr. James H. Davidson in behalf of counsel, and submitted by Mr. Charles W. Felker for White et al., and by Mr. Charles Barber for Sehloerb et al.

No. 265. Frederick A. Bell, plaintiff in error, *v.* Mary G. Bell. Argument continued by Mr. Charles B. Wheeler for the defendant in error, and concluded by Mr. Henry H. Seymour for the plaintiff in error.

No. 266. Wilberforce Sully, trustee, etc., et al., plaintiffs in error, *v.* The American National Bank et al. Argued by Mr. T. S. Webb and Mr. R. E. L. Mountcastle for the plaintiffs in error, and by Mr. S. C. Williams and Mr. E. J. Baxter for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 27, will be as follows: Nos. 269, 273, 276, 277, 278, 279, 280, 281 and 282.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 27, 1900.

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

No. 250. The Wabash Railroad Company, plaintiff in error, *v.* Peter Tourville. Submission set aside and case continued per stipulation.

No. 282. Rachel Gardiner et al., appellants, *v.* The Creek Nation. Appeal from the United States court in the Indian Territory. Dismissed with costs, pursuant to the tenth rule.

No. 269. Josephine Deserant, administratrix, etc., plaintiff in error, *v.* Cerillos Coal Railroad Company. Argued by Mr. Neill B. Field for the plaintiff in error, and by Mr. Robert Dunlop for the defendant in error.

No. 273. The Chesapeake and Ohio Railway Company, plaintiff in error, *v.* Lucy Dixon, administratrix, etc., et al. Continued per stipulation.

No. 276. Louis Loeb, plaintiff in error, *v.* The Trustees of Columbia Township, Hamilton County, Ohio. Argued by Mr. C. Hammond Avery for the plaintiff in error, and by Mr. Wm. Wallace Burch for the defendants in error.

No. 277. Louisa Banholzer, plaintiff in error, *v.* The New York Life Insurance Company. Argued by Mr. George C. Squires for the defendant in error, and submitted by Mr. C. D. O'Brien for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call has been suspended for the term.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 30, 1900.

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

W. O. Bradley of Lancaster, Ky., Wm. Neville of North Platte, Nebr., Henry W. Williams of Baltimore, Md., Henry G. Curtis of Atlantic, Iowa, Walter J. Barnett of San Francisco, Cal., Omar Powell of New York City, Charles F. Harley of Baltimore, Md., Oliver P. Hubbard of Nome City, Alaska, W. T. Humes of Nome City, Alaska, and Thomas Worthington of Jacksonville, Ill., were admitted to practice.

No. 138. A. J. Dags et al., appellants, *v.* The Phoenix National Bank. Appeal from the supreme court of the Territory of Arizona. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 148. The City of Los Angeles et al., appellants, *v.* Los Angeles City Water Company et al. Appeal from the circuit court of the United States for the southern district of California. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 350. John Bad Elk, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the district of South Dakota. Judgment reversed, and cause remanded with directions to grant a new trial. Opinion by Mr. Justice Peckham.

No. 181. The County of Apache, appellant, *v.* Julia Barth, executrix, etc. Appeal from the supreme court of the Territory of Arizona. Decree reversed with costs, and cause remanded with directions to grant a new trial. Opinion by Mr. Justice Peckham.

No. 152. De Lamars Nevada Gold Mining Company, plaintiff in error, *v.* James Nesbitt. In error to the supreme court of the State of Nevada. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brown. Dissenting: Mr. Justice McKenna.

No. 198. The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, plaintiff in error, *v.* The People of the State of Illinois ex rel. Thomas M. Jett. 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 Brown. Concurring: Mr. Justice Brewer and Mr. Justice Shiras.

No. 208. The Shoshone Mining Company, appellant, *v.* Royal J. Rutter and F. W. Bradley. Appeal from the United States circuit court of appeals for the ninth circuit. Decree reversed with costs, and cause remanded to the circuit court of the United States for the district of Idaho, northern division, with directions to reverse its decree and enter a decree dismissing Case No. 81 on its docket, and to enter an order remanding Case No. 102 to the State court. Opinion by Mr. Justice Brewer. Dissenting: Mr. Justice McKenna. (Mr. Justice White did not hear the argument and took no part in the decision of this case.)

The Chief Justice announced the following orders of the court:

No. 11, Original. The State of Tennessee, complainant, *v.* The State of Virginia. Wm. C. Hodgkins, James B. Baylor and Andrew H. Buchanan appointed commissioners to ascertain, retrace, re-mark, and reestablish boundary line, etc.

No. 609. Pin Kwan, petitioner, *v.* The United States; and

No. 610. Ping Yik, petitioner, *v.* The United States. Petitions for writs of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 542. William B. Tyler, plaintiff in error, *v.* The Judges of the Court of Registration. Motion to advance granted, and cause assigned for arguments on Monday, October 15 next, after the cases already set down for that day.

No. 594. The Central Trust Company of New York, petitioner, *v.* The Indiana and Lake Michigan Railway Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 258. T. Walter Beam et al., appellants, *v.* Gustav H. Schwab. Restored to the docket for reargument.

No. 499. John Fitzpatrick, plaintiff in error, *v.* The United States. Submitted by Mr. A. B. Browne for the plaintiff in error, with leave to counsel for the defendant in error to file brief within one week, on motion of Mr. Solicitor-General Richards for defendant in error.

No. 8, Original. The State of Missouri, complainant, *v.* The State of Nebraska. Leave granted to file demurrer to bill of complaint, on motion of Mr. Wm. V. Allen in behalf of counsel for defendant.

No. 617. The Guaranty Company of North America, petitioner, *v.* The Mechanics' Savings Bank and Trust Company, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. S. A. Putman in behalf of Mr. Wm. L. Granbery for the petitioner.

No. 614. Isaac M. Mason, plaintiff in error, *v.* The State of Missouri ex rel. James McCaffery et al. Motion to advance submitted by Mr. George D. Reynolds for the plaintiff in error.

No. 618. The Sun Printing and Publishing Association, petitioner, *v.* Wm. L. Moore. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. J. R. Soley for the petitioner, and by Mr. James Lowndes and Mr. George Zabriskie for the respondent.

No. 571. The National Bank of Baltimore, petitioner, *v.* Brunswick Terminal Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. William A. Fisher and Mr. Allan McLane for the petitioner, and by Mr. Henry W. Williams for the respondents.

No. 367. William Henry Baldwin et al., plaintiffs in error, *v.* The State of Maryland to the use of D. Frank Hull, collector, etc. Motion to dismiss submitted by Mr. Hy. Kyd Douglas in support of motion, and by Mr. Charles A. Boston in opposition thereto.

No. 619. Melle S. T. Werner, petitioner, *v.* William R. Hearst. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Roger M. Sherman for the petitioner, and by Mr. Frederic D. McKenney for the respondent.

No. 7, Original. The State of Missouri, complainant, *v.* The State of Illinois et al. Submitted on demurrer by Mr. E. C. Crow and Mr. B. Schnurnacher for the complainant, and by Mr. E. C. Akin and Mr. Wm. M. Springer for the defendants, with leave to defendants to file brief within one week.

No. 603. Wm. S. Taylor et al., plaintiffs in error, *v.* J. C. W. Beckham; and

No. 604. Wm. S. Taylor et al., plaintiffs in error, *v.* J. C. W. Beckham et al. Argument commenced by Mr. Helm Bruce for the plaintiffs in error, and continued by Mr. Lawrence Maxwell, jr., and Mr. Lewis McQuown for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 1, 1900.

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

The Chief Justice announced the following orders of the court:

No. 109. James Bristol, executor, etc., plaintiff in error, *v.* Washington County, Minn. Judgment of April 9, 1900, vacated and set aside.

No. 109. James Bristol, executor, etc., plaintiff in error, *v.* Washington County, Minn. In error to the circuit court of the United States for the district of Minnesota. Judgment reversed with costs, and cause remanded with a direction to exclude the taxes for the years 1883 to 1888, inclusive, and to render judgment for the taxes and penalties after the latter year, with interest on the aggregate sum thereof from June 29, 1898, the date of the judgment below.

No. 614. Isaac M. Mason, plaintiff in error, *v.* The State of Missouri ex rel. James McCaffery et al. Motion to advance granted; and cause assigned for argument on Monday, October 15 next, after the cases already set down for that day.

No. 591. The City of Lampasas, petitioner, *v.* James Talcott. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. A. S. Burleson in behalf of Mr. Clarence H. Miller for the petitioner.

No. 603. Wm. S. Taylor et al., plaintiffs in error, *v.* J. C. W. Beckham; and

No. 604. Wm. S. Taylor et al., plaintiffs in error, *v.* J. C. W. Beckham et al. Argument concluded by Mr. W. O. Bradley for the plaintiffs in error.

Adjourned until Monday, May 14, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 14, 1900.

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

Henry Eickhoff of San Francisco, Cal., Edward Michling of New York City, Luda V. Barham of Santa Rosa, Cal., Ed. C. Barham of Santa Rosa, Cal., Benjamin V. Becker of Chicago, Ill., Geo. W. Wilbur of Chicago, Ill., George P. Carroll of Bridgeport, Conn., Nels Jenson of Brigham City, Utah, F. Edward Mitchell of Washington, D. C., Timothy D. Merwin of New York City and Andrew C. Gray of Wilmington, Del., were admitted to practice.

No. 201. H. C. Osborne et al., appellants, *v.* The San Diego Land and Town Company of Maine. Appeal from the circuit court of the United States for the southern district of California. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 251. Georgette A. Chamberlin et al., appellants, *v.* Horatio Browning et al. Appeal from the court of appeals of the District of Columbia. Dismissed for the want of jurisdiction. Opinion by Mr. Justice White.

No. 387. Eben J. Knowlton et al., executors, etc., plaintiffs in error, *v.* Frank R. Moore, United States collector of internal revenue. In error to the circuit court of the United States for the eastern district of New York. Judgment reversed with costs, and cause remanded with directions that further proceedings be had according to law and in conformity with the opinion of this court. Opinion by Mr. Justice White. (Mr. Justice Peckham took no part in the decision of this case.)

No. 225. Shirley T. High et al., appellants, *v.* F. E. Coyne, collector, etc., et al. Appeal from the circuit court of the United States for the northern district of Illinois. Decree affirmed with costs. Opinion by Mr. Justice White.

No. 451. The Fidelity Insurance, Trust and Safe Deposit Company, executor, plaintiff in error, *v.* Penrose A. McClain. In error to the circuit court of the United States for the eastern district of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 246. A. L. Howard et al., appellants, *v.* P. De Cordova et al. Appeal from the circuit court of the United States for the northern district of Texas. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice White.

No. 489. Harry Plummer, as executor, etc., plaintiff in error, *v.* Bird S. Coler, comptroller. In error to the surrogate's court of New York County, State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Shiras. Dissenting: Mr. Justice White. (Mr. Justice Peckham took no part in the decision of this case.)

No. 458. George T. Murdock, executor, etc., plaintiff in error, *v.* John G. Ward, United States collector, etc. In error to the circuit court of the United States for the southern district of New York. Judgment reversed, costs in this court to be paid by the plaintiff in error, and cause remanded with directions to proceed therein according to law. Opinion by Mr. Justice Shiras. (Mr. Justice Peckham took no part in the decision of this case.)

No. 459. George D. Sherman, plaintiff in error, *v.* The United States. In error to the circuit court of the United States for the northern district of New York. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Shiras. (Mr. Justice Peckham took no part in the decision of this case.)

No. 238. Robert S. Leovy, petitioner, *v.* The United States. On writ of certiorari to the United States circuit court of appeals for the fifth circuit. Judgments of circuit court of appeals and of the circuit court of the United States for the eastern district of Louisiana reversed, and cause remanded to said circuit court with directions to award a new trial. Opinion by Mr. Justice Shiras.

No. 227. James Bryar, jr., et al., appellants, *v.* Thomas Campbell. Appeal from the United States circuit court of appeals for the third circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the western district of Pennsylvania. Opinion by Mr. Justice Brown.

No. 263. The Knapp-Stout & Co. Company, plaintiff in error, *v.* John McCaffrey. In error to the supreme court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 204. George L'hote et al., plaintiffs in error, *v.* The City of New Orleans. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 222. George S. Williams, plaintiff in error, *v. C. E. Wingo*. In error to the supreme court of appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 249. Newman Erb, as receiver, etc., plaintiff in error, *v. Otto J. Morasch et al.* In error to the supreme court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 242. C. W. Smith, receiver, etc., plaintiff in error, *v. Truman Reeves, as treasurer, etc.* 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 northern district of California. Opinion by Mr. Justice Harlan.

No. 40. Frank M. Rider et al., plaintiffs in error, *v. The United States*. In error to the circuit court of the United States for the southern district of Ohio. Judgment reversed, and cause remanded for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 219. George H. Earle, jr., receiver, etc., plaintiff in error, *v. William Conway*. In error to the supreme court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. Dissenting: Mr. Justice White.

No. 218. George H. Earle, jr., receiver, etc., plaintiff in error, *v. The Commonwealth of Pennsylvania to use, etc., of The Commonwealth Title Insurance and Trust Company, trustee*. In error to the supreme court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 259. The Cincinnati, Hamilton and Dayton Railroad Company, plaintiff in error, *v. Benjamin F. Thiebaud, administrator*. On a certificate from the United States circuit court of appeals for the sixth circuit. Third question certified answered in the negative. Opinion by Mr. Chief Justice Fuller.

No. 271. The Cincinnati, Hamilton and Dayton Railroad Company, plaintiff in error, *v. Benjamin F. Thiebaud, administrator*. In error to the circuit court of the United States for the southern district of Ohio. Dismissed with costs. Opinion by Mr. Chief Justice Fuller.

No. 188. John Roehm, petitioner, *v. Paul R. G. Horst et al.* On writ of certiorari to the United States circuit court of appeals for the third circuit. Judgment affirmed with costs, and cause remanded to the circuit court of the United States for the eastern district of Pennsylvania. Opinion by Mr. Chief Justice Fuller.

No. 243. The United States, appellant, *v. Kleinwort Sons & Co., claimant, etc.* Appeal from the district court of the United States for

the southern district of Florida. Decree reversed, and cause remanded with directions to enter a decree condemning the property to the United States. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Shiras and Mr. Justice Brewer.

The Chief Justice announced that the court would adjourn from to-day until Monday, the 21st instant, and from that day to Monday, the 28th instant, on which day it will adjourn for the term.

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

Ordered, that an amendment be made of rule 31 of this court, to take effect at the commencement of the October term, 1900, so that the rule, as amended, shall read as follows :

31. Form of printed records and briefs: All records, arguments, and briefs, printed for the use of the court, must be in such form and size that they can be conveniently bound together, so as to make an ordinary octavo volume; and, as well as all quotations contained therein and the covers thereof, must be printed in clear type (never smaller than small pica), and on unglazed paper.

No. 199. *The Wisconsin, Minnesota and Pacific Railroad Company, plaintiff in error, v. Jacob F. Jacobson.* Restored to the docket for reargument.

No. 303 of October term, 1898. Charles E. Pope, receiver, etc., appellant, *v. The Louisville, New Albany and Chicago Railway Company.* Motion to set aside decree dismissing appeal herein, for leave to file certain papers, and that mandate be stayed denied.

No. 588. Michael W. O'Brien et al., executors, etc., petitioners, *v. John G. Wheelock et al.* Petition for writ of certiorari to the United States circuit court of appeals for the seventh circuit granted.

No. 571. *The National Bank of Baltimore, petitioner, v. Brunswick Terminal Company et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 617. *The Guarantee Company of North America, petitioner, v. The Mechanics' Savings Bank and Trust Company, etc.* Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit granted.

No. 618. *The Sun Printing and Publishing Association, petitioner, v. William L. Moore.* Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 619. *Melle S. T. Werner, petitioner, v. Wm. R. Hearst.* Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 591. The City of Lampasas, petitioner, *v.* James Talcott. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 402. William Boyle, plaintiff in error, *v.* Bartlett Sinclair. In error to the supreme court of the State of Idaho. Dismissed on the authority of *Wales v. Whitney*, 114 U. S., 564.

No. 367. Wm. Henry Baldwin et al., plaintiffs in error, *v.* The State of Maryland to the use of D. Frank Hull, collector, etc. Motion to dismiss postponed to the hearing of the cause on its merits.

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

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

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

No. —, Original. The United States, plaintiff, *v.* The State of Louisiana. Motions for leave to file declarations submitted by Mr. Solicitor-General Richards for the plaintiff.

No. 650. The United States, petitioner, *v.* The American Steamship Laurada. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Solicitor-General Richards for the petitioner, with leave to Mr. Andrew C. Gray, for the respondent, to file brief on or before Friday next.

No. 5, Original. The State of Minnesota, complainant, *v.* Ethan Allen Hitchcock, Secretary of the Interior, et al. Leave granted to file stipulation as to time to plead herein, on motion of Mr. Solicitor-General Richards for the complainant.

No. 647. Sarah R. Angle, administratrix, etc., et al., petitioners, *v.* The Chicago, St. Paul, Minneapolis and Omaha Railway Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Milton I. Southard, Mr. F. J. Lamb, Mr. Burr W. Jones and Mr. Thomas Ewing, jr., for the petitioner, and by Mr. Thomas Wilson and Mr. Samuel A. Lynde for the respondents.

No. 621. Mary B. Hook, petitioner, *v.* Mercantile Trust Company, of New York, trustee, et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. William Brown, Mr. S. P. Wheeler and Mr. E. P. Kirby for the petitioners, and by Mr. Bluford Wilson and Mr. P. B. Warren for the respondents.

No. 512. W. A. Hicks, trustee, etc., appellant, *v.* Bertha Knost. Advanced for submission on motion of Mr. J. H. Bromwell in behalf of

counsel, and cause submitted by Mr. Charles M. Peck for the appellant, and by Mr. Frederick Hertenstein for the appellee.

No. 622. Isabella Benz, petitioner, *v.* The Illinois Central Railroad Company. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit submitted by Mr. Thomas B. Turley and Mr. Don M. Dickinson for the petitioner, and by Mr. J. M. Dickinson and Mr. C. G. Bond for the respondent.

No. 629. Charles M. Owen et al., petitioners, *v.* Eugene E. Jones, receiver, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. J. J. Darlington and Mr. Charles A. Douglass for the petitioners, and by Mr. Alex. C. King and Mr. J. J. Spalding for the respondent.

No. 638. The National Bank of Commerce of Kansas City, Mo., petitioner, *v.* Edward A. Hobbs. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. Omar Powell for the petitioner, and by Mr. Charles E. Patterson and Mr. Alpheus T. Bulkeley for the respondent.

No. 649. The City of New Orleans, petitioner, *v.* Ann Warner et al., etc. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit submitted by Mr. H. G. Dufour, Mr. Branch K. Miller and Mr. Samuel L. Gilmore for the petitioner, and by Mr. J. D. Rouse, Mr. Wm. Grant and Mr. Richard De Gray for the respondent.

No. 626. Holzapfel's Compositions Company (Limited), petitioner, *v.* Rahtjen's American Composition Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit and to dispense with copies of the record submitted by Mr. F. P. B. Sands in behalf of Mr. John G. Carlisle, Mr. Wm. McAdoo and Mr. R. B. McMasters for the petitioner, and by Mr. Thomas B. Kerr and Mr. Timothy D. Merwin for the respondent.

No. 648. The Lake Street Elevated Railroad Company, petitioner, *v.* The Farmers' Loan and Trust Company et al. Petition for a writ of certiorari to the United States circuit court for the northern district of Illinois submitted by Mr. Clarence Knight for the petitioner, and by Mr. Herbert B. Turner, Mr. Wm. Burry and Mr. John J. Herrick for the respondent, with leave to counsel for petitioner to file reply brief on or before Thursday next.

No. 632. The Board of County Commissioners of the County of Lake, Colorado, petitioner, *v.* James R. Sutliff. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. John F. Shafroth in behalf of Mr. C. S. Thomas, Mr. W. H. Bryant, Mr. H. H. Lee and Mr. C. Cavender for the petitioner.

No. —, Original. Ex parte: In the matter of the District of Columbia, petitioner; and

No. —, Original. Ex parte: In the matter of the District of Columbia, petitioner. Motions for leave to file petitions for writs of mandamus submitted by Mr. Robert A. Howard for the petitioner.

No. 637. The City of New York et al., petitioners, *v.* James C. E. D'Esterre. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. George L. Sterling and Mr. John Whalen for the petitioners, and by Mr. Henry B. B. Stapler for the respondent.

No. 643. United States Repair and Guaranty Company, petitioner, *v.* Assyrian Asphalt Company. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. Ernest Wilkinson and Mr. Lysander Hill for the petitioner.

No. 641. Thomas Roy, master, etc., petitioner, *v.* The Ships Waterloo and Glenalvon; and

No. 642. Thomas Roy, master, etc., petitioner, *v.* The Girard Point Storage Company. Petitions for writs of certiorari to the United States circuit court of appeals for the third circuit submitted by Mr. Horace L. Cheyney and Mr. John F. Lewis for the petitioners, and by Mr. J. Rodman Paul, Mr. Francis C. Adler, Mr. Theodore M. Etting and Mr. John Hampton Barnes for the respondents.

No. 640. Frank M. Dorsey, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. A. A. Hoehling, jr., and Mr. J. M. Wilson for the petitioner, with leave to the Solicitor-General to file brief in opposition thereto on or before Friday next.

No. 534. John M. Wheeler et al., plaintiffs in error, *v.* The New York, New Haven and Hartford Railroad Company. Motions to dismiss or affirm submitted by Mr. Wm. D. Bishop, jr., in support of motion, and by Mr. Robert E. De Forest and Mr. Geo. P. Carroll in opposition thereto.

No. 436. United States Rubber Company et al., petitioners, *v.* American Oak Leather Company et al. Motion by the respondents for cross writ of certiorari or such other order as the court may deem proper submitted by Mr. J. V. Quarles for the respondents.

No. 630. Jacob P. Smith, petitioner, *v.* Andrew J. Packard. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. A. B. Browne for the petitioner, and by Mr. Le Roy D. Thoman for the respondent.

No. 639. Northern Assurance Company of London, England, petitioner, *v.* Grand View Building Association. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit submitted by Mr. A. B. Browne in behalf of Mr. Charles J. Greene and Mr. Ralph W. Breckenridge for the petitioner.

No. 10, Original. *Ex parte*: In the matter of Orange Fuller, assignee. Leave granted to file return demurrer and stipulation herein on motion of Mr. A. B. Browne in behalf of counsel.

No. 525. Thomas F. Farrell et al., plaintiffs in error, *v.* The West Chicago Park Commission. Motion for rule to show cause, and for leave to amend writ of error and bond herein submitted by Mr. George W. Wilbur in support of motions, with leave to counsel for the defendants in error to file opposition on or before Friday next.

No. 12, Original. *Ex parte*: In the matter of The Union Steamboat Company, petitioners. Submitted by Mr. C. E. Kremer, Mr. H. C. Wisner and Mr. W. V. Johnson for the petitioner, and by Mr. Harvey D. Goulder, Mr. F. H. Canfield and Mr. F. S. Masten for the respondent, with leave to counsel for respondent to file reply brief within three days.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 21, 1900.

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

Mark R. Sherman of Chicago, Ill., Charles M. Campbell of Denver, Colo., Edward H. Archer of Columbus, Ohio, E. T. Moon of La Grange, Ga., Alexander G. Eells of San Francisco, Cal., W. W. Flood of Wichita Falls, Tex., Walter Ayers of Duluth, Minn., Hugh W. Cole of McCook, Nebr., Victor M. Gore of Benton Harbor, Mich., F. S. Kirkpatrick of Lynchburg, Va., William Haywood of Honolulu, Hawaiian Islands, and James Davison of Greensboro, Ga., were admitted to practice.

No. 217. Moffett, Hodgkins & Clarke Company, petitioner, *v.* The City of Rochester et al. On writ of certiorari to the United States circuit court of appeals for the second circuit. Decree of the said United States circuit court of appeals reversed with costs, and decree of the circuit court of the United States for the northern district of New York affirmed and cause remanded to the said circuit court. Opinion by Mr. Justice McKenna.

No. 260. The Pittsburgh and Lake Angeline Iron Company, plaintiff in error, *v.* The Cleveland Iron Mining Company et al. In error to the supreme court of the State of Michigan. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 247. The Chesapeake and Ohio Railway Company, plaintiff in error, *v.* William Howard et ux. In error to the court of appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Peckham.

No. 216. Henry P. Clarke, plaintiff in error, *v.* Nancy B. Clarke et al. In error to the supreme court of errors of the State of Connecticut. Judgment affirmed with costs. Opinion by Mr. Justice White.

No. 113. Samuel Castner, jr., et al., petitioners, *v.* W. H. Coffman, etc. On writ of certiorari to the United States circuit court of appeals

for the fourth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the district of West Virginia. Opinion by Mr. Justice White.

No. 203. The North American Transportation and Trading Company, plaintiff in error, *v. Donald Morrison*. In error to the circuit court of the United States for the district of Washington. Judgment reversed, and cause remanded to said circuit court with directions to remand the cause to the State court. The costs of this court and of the circuit court to be paid by the plaintiff in error. Opinion by Mr. Justice Shiras.

No. 245. Wm. C. Browning et al., plaintiffs in error and appellants, *v. Charles H. De Ford*. In error to and appeal from the supreme court of the Territory of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Brown.

No. 119. D. P. Tarpey, plaintiff in error, *v. Andrew Madsen*. In error to the supreme court of the State of Utah. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brewer. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Harlan and Mr. Justice White.

No. 177. Patrick Moran, plaintiff in error, *v. Joseph Horsky, jr.* In error to the supreme court of the State of Montana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brewer.

No. 332. F. May & Co., plaintiff in error, *v. The City of New Orleans*. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. Dissenting: Mr. Chief Justice Fuller, Mr. Justice Brewer, Mr. Justice Shiras and Mr. Justice Peckham.

No. 257. Columbus Winchester Motes et al., plaintiffs in error, *v. The United States*. In error to the circuit court of the United States for the northern district of Alabama. Judgment as to Columbus Winchester Motes affirmed and judgment as to all the other plaintiffs in error reversed, and cause remanded with directions to grant a new trial to all of the defendants except Columbus Winchester Motes. Opinion by Mr. Justice Harlan.

No. 135. The Chicago, Rock Island and Pacific Railway Company et al., plaintiffs in error, *v. Lissa Martin, administratrix, etc.* In error to the supreme court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 202. The Western Union Telegraph Company, appellant, *v. The Ann Arbor Railroad Company*. Appeal from the United States circuit court of appeals for the sixth circuit. Decree of the said United States

circuit court of appeals and the decree of the circuit court of the United States for the western district of Michigan reversed with costs, and cause remanded to the said circuit court with a direction to remand it to the State court. Opinion by Mr. Chief Justice Fuller.

No. 253. Ada F. McDonnell, plaintiff in error, *v. Llewellyn Jordan*. In error to the circuit court of the United States for the northern district of Alabama. Judgment reversed with costs, and cause remanded with a direction to remand it to the probate court of Madison County, Ala. Opinion by Mr. Chief Justice Fuller.

No. 603. William S. Taylor et al., plaintiffs in error, *v. J. C. W. Beckham*; and

No. 604. William S. Taylor et al., plaintiffs in error, *v. J. C. W. Beckham et al.* In error to the court of appeals of the State of Kentucky. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Fuller. Dissenting: Mr. Justice Harlan, Mr. Justice Brewer and Mr. Justice Brown. Mr. Justice McKenna concurred in the result.

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

No. 7, Original. The State of Missouri, complainant, *v. The State of Illinois et al.* Ordered for oral argument.

No. 436. United States Rubber Company et al., petitioners, *v. American Oak Leather Company et al.* Motion for cross writ of certiorari granted, the record herein to stand as the return thereto.

No. 525. Thomas F. Farrell et al., plaintiffs in error, *v. The West Chicago Park Commissioners*. Rule to show cause awarded, returnable on Monday, October 8 next.

No. 621. Mary B. Hook, petitioner, *v. The Mercantile Trust Company of New York et al.* Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 622. Isabella Benz, petitioner, *v. The Illinois Central Railroad Company*. Petition for a writ of certiorari to the United States circuit court of appeals for the sixth circuit denied.

No. 626. Holzapfels Compositions Company, Limited, petitioner, *v. Rahtjens American Compositions Company*. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. 629. Charles M. Owen et al., petitioners, *v. Eugene E. Jones, receiver, etc.* Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit denied.

No. 630. Jacob P. Smith, petitioner, *v. Andrew J. Packard*. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 632. The Board of County Commissioners of the County of Lake, Colo., petitioner, *v.* James R. Sutliff. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit granted.

No. 637. The City of New York et al., petitioners, *v.* James C. E. D'Esterre. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 638. The National Bank of Commerce of Kansas City, Mo., petitioner, *v.* Edward A. Hobbs. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit denied.

No. 639. The Northern Assurance Company, of London, England, petitioner, *v.* Grand View Building Association. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit granted.

No. 640. Frank M. Dorsey, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the eighth circuit denied.

No. 641. Thomas Roy, master, etc., petitioner, *v.* The Ships Waterloo and Glenalvon; and

No. 642. Thomas Roy, master, etc., petitioner, *v.* The Girard Point Storage Company. Petitions for writs of certiorari to the United States circuit court of appeals for the third circuit denied.

No. 643. United States Repair and Guaranty Company, petitioner, *v.* Assyrian Asphalt Company. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit granted.

No. 647. Sarah R. Angle, administratrix, etc., et al., petitioners, *v.* The Chicago, St. Paul, Minneapolis and Omaha Railway Company et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit denied.

No. 648. The Lake Street Elevated Railroad Company, petitioner, *v.* The Farmers' Loan and Trust Company et al. Petition for a writ of certiorari to the circuit court of the United States for the northern district of Illinois denied.

No. 650. The United States, petitioner, *v.* The American Steamship Laurada, etc. Petition for a writ of certiorari to the United States circuit court of appeals for the third circuit granted. (Mr. Justice McKenna took no part in the consideration or decision of this application.)

No. 13, Original. The United States, plaintiff, *v.* The State of North Carolina;

No. 14, Original. The United States, plaintiff, *v.* The State of South Carolina;

No. 15, Original. The United States, plaintiff, *v.* The State of Florida; and

No. 16, Original. The United States, plaintiff, *v.* The State of Louisiana. Motions for leave to file declarations herein granted, and summons awarded returnable on Monday, October 8 next.

No. 294. The New York, Pennsylvania and Ohio Railroad Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania. In error to the supreme court of the State of Pennsylvania. Dismissed with costs, on motion of Mr. Marlin E. Olmsted for the plaintiff in error.

No. 5, Original. The State of Minnesota, complainant, *v.* Ethan Allen Hitchcock, Secretary, etc., et al. Leave granted to file answer on motion of Mr. Assistant Attorney-General Van Devanter for the defendants.

No. 651. John B. Wight et al., Commissioners, etc., appellants, *v.* Charles H. Davidson et al. Motion to advance submitted by Mr. C. A. Brandenburg for the appellants.

No. 655. Lewis J. Yeager, petitioner, *v.* The United States. Petition for a writ of certiorari to the court of appeals of the District of Columbia submitted by Mr. Heber J. May and Mr. F. Edward Mitchell for the petitioner, and by Mr. Solicitor-General Richards and Mr. Thomas H. Anderson for the respondent.

No. 656. Walter Bird, trading as Walter Bird & Co., petitioner, *v.* Stephen P. Halsey. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit submitted by Mr. F. S. Kirkpatrick for the petitioner, and by Mr. John W. Daniel for the respondent, and leave granted to Mr. Daniel to file reply brief on or before Saturday next.

No. 657. R. A. Williams, plaintiff in error, *v.* Edgar Fears, sheriff, etc., et al. Motion to advance submitted by Mr. James Davison for the plaintiff in error.

No. 510. Fred A. Maynard, attorney-general, petitioner, *v.* The Granite State Provident Association et al. On writ of certiorari to the United States circuit court of appeals for the sixth circuit. Dismissed with costs, per stipulation.

No. 553. Burton S. Barnes et al., plaintiffs in error and appellants, *v.* J. W. Lynch et al. In error to and appeal from the supreme court of the Territory of Oklahoma. Dismissed with costs, per stipulation.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 28, 1900.

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

Timothy E. Byrnes of Minneapolis, Minn., James R. Mann of Chicago, Ill., Willis E. Reed of Madison, Nebr., Eugene H. Wilson of Denver, Colo., F. W. Jenkins of Chippewa Falls, Wis., Dudley R. Horton of New York City, Henry C. Flesher of Welch, W. Va., William Fitch of Providence, R. I., and Burke Vancil of Springfield, Ill., were admitted to practice.

No. 262. The New York Life Insurance Company, plaintiff in error, *v.* Fannie Cravens. In error to the supreme court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice White took no part in the decision of this case.)

No. 277. Louisa Banholzer, plaintiff in error, *v.* The New York Life Insurance Company. In error to the supreme court of the State of Minnesota. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 269. Josephine Deserant, administratrix, etc., plaintiff in error, *v.* Cerillos Coal Railroad Company. In error to the supreme court of the Territory of New Mexico. Judgment reversed with costs, and cause remanded with instructions to reverse the judgment of the district court and direct a new trial. Opinion by Mr. Justice McKenna.

No. 9, Original. *Ex parte:* In the matter of W. P. Connoway, receiver, etc., petitioner. Rule made absolute and writ of mandamus awarded. Opinion by Mr. Justice McKenna.

No. 266. Wilberforce Sully, trustee, etc., et al., plaintiffs in error, *v.* The American National Bank et al. In error to the supreme court of the State of Tennessee. Judgment reversed as to Alfred B. Carhart. Costs in this court to be paid by the American National Bank, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Peckham. (Mr. Justice Brewer and

Mr. Justice White did not hear the argument and took no part in the decision of this case.)

No. 267. The Coralitas Company, appellant, *v.* The United States et al. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Peckham.

No. 499. John Fitzpatrick, plaintiff in error, *v.* The United States. In error to the district court of the United States for the district of Alaska. Judgment affirmed. Opinion by Mr. Justice Brown.

No. 12, Original. *Ex parte*: In the matter of the Union Steamboat Company, petitioner. Petition for a writ of mandamus denied. Opinion by Mr. Justice Brown.

No. 534. John M. Wheeler et al., plaintiffs in error, *v.* The New York, New Haven and Hartford Railroad Company. In error to the supreme court of errors of the State of Connecticut. Judgment affirmed with costs. Opinion by Mr. Justice Brown. (Mr. Justice Gray did not sit in this case and took no part in the decision.)

No. 12. The Mutual Life Insurance Company of New York, petitioner, *v.* Nellie Phinney, executrix, etc. On writ of certiorari 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 Washington reversed with costs, and cause remanded to the said circuit court with directions to award a new trial. Opinion by Mr. Justice Brewer. (Mr. Justice Peckham did not sit on the hearing and took no part in the decision of this case.)

No. 452. The Mutual Life Insurance Company of New York, petitioner, *v.* Bessie F. Sears, executrix, etc. On writ of certiorari 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 Washington reversed with costs, and cause remanded to said circuit court with directions to overrule the demurrer to the defendant's answer. Opinion by Mr. Justice Brewer. (Mr. Justice Peckham did not sit on the hearing and took no part in the decision of this case.)

No. 453. The Mutual Life Insurance Company of New York, petitioner, *v.* George E. Hill et al. On writ of certiorari to the United States circuit court of appeals for the ninth circuit. Judgment of the United States circuit court of appeals and of the circuit court of the United States for the district of Washington reversed with costs, and cause remanded to said circuit court with directions to overrule the demurrer to the defendants' answer. Opinion by Mr. Justice Brewer. (Mr. Justice Peckham did not sit on the hearing and took no part in the decision of this case.)

No. 455. The Mutual Life Insurance Company of New York, petitioner, *v.* Walter B. Allen, administrator, etc. On writ of certiorari to the United States circuit court of appeals for the ninth circuit. Judgment of the United States circuit court of appeals and of the circuit court of the United States for the district of Washington reversed with costs, and cause remanded to said circuit court with directions to overrule the demurrer to the answer of the defendant. Opinion by Mr. Justice Brewer. (Mr. Justice Peckham did not sit on the hearing and took no part in the decision of this case.)

No. 503. Fred Bardes, trustee, appellant, *v.* The First National Bank of Hawarden, Iowa, et al. Appeal from the district court of the United States for the northern district of Iowa. Questions certified answered as follows: First, the provisions of the second clause of section 23 of the bankrupt act of 1898 control and limit the jurisdiction of all courts, including the several district courts of the United States, over suits brought by trustees in bankruptcy to recover or collect debts due from third parties, or to set aside transfers of property to third parties, alleged to be fraudulent as against creditors, including payments in money or property to preferred creditors; second, the district court of the United States can, by the proposed defendants' consent, but not otherwise, entertain jurisdiction over suits brought by trustees in bankruptcy to set aside fraudulent transfers of money or property made by the bankrupt to third parties before the institution of the proceedings in bankruptcy; third, the district court for the northern district of Iowa can not take jurisdiction over this suit as it now stands on the record. Decree of the district court, dismissing the bill for want of jurisdiction, affirmed with costs. Opinion by Mr. Justice Gray.

No. 237. S. Duffield Mitchell, receiver, etc., plaintiff in error, *v.* John C. McClure et al. In error to the district court of the United States for the western district of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 512. W. A. Hicks, trustee, etc., appellant, *v.* Bertha Knost. On a certificate from the United States circuit court of appeals for the sixth circuit. Question certified answered as follows: It is the opinion of this court that a district court of the United States has jurisdiction, by the consent of the proposed defendant, but not otherwise, to maintain a bill in equity filed by a trustee in bankruptcy appointed by it against a fraudulent grantee or transferee of the bankrupt resident in its district, to recover the property belonging to the estate of the bankrupt, and by him fraudulently conveyed to defendant. Opinion by Mr. Justice Gray.

No. 530. Charles M. White et al. *v.* August T. Schloerb et al. On a certificate from the United States circuit court of appeals for the seventh

circuit. Questions certified answered as follows: It is the opinion of this court, in response to the first question, that the district court sitting in bankruptcy had jurisdiction by summary proceedings to compel the return of the property seized, and, in response to the second question, that after an adjudication in bankruptcy an action of replevin in a State court can not be commenced and maintained against the bankrupt to recover property in the possession of and claimed by the bankrupt at the time of that adjudication and in the possession of a referee in bankruptcy at the time when the action of replevin is begun. Opinion by Mr. Justice Gray.

No. 546. George Dewey, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Harlan. Dissenting: Mr. Chief Justice Fuller, Mr. Justice White and Mr. Justice McKenna.

No. 116. R. K. Hawley's Trustees et al., appellants, *v.* L. Edgar Diller. Appeal from the United States circuit court of appeals for the ninth circuit. Decree affirmed with costs, and cause remanded to the circuit court of the United States for the district of Washington. Opinion by Mr. Justice Harlan.

No. 256. The Chicago, Milwaukee and St. Paul Railway Company, petitioner, *v.* Heman Clark. On writ of certiorari to the United States circuit court of appeals for the second circuit. Judgment of the United States circuit court of appeals reversed with costs, and judgment of circuit court of the United States for the southern district of New York reversed, and cause remanded to the said circuit court with a direction to enter judgment in favor of plaintiff and against defendant for \$2,425, with interest from June 30, 1888, less the sum of \$521.78, with interest from the same date, the costs of the circuit court of appeals to be paid by defendant in error therein, and the costs in the circuit court to be adjusted as to that court may seem just under the circumstances. Opinion by Mr. Chief Justice Fuller.

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

No. 17, Original. *Ex parte*: In the matter of the District of Columbia, petitioner; and

No. 18, Original. *Ex parte*: In the matter of the District of Columbia, petitioner. Motions for leave to file petitions for writs of mandamus granted, and rules to show cause awarded returnable Monday, October 8 next.

No. 426. James D. Patton, etc., plaintiff in error, *v.* J. D. Brady, collector, etc. Restored to the docket for oral argument.

No. 651. John B. Wight et al., Commissioners, etc., appellants, *v.* Charles H. Davidson et al. Motion to advance granted and cause

assigned for argument on Monday, October 15 next, after the cases already set down for that day.

No. 657. R. A. Williams, plaintiff in error, *v.* Edgar Fears, sheriff, etc., et al. Motion to advance granted, and cause assigned for argument on Monday, October 15 next, after the cases already set down for that day.

No. 649. The City of New Orleans, petitioner, *v.* Ann Warner et al. Petition for a writ of certiorari to the United States circuit court of appeals for the fifth circuit granted.

No. 655. Lewis J. Yeager, petitioner, *v.* The United States. Petition for a writ of certiorari to the court of appeals of the District of Columbia denied.

No. 656. Walter Bird, etc., petitioner, *v.* Stephen P. Halsey. Petition for a writ of certiorari to the United States circuit court of appeals for the fourth circuit denied.

No. 583. The American Sugar Refining Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit granted.

No. —, Original. *Ex parte*: In the matter of Thomas Vasquez, petitioner. Motion for leave to file petition for writ of certiorari denied.

No. 73. The United States, petitioner, *v.* E. A. Morrison & Son; and

No. 74. The United States, petitioner, *v.* H. Wolff & Co. In these cases leave is given to file further briefs, and the attention of counsel is called to the following questions: What is the precise scope and effect, in this court, of the stipulation of March 18, 1897, respecting the character and alternative classifications of the merchandise whose proper classification is at issue? When, if at all, might the purpose for which beads were threaded or strung be held not to prevent their classification as beads, loose, unthreaded, or unstrung, under paragraph 445 of the tariff act of 1890? As respects articles which were in fact beads, and which were threaded and strung and were intended to be used for the purposes for which beads are normally used, was it the intention of Congress that such as imitated precious stones, and did not exceed one inch in dimensions, and were not set, should be dutiable under paragraph 454 of the tariff act of 1890, and that such as did not imitate precious stones should be the subject of a different classification?

No. 360. Charles F. Champion, appellant, *v.* John C. Ames, United States marshal. Reassigned for argument on Monday, December 3 next, on motion of Mr. Solicitor-General Richards for the appellee.

No. 8, Original. The State of Missouri, complainant, *v.* The State of Nebraska. Motion for leave to file a cross bill herein granted, on motion of Mr. W. V. Allen in behalf of counsel for defendant.

No. 504. Joshua C. Sanders, petitioner, *v.* Ferdinand W. Peck et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. A. J. Hopkins in behalf of Mr. W. A. Foster for the petitioner, and by Mr. A. M. Pence for the respondents.

No. 663. George W. Reed, administrator, etc., et al., petitioners, *v.* John A. Stanley, trustee, etc., et al. Petition for a writ of certiorari to the United States circuit court of appeals for the ninth circuit submitted by Mr. A. B. Browne and Mr. Alexander Britton for the petitioners, and by Mr. William A. Maury, Mr. Thomas H. Hubbard and Mr. E. S. Pillsbury for the respondents.

No. 666. Franklin B. Ham, plaintiff in error, *v.* Banque Ville Marie. In error to the supreme court of the State of Rhode Island. Docketed and dismissed with costs on motion of Mr. William Fitch for the defendant in error.

No. 664. Dave H. Morris et al., petitioners, *v.* The New York and West Chester Water Company. Petition for a writ of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. F. D. McKenney and Mr. Charles E. Coddington for the petitioners, and by Mr. Allan McCulloh for the respondent.

No. 626. Holzapfel's Compositions Company, Limited, petitioner, *v.* Rahtjens American Composition Company. Petition for a cross writ of certiorari herein submitted by Mr. Timothy D. Merwin for the respondent, with leave to counsel for petitioner to file opposition hereafter.

No. 553. Burton S. Barnes et al., etc., plaintiffs in error and appellants, *v.* J. W. Lynch et al. Motion to vacate order of dismissal herein submitted by Mr. H. C. Smith in behalf of John W. Dalton, one of the plaintiffs in error and appellants, with leave to other counsel to file opposition hereafter, and mandate stayed until further order.

No. 665. Bluford Wilson et al., petitioners, *v.* George W. Dunseth et al. Petition for a writ of certiorari to the United States circuit court of appeals for the seventh circuit submitted by Mr. William M. Springer in behalf of Mr. Bluford Wilson and Mr. Philip Barton Warren for the petitioner, and by Mr. Burke Vancil for the respondent.

No. 671. The Steamship *Styria*, etc., petitioner, *v.* James L. Morgan et al.;

No. 672. The Steamship *Styria*, etc., petitioner, *v.* Schuyler L. Parsons;

No. 673. The Steamship *Styria*, etc., petitioner, *v.* Alfred S. Malcolmson; and

No. 674. The Steamship *Styria*, etc., petitioner, *v.* John Munroe et al.

Petition for writs of certiorari to the United States circuit court of appeals for the second circuit submitted by Mr. J. Parker Kirlin for the petitioner, and by Mr. A. S. Sullivan, Mr. Charles C. Burlingham, and Mr. Melville H. Regensburger for the respondents.

No. 216. Henry P. Clarke, plaintiff in error, *v.* Nancy B. Clarke et al. Mandate stayed, and motion for leave to file petition for rehearing entered on motion of Mr. Samuel F. Phillips for the plaintiff in error.

No. 332. F. May & Co., plaintiff in error, *v.* The City of New Orleans. Mandate stayed, and motion for leave to file petition for rehearing entered on motion of Mr. Duane E. Fox in behalf of counsel.

No. 546. George Dewey, appellant, *v.* The United States. Mandate stayed, and motion for leave to file petition for rehearing entered on motion of Mr. H. A. Herbert for the appellant.

No. 667. Horace W. Philbrook, plaintiff in error, *v.* William H. Beatty et al. ; and

No. 668. Horace W. Philbrook, plaintiff in error, *v.* William J. Newman et al. Leave granted to plaintiff in error to enter his appearance herein.

Order: It is now here ordered by the court that all the cases on the docket not decided, and all the other business of the term not disposed of by the court, be, and the same are hereby, continued until the next term of the court.

Adjourned to the time and place appointed by law.

