

to record report topical	3
C. G. an certain ap 16	4
C. G. ... ing's petition on	5
d in C. Fabras corp s - - -	12
C. G. Tax Commission	13
presented	13
C. G. ... when come waived re	20
C. G. ... Rule 23 + Rule 32	13
C. G. ... Volume of Rep 7	20
C. G. ... to withdraw records	4
C. G. ... announced re	48
Ex President Cleveland admitted	67
practise - - -	

2

1

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 3, 1890.

Present: The Chief Justice and all the Associate Justices.

Harvey D. Hadlock, Boston; Sam. G. Derrickson, New York; Joseph C. Ely and Arthur L. Brown, of Providence, R. I.; James G. Day, Des Moines; John Schomp, Omaha; E. J. Hadley, Boston; John S. Runnels, Chicago; B. W. Ritter, Durango, Colo.; Geo. F. Patrick, Pueblo, Colo.; Wm. W. Scott, Emporia, Kans.: G. W. Fitch, Albion, N. Y.; and W. H. Taft, Cincinnati, were admitted to practice.

No. 195.—The inhabitants of the township of Bernards, p. e., *vs.* Thos. H. Morrison *et al.*, in error to the circuit court of the United States for the district of New Jersey; judgment affirmed with costs and interests. Opinion by Mr. Justice Brewer. (Mr. Justice Field took no part in the decision of this case.)

No. 1274.—The County of Lincoln, p. e., *vs.* Nicholas Luning.

No. 1275.—The County of Lincoln, p. e., *vs.* Chas. Sutro.

No. 1276.—The County of Lincoln *vs.* C. D. Vincent; judgment affirmed with costs and interest. Opinion by Mr. Justice Brewer.

No. 1195.—The Louisville, New Orleans and Texas Railway *vs.* The State of Mississippi, in error to the supreme court of the State of Mississippi; judgment affirmed with costs. Opinion by Mr. Justice Brewer. (Dissenting, Mr. Justice Harlan and Mr. Justice Bradley.)

No. 1421.—Wm. D. McKey, p. e., *vs.* The Village of Hyde Park, in error to the circuit court of the United States for the northern district of Illinois; judgment reversed, with costs, and case remanded with a direction to order a new trial, and to take such further proceedings as shall not be inconsistent with the opinion of the court. Opinion by Justice Lamar.

No. 1081.—James D. Crenshaw, app., *vs.* United States; appeal from the Court of Claims; judgment affirmed. Opinion by Mr. Justice Lamar.

No. 1514.—Chas. A. Gregory, app., *vs.* John G. Stetson; appeal from the circuit court of the United States for the district of Massachusetts; decree affirmed with costs. Opinion by Mr. Justice Lamar.

No. 8.—James Coyne, p. e., vs. Union Pacific Railway Company; in error to the circuit court of the United States for the district of Colorado; judgment affirmed with costs. Opinion by Mr. Justice Blatchford.

No. 30.—The Quebec Steamship Company, p. e., vs. Barbara Merchant; in error to the circuit court of the United States for the southern district of New York; judgment reversed with costs and cause remanded with a direction to award a new trial. Opinion by Mr. Justice Blatchford.

No. 126.—Gustavus C. Hopkins et al., p. e., vs. John J. McLure, admr., etc., et al.; in error to the supreme court of the State of South Carolina; dismissed for want of jurisdiction. Opinion by Mr. Justice Blatchford.

No. 150.—The Phœnix Castor Company, app., vs. Augustus Spiegel et al.; appeal from the circuit court of the United States for the district of Indiana; decree affirmed with costs. Opinion by Mr. Justice Blatchford.

No. 161.—Stephen C. Mills, p. e., vs. Montross/T. Allen, administrator, etc.; in error to the circuit court of the United States for the district of Massachusetts; judgment reversed with costs and case remanded with a direction to award a new trial. Opinion by Mr. Justice Blatchford.

No. 1051.—The California Insurance Company, p. e., vs. The Union Compress Company; in error to the circuit court United States for the eastern district of Arkansas; judgment affirmed with costs and interests. Opinion by Mr. Justice Blatchford.

Nos. 1110 and 1111.—David Armstrong, receiver, app. vs. The American Exchange National Bank, etc.; appeals from the United States circuit court for the southern district of Ohio; decrees affirmed with costs. Opinion by Mr. Justice Blatchford. (Mr. Chief-Justice Fuller did not take any part in the decision of the cases.)

No. 136.—Alexander R. Shepherd et al., app., vs. George S. Pepper; appeal from the supreme court of District of Columbia; decree affirmed with costs. Opinion by Mr. Justice Blatchford. (Dissenting, Mr. Justice Miller.)

No. 3.—Henrietta C. Keller, app., vs. Isabella W. Ashford, extx., etc.; appeal from the supreme court of the District of Columbia; decree reversed with costs and case remanded with directions to enter a decree for the plaintiff. Opinion by Mr. Justice Gray.

No. 39.—The Board of Commissioners of Delaware County, Indiana, p. e., vs. The Deibald Safe and Lock Company et al.; in error to the circuit court of the United States for the district of Indiana; judgment reversed with costs and cause remanded, with directions to set aside the verdict and order a new trial and to take such further proceedings as may be consistent with the opinion of this court. Opinion by Mr. Justice Gray.

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No. 189.—Asahel Gage, app., *vs.* Ellis Kaufman; appeal from the circuit court of the United States for the northern district of Illinois; decree affirmed with costs. Opinion by Mr. Justice Gray.

No. 1367.—Amelia A. Gunther *et al.*, extx., etc., *vs.* The Liverpool and London and Globe Insurance Company; in error to the United States circuit court for the eastern district of New York; judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 179.—Hamilton Ormsby *et al.*, p. e., *vs.* Wm. B. Webb *et al.*; in error to the supreme court of the District of Columbia; judgment affirmed with costs. Opinion by Mr. Justice Harlan. (Mr. Justice Gray took no part in the decision of this case.)

No. 1236.—Alex. M. Kenaday, app., *vs.* Susan W. Edwards and Alice Tyler.

No. 1237.—James B. Green, trustee, app., *vs.* Susan W. Edwards and Alice Tyler; appeals from the supreme court of the District of Columbia; decree affirmed with costs. Opinion by Mr. Justice Harlan.

No. 724.—Prentiss D. Cheney, app., *vs.* Jacob Libby; appeal from the circuit court of the United States for the district of Nebraska; decree affirmed with costs; and it is further ordered, adjudged, and decreed that said decree be and the same is hereby suspended and shall not become operative until the plaintiff brings into the court below for the defendant the full amount of the notes for principal and interest executed by him to the defendant and made payable on the 28th day of May, 1885, 1886, and 1887, without interest upon any note after its maturity. Opinion by Mr. Justice Harlan.

No. 1287.—Thomas J. Bryan, app., *vs.* M. W. Kales *et al.*; appeal from the supreme court of the Territory of Arizona; decree reversed with costs and cause remanded with directions that the demurrer to the complaint be overruled and for further proceedings consistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 193.—H. J. McMurray *et al.*, app., *vs.* Chas. Moran *et al.*; appeal from the United States circuit court for the district of Nevada; decree affirmed in part and reversed in part, and appeal as to certain appellants dismissed; cause remanded for further proceedings to be had therein consistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 134.—James G. Tracy *et al.*, p. e., *vs.* Louis Tuffly, assignee, etc.; in error to the circuit court of the United States for the eastern district of Texas; judgment affirmed with costs and interest. Opinion by Mr. Justice Harlan.

No. 957.—Wm. Aspinwall, p. e., *vs.* Peter Butler, receiver, etc.; in error to the circuit court of the United States for the district of Massa-

chusetts; judgment affirmed with costs and interest. Opinion by Mr. Justice Bradley.

No. 4.—Bernard B. Hans, p. e., *vs.* The State of Louisiana; in error to the circuit court of the United States for the eastern district of Louisiana; judgment affirmed with costs. Opinion by Mr. Justice Bradley.

No. 392.—The State of North Carolina *et al.*, appts., *vs.* Alfred H. Temple; appeal from the circuit court of the United States for the eastern district of North Carolina; decree reversed with costs and cause remanded with directions to dismiss the bill of complaint. Opinion by Mr. Justice Bradley.

No. 76.—The Wisconsin Central R. R. Co., p. e., *vs.* Price County *et al.*; in error to the supreme court of the State of Wisconsin; judgment reversed with costs and cause remanded with instructions to enter a decree perpetually enjoining the collection of the taxes levied in the year 1883 upon the indemnity lands, and dismissing the complaint as to the eleven parcels of forty acres each. Opinion by Mr. Justice Field.

No. 188.—Josiah Fogg, app., *vs.* DeWitt C. Blair, trustee, appeal from the circuit court of the United States for the eastern district of Missouri; decree affirmed with costs. Opinion by Mr. Justice Field.

No. 1381.—Paul Louis Burthe *et al.*, p. e., *vs.* Arthur Denis, extr., etc., *et al.*; in error to the supreme court of Louisiana; judgment reversed with costs and cause remanded with instructions to take further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice Field.

No. 101.—Eugene Eilenbecker *et al.*, p. e., *vs.* the District Court of Plymouth County, Iowa; in error to the supreme court of the State of Iowa; judgment affirmed with costs. Opinion by Mr. Justice Miller.

No. 191.—Morton Culver *et al.*, p. e., *vs.* Gertrude Uthe; in error to the supreme court of the State of Illinois; judgment affirmed with costs. Opinion by Mr. Justice Miller.

No. 1521.—Chas. H. Wight, app., *vs.* J. H. Nicholson, superintendent; appeal from the circuit court of the United States for the eastern district of Michigan; degree affirmed with costs. Opinion by Mr. Justice Miller. Dissenting: Mr. Chief-Justice Fuller and Mr. Justice Harlan.

No. 5.—Original. *Ex parte*: In the matter of Jas. J. Medley, petitioner.

No. 6.—Original. *Ex parte*. In the matter of Jas. H. Savage, petitioner; ordered that the petitioners be discharged from custody. Opinion by Mr. Justice Miller. Dissenting: Mr. Justice Brewer and Mr. Justice Bradley.

No. 166.—The Nashua and Lowell R. R. Corp'n, appt., *vs.* The Boston

and Lowell R. R. Corp'n; leave granted counsel to file briefs on the question of jurisdiction of the circuit court within thirty days announced by Mr. Chief-Justice Fuller. (O)

No. 1538.—Chas. Palliser, app't, *vs.* The United States *et al.*; motion to advance denied. Announced by Mr. Chief-Justice Fuller.

No. 1402.—The McCormick Harvesting Machine Co. p. e., *vs.* Chas W. Walthers; in error to the circuit court of the United States for the district of Nebraska. Judgment affirmed with costs and interest. Opinion by Mr. Chief-Justice Fuller.

No. 41.—The St. Louis and San Francisco Railway Company, app., *vs.* Walter S. Johnston; appeal from the circuit court of the United States for the southern district of New York; decree reversed with costs and cause remanded with directions to enter a decree for complainant. Opinion by Mr. Chief-Justice Fuller. Mr. Justice Brewer took no part in the decision of this case.

No. 87.—Wm. H. Peters, receiver, etc., app., *vs.* Robert T. K. Bain *et al.*

No. 198.—John T. Griffin *et al.*, trustees, apps., *vs.* Wm. H. Peters, receiver *et al.*; appeals from the United States circuit court for the eastern district of Virginia; decree affirmed. Opinion by Mr. Chief-Justice Fuller. Mr. Justice Brewer took no part in the decision of this case.

No. 145.—Francis A. Palmer, p. e., *vs.* Martin T. McMahon, receiver, etc.; in error to the city and county court of common pleas of New York; judgment affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

No. 1172.—Daniel Sturr, app., *vs.* Chas. W. Beck; appeal from the supreme court of the Territory of Dakota (to supreme court of State of South Dakota) decree affirmed with costs, and cause remanded. Opinion by Mr. Chief-Justice Fuller. Mr. Justice Brewer took no part in the decision of this case.

No. 1104.—R. S. Searl, p. e., *vs.* School District No. 2, in the county of Lake; in error to the circuit court of the United States for the district of Colorado; judgment affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

No. 1408.—Emil Bosch *et al.*, app., *vs.* Albert Graff *et al.*; appeal from the United States circuit court for the northern district of California; reversed with costs and cause remanded for further proceedings. Opinion by Mr. Chief-Justice Fuller. *Done*

Attorney-General Miller presented to the court the Hon. Wm. H. Taft, Solicitor-General, and it was ordered that his commission be recorded. *x*

No. 1362.—E. J. Lebreton, adm'r, etc., *et al.*, p. e., *vs.* Barbara Jennings, adm'x; motion to dismiss or affirm submitted by Mr. J. C. Bates, in support of motion; by Mr. W. C. Belcher in opposition.

Nos. 519, 520, and 521.—Henry T. Thoms, p. e., *vs.* Jas. E. Murray, and Jefferson McCauly, p. e., *vs.* Jas. A. Murray, and Benjamin G. C. Kingsbury, p. e., *vs.* Jas. A. Murray; motions to dismiss submitted by W. H. Smith in support of motions and by S. S. Burdett in opposition thereto in Nos. 520 and 521.

Ex parte: In the matter of I. J. Miller, *et al.*, petitioners; motion for leave to file petition for writ of error submitted by Mr. S. A. Miller for the petitioners.

No. 1572.—The U. S. ex. rel. Chas. R. Miller, p. e., *vs.* Green B. Raum, Commissioner, etc.; motion to advance submitted by Mr. J. G. Bigelow for the plaintiff in error.

Ex parte: In the matter of Chas. M. Lane, petitioner; motion for leave to file petition for writ of habeas corpus submitted by Mr. H. J. May for petitioner.

Ex parte: In the matter of Jacob Baiz, petitioner; motion for leave to file petition for writ of prohibition or writ of mandamus submitted by Mr. J. H. Choate for petitioner.

Nos. 1578 to 1583.—The Attorney-General of Massachusetts, app., *vs.* Western Union Telegraph Company; motion to advance submitted by Mr. H. C. Bliss for appellant.

No. 1554.—The United States, app., *vs.* Richard M. Jones; submitted under twentieth rule by Mr. Assistant Attorney-General Cotton and Mr. F. P. Dewees for appellant, and by Mr. G. A. King for appellee.

No. 194.—Henry S. Little, receiver, etc., p. e., *vs.* Sam D. Bower, compr.; motion to dismiss submitted by Mr. Frank Bergen in support of motion, and Mr. G. R. Kaercher and Mr. R. W. De Forest in opposition.

No. 655.—Marie P. Evans *et al.*, app., *vs.* the State National Bank of New Orleans; motion to dismiss submitted by Mr. W. Hallett Phillips in support of motion, and by Mr. J. J. Johnson, Mr. A. H. Garland, and Mr. H. J. May in opposition.

Ex parte: In the matter of Thomas F. Burrus, petitioner; motion for leave to file petition for writ of habeas corpus submitted by Mr. W. J. Connel for petitioner.

Adjourned until to-morrow at 12 o'clock. The day call for Tuesday, the 4th instant, will be as follows: 1472, 6, 319, 200, 201, 202, 207, 211, 212, and 213.

7

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 4, 1890.

Present: The Chief-Justice and all the Associate Justices.

Clara Shortridge Foltz, of San Diego, Cal.; N. H. Harris, of Vicksburg, Miss., and Francis Putnam Stevens, of Baltimore, Md., were admitted to practice.

No. 1174.—John Lyles, ex'r, etc., *et al.*, app'ts, *vs.* Loretta Shropshire *et al.* Motion to dismiss submitted by Mr. William Phillips and Mr. James G. Day in support of motion, and by Mr. C. C. Cole, Mr. A. H. McVey, and Mr. J. S. Clark in opposition thereto.

No. 1472.—Thomas Cunningham, sheriff, etc., app't, *vs.* David Neagle. Argument commenced by Mr. Zach. Montgomery for the appellant and continued by Mr. Attorney-General Miller and Mr. Joseph H. Choate for the appellee. (Mr. Justice Field did not sit during the argument of this cause.)

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday the 5th instant will be as follows: Nos. 1472, 6, 319, 200, 201, 202, 207, 211, 212, and 213.



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 5, 1890.

Present : The Chief Justice and all the Associate Justices except Mr. Justice Field.

Joel W. Tyler, of Cleveland, Ohio; Samuel Hoar, of Concord, Mass.; E. A. Snow, of Boston, Mass.; and W. W. Martin, of Fort Scott, Kans., were admitted to practice.

No. 1472.—Thos. Cunningham, sheriff, etc., appt. *vs.* David Neagle. Argument continued by Mr. Joseph H. Choate for the appellee and concluded by Mr. George A. Johnson for appellant. (Mr. Justice Field did not sit during the argument of this cause.)

Adjourned until to-morrow at 12 o'clock.

The day-call for Thursday the 6th instant will be as follows: Nos. 6, 319, 200, 201, 202, 207, 211, 213, and 1.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 6, 1890.

Present: The Chief Justice and all the Associate Justices.

No. 6.—Pullman's Palace Car Co., p. e., *vs.* The Commonwealth of Penna. Argued by Mr. Edward S. Isham and Mr. John S. Runnells for the plaintiff in error and by Mr. W. S. Kirkpatrick for the defendant in error.

No. 319.—Pullman's Palace Car Co., appt., *vs.* H. H. Hayward, *treas'r*, etc. Argument commenced by Mr. John S. Runnells for the appellant and continued by Mr. L. B. Kellogg and Mr. Wm. W. Scott for appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, the 7th instant, will be as follows: Nos. 319, 200, 201, 202, 207, 211, 212, 213, 1, and 1205.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 7, 1890.

Present: The Chief-Justice and all the Associate Justices.

No. 207.—Joseph J. Burns *et al.*, appts., *vs.* Julius W. Rosenstein *et al.*
On motion of Mr. B. F. Butler, for appellants, ordered for argument
after No. 213.

No. 432.—Mollie N. Albright *et al.*, appts., *vs.* George Oyster *et al.*

No. 433.—Mollie N. Oyster *et al.*, appts., *vs.* George Oyster *et al.*
Death of Simon K. Oyster, one of these appellees in the causes, suggested
by Mr. D. P. Dyer, for the appellees, and appearance of George Oyster,
adm'r., etc., filed and entered.

No. 319.—Pullman's Palace Car Co., appt., *vs.* H. H. Hayward, treas'r,
etc., *et al.* Argument concluded by Mr. Edward S. Isham, for the appel-
lant.

No. 200.—Geo. H. Hammond & Co., p. e., *vs.* Thomas D. Hastings.
Argued by Mr. A. H. Garland for the plaintiffs in error, and by Mr.
Thomas McDougall for the defendant in error.

No. 201.—The Howe Machine Co. *et al.*, appts., *vs.* The National
Needle Co.

No. 202.—The Howe Machine Co. *et al.*, appts., *vs.* Alonzo H. Whitten
et al. Argument commenced by Mr. Harvey D. Hadlock for the appel-
lants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday the 10th instant, will be as follows: Nos. 201,
202. 357, 664, 1467, 211, 212, 213, 207, and 1.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 10, 1890.

Present: The Chief-Justice and all the Associate Justices.

Hosmer H. Keith, of Sioux Falls, S. Dak.; George L. Nichols, jr., of Brooklyn, N. Y., and M. J. Cunningham, of Natchitoches, La., were admitted to practice.

No. 1539.—Thomas Jefferis, appt., *vs.* The East Omaha Land Company; appeal from the C. C. U. S. for the district of Nebraska; decree affirmed with costs. Opinion by Mr. Justice Blatchford. (Mr. Justice Miller did not take any part in the decision of this case.)

No. 1497.—The Bell's Gap Railroad Company, p. e., *vs.* The Commonwealth of Pennsylvania; in error to the supreme court of the State of Pennsylvania; judgment affirmed with costs and interest. Opinion by Mr. Justice Bradley.

No. 1498.—The City of Chester, p. e., *vs.* The Commonwealth of Pennsylvania. In error to the supreme court of the State of Pennsylvania. Judgment affirmed with costs and interest. Opinion by Mr. Justice Bradley.

No. 140.—The State of Louisiana *ex rel.* The New York Guaranty and Indemnity Co., p. e., *vs.* Oliver B. Steele, auditor of public accounts, etc. In error to the supreme court of the State of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Bradley. Dissenting: Mr. Justice Harlan.

No. 68.—William Hill, p. e., *vs.* The City of Memphis, Mo. In error to the circuit court United States for the eastern district of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Field.

No. 1174.—John Fisher *et al.*, exrs. etc., *et al.*, appts., *vs.* Loretta Shropshire *et al.* Motion to dismiss denied. Announced by Mr. Chief Justice Fuller.

No. 1525.—The City of New Orleans *et al.*, p. e., *vs.* The New Orleans Water Works Co. *et al.*

No. 1536.—Edward Conery, jr., *et al.*, p. e., *vs.* The New Orleans Water Works Co. *et al.*

Motions to dismiss or affirm postponed to the hearing on the merits. Announced by Mr. Chief-Justice Fuller.

No. 1572. The United States *ex rel.* Chas. K. Miller, p. e., *vs.* Green B. Raum, Commissioner of Pensions; motion to advance granted; cause to be submitted on printed arguments on or before the first Monday of April next. Announced by Mr. Chief-Justice Fuller.

No. 1578. The Attorney-General of Massachusetts, appt., *vs.* The Western Union Telegraph Company.

No. 1579. The Western Union Telegraph Company, appt., *vs.* The Attorney-General of Massachusetts.

No. 1580. The Attorney-General of Massachusetts, appt., *vs.* The Western Union Telegraph Company.

No. 1581. The Western Union Telegraph Company, appt., *vs.* The Attorney-General of Massachusetts.

No. 1582. The Attorney-General of Massachusetts, appt., *vs.* The Western Union Telegraph Company.

No. 1583. The Western Union Telegraph Company, appt., *vs.* The Attorney-General of Massachusetts.

Motion to advance granted, and cases assigned for argument on the second Monday of the next term. Announced by Mr. Chief-Justice Fuller.

Ex parte: In the matter of I. J. Miller *et al.*, petitioners; application for writ of error denied. Announced by Mr. Chief Justice Fuller.

Ex parte: In the matter of Chas. M. Lane, petitioner; motion for leave to file petition for writ of habeas corpus and certiorari granted and rule to show cause awarded, returnable on the first Monday of April next. Announced by Mr. Chief Justice Fuller.

Ex parte: In the matter of Jacob Baiz, petitioner; motion for leave to file petition for writ of prohibition or a writ of mandamus granted and rule to show cause awarded, returnable on the fifth Monday of March. Announced by Mr. Chief Justice Fuller.

Ex parte: In the matter of Thomas F. Burnes, petitioner; motion for leave to file petition for writ of habeas corpus and return, the formal issuing of a rule to show cause being waived, granted, and the case taken upon the briefs filed. Announced by Mr. Chief Justice Fuller.

No. 1262.—The Richmond and Danville Railroad Company, appt., *vs.* Nicholas Thouron *et al.*

No. 1263.—The Richmond and West Point Terminal Railway Warehouse Company, appt., *vs.* Nicholas Thouron *et al.*

Appeals from the C. C. U. S. for the eastern district of Tennessee; dismissed for the want of jurisdiction. Opinion by Mr. Chief-Justice Fuller.

No. 1151.—John C. Deputron, p. e., *vs.* Rowena Young; in error to the C. C. U. S. for the district of Nebraska; judgment affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

The Chief-Justice announced the following orders:

There having been an associate justice of this court appointed since the commencement of this term, it is ordered that the following allotment be made of the Chief-Justice and Associate Justices of said court among the circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the first circuit, Horace Gray, Associate Justice.

For the second circuit, Samuel Blatchford, Associate Justice.

For the third circuit, Joseph P. Bradley, Associate Justice.

For the fourth circuit, Melville W. Fuller, Chief-Justice.

For the fifth circuit, Lucius Q. C. Lamar, Associate Justice.

For the sixth circuit, David J. Brewer, Associate Justice.

For the seventh circuit, John M. Harlan, Associate Justice.

For the eighth circuit, Samuel F. Miller, Associate Justice.

For the ninth circuit, Stephen J. Field, Associate Justice.

Ordered, That subdivision 4 of Rule 23 of this court is amended so as to read as follows:

“4. In cases in admiralty damages, and interest may be allowed if specially directed by the court.”

Ordered, That Rule 32 of the rules of this court is stricken out, and the following is promulgated as Rule 32:

“32. Writs of error and appeals under the act of February 25, 1889, chapter 236. Cases brought to this court by writ of error on appeal, under the act of February 25, 1889, chapter 236, where the final judgment or decree rendered by the circuit court does not exceed the sum of \$5,000, will be advanced on motion, and heard under the rules prescribed by rule 6, in regard to motions to dismiss writ of error and appeals.”

No. 179.—*Hamilton Ormsby et al.*, p. e., *vs.* *Wm. B. Webb et al.* On motion of Mr. Wm. B. Webb, for defendants in error, mandate granted.

No. 2.—Original: The State of Indiana, complt., *vs.* the State of Kentucky. On motion of Mr. Joseph E. McDonald, for the complainant, assigned for hearing on the first Monday in April next.

No. 1135.—The United States, app't, *vs.* the Trinidad Coal and Coking Company; motion to advance submitted by Mr. Assistant Attorney-General Maury in support of same.

No. 148.—John F. Hartranft, collr., etc., p. e., *vs.* Meyer & Dickinson; appearance of Sallie D. Hartranft, adm'x., etc., as pl'ff in error in this cause, filed and entered, on motion of Mr. Assistant Attorney-General Maury, for plaintiff in error.

No. 1285.—The Continental Steamboat Company, p. e., *vs.* Timothy Kelly. Death of Timothy Kelly, the defendant in error in this cause, suggested, and appearance of John H. Burke, administrator, etc., as defendant in error, filed and entered, on motion of Mr. M. F. Morris, for defendant.

No. 905.—Francis Dainese, appellant, *vs.* John Blake Kendall, executor, etc., *et al.* Death of Francis Dainese, the appellant in this cause, suggested, and appearance of John W. Douglass, administrator, etc., as appellant, filed and entered, on motion of Mr. A. A. Birney, for appellant.

No. 905.—John W. Douglass, adm'r., etc., app't., *vs.* John Blake Kendall, ex'c'rs, *et al.*; appeal from the supreme court of the District of Columbia. Dismissed per stipulation, on motion of Mr. A. A. Birney, for the appellant.

No. 201.—The Howe Machine Company *et al.*, appellants, *vs.* The National Needle Company *et al.*

No. 202.—The Howe Machine Company *et al.*, appellants, *vs.* Alonzo H. Whitten *et al.*

Argument continued by Mr. Harvey D. Hadlock for appellant, by Mr. J. E. Abbott and Mr. G. P. Lowrey for appellees, and concluded by Mr. Hadlock for appellants.

No. 8.—Original: *Ex parte*, In the matter of The Louisville Underwriters, petitioners.

No. 9.—Original: *Ex parte*, In the matter of The St. Paul Fire and Marine Insurance Company, etc., petitioners.

Argued by Mr. J. R. Beckwith for petitioners, and by Mr. O. B. San-sum for respondents.

No. 265.—Miletus J. Wine, appellant, *vs.* Loudon Mullin, Trustee, etc.

Appeal from the C. C. U. S. for the district of Colorado. Dismissed per stipulation, on motion of Mr. Nath'l Wilson, for appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, the 11th instant, will be as follows: Nos. 357, 664, 1467, 211, 212, 213, 207, 1, 1205, 1219.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 11, 1890.

No. 1175.—Eben N. Horsford *et al.*, appts., *vs.* J. J. Gudger. On motion of Mr. Walter D. Davidge, in behalf of counsel, mandate granted.

Ex parte: In the matter of N. K. Fairbank & Co., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. T. C. Fletcher and Mr. J. F. Merryman for the petitioners.

No. 357.—John Glenn, trustee, &c., pl'ff in error, *vs.* Hamilton G. Fant.

Argued by Mr. Charles Marshall and Mr. John Howard for the plaintiff in error, and by Mr. Walter D. Davidge and Mr. M. F. Morris for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, the 12th instant will be as follows: Nos. 664, 1467, 211, 212, 213, 207, 1, 1205, 1219, and 214.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 12, 1890.

Present: The Chief-Justice and all the associate justices.

No. 519.—Henry T. Thomas, plaintiff in error, *vs.* James A. Murray. Leave to file affidavits of value granted, on motion of Mr. J. H. McGowan, for the plaintiff in error.

No. 664.—The Cherokee Nation, appt., *vs.* The Southern Kansas R'y Co. Argued by Mr. John C. Fay and Mr. Joseph E. McDonald, for the appellant, and by Mr. George R. Peck and Mr. A. B. Browne, for the appellee.

No. 1467. The People of the State California, plff. in error, *vs.* The San Pablo & Tulare R. R. Co. Continued by order of court.

No. 212. (Substituted for No. 211.) William S. Lovell, appt., *vs.* George D. Cragin *et al.* Argument commenced by Mr. W. Hallett Phillips for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, the 13th instant, will be as follows:

Nos. 212, 211, 213, 207, 1, 1205, 1219, 214, 215, and 216.

18837—8

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 13, 1890.

Present : The Chief-Justice and all the associate justices.

Michael J. McNeirny, of Gloucester, Mass., was admitted to practice.

No. 212 (substituted for No. 211). William S. Lovell, appt., *vs.* George D. Cragin *et al.* Argument continued by Mr. W. Hallett Phillips for appellant, by Mr. J. D. Rouse for appellees, and concluded by Mr. Phillips for appellant.

No. 211. Seth Osborne, admr., etc., appt., *vs.* John H. Gheen. Argued by Mr. A. S. Worthington for the appellee, and submitted on printed arguments by Mr. W. Willoughby and Mr. S. F. Beach for appellant.

No. 213. John S. Jenks *et al.*, exers., etc., appts., *vs.* The Quidnick Co. *et al.* Argument commenced by Mr. O. D. Barrett for appellants.

Adjourned until to-morrow at 2 o'clock.

The day call for Friday, the 14th instant, will be as follows :

Nos. 213, 207, 1, 1205, 1219, 214, 215, 216, 217, and 218.

18837—9

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 14, 1890.

Present : The Chief-Justice and all the associate justices.

John F. Keator, of Philadelphia, Pa., was admitted to practice.

No. 218.—The Globe Nail Co., appt., *vs.* The Superior Nail Co. *et al.*
Appeal from the C. C. U. S. for the northern district of Illinois. Dis-
missed with costs per stipulation.

No. 213.—John S. Jencks *et al.*, excrs., etc., appts., *vs.* The Quidnick Co.
et al. Argument continued by Mr. O. D. Barrett for the appellants, by
Mr. Joseph C. Ely and Mr. Wm. L. Putnam for the appellees, and con-
cluded by Mr. Benj. F. Butler for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, the 17th instant, will be as follows :

Nos. 1384, 207, 1, 1205, 1219, 214, 215, 216, 217, and 219.

18837—10

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SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 17, 1890.

Present: The Chief-Justice and all the associate justices.

Hiram O. Fairchild, of Marinette, Wis., Charles F. Tabor, of Buffalo, N. Y., and Wm. J. Campbell, of Chicago, Ill., were admitted to practice.

No. 174.—The Chicago, Milwaukee and St. Paul Ry. Co., appt., *vs.* The Third National Bank of Chicago. Appeal from the C. C. U. S. for the northern district of Illinois. Decree affirmed with costs. Opinion by Mr. Justice Brewer.

No. 184.—The Toledo, Delphos and Burlington R. R. Co. *et al.*, appts., *vs.* Thomas H. Hamilton. Appeal from the C. C. U. S. for the northern district of Ohio. Decree reversed, with costs, and cause remanded, with directions for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brewer.

No. 1150.—August F. Arndt, sr., *et al.*, plffs. in error, *vs.* Nathan K. Griggs. In error to the C. C. U. S. for the district of Nebraska. Judgment reversed, with costs, and cause remanded, with directions for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brewer.

No. 173.—Josiah H. De Witt *et al.*, pl'ffs in error, *vs.* Joseph H. Berry, *et al.* In error to the C. C. U. S. for the southern district of New York. Judgment affirmed with costs and interest. Opinion by Mr. Justice Lamar.

No. 63.—The Henderson Bridge Co., pl'ff in error, *vs.* Wallace McGrath *et al.* In error to the C. C. U. S. for the district of Indiana. Judgment affirmed with costs and interest. Opinion by Mr. Justice Lamar.

No. 187.—Edward P. Penfield, pl'ff in error, *vs.* The Chesapeake, Ohio and Southwestern Railroad Company. In error to the C. C. U. S. for the eastern district of New York. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

No. 1133. J. P. Clough, prest., etc., appt., *vs.* E. J. Curtis, secretary, etc.

and —
18837—11

No. 1134. H. Z. Burkhart, speaker, etc., appt., *vs.* C. H. Reed, chief clerk, etc., *et al.* Appeals from the supreme court of the Territory of Idaho. Judgments affirmed with costs. Opinion by Mr. Justice Harlan.

No. 615. The County Court of Macon Co. *et al.*; plffs. in error, *vs.* Alfred Huidekoper. In error to the C. C. U. S. for the western district of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Field.

No. 1354.—Joseph Banigan, pl'ff in error, *vs.* Charles Bard, rec'r, &c.; in error to the C. C. U. S. for the district of Connecticut; judgment affirmed with costs. Opinion by Mr. Justice Miller.

No. 1362.—E. J. Le Breton, adm'r, &c., *et al.*, pl'ffs in error, *vs.* Barbara Jennings, adm'x, &c., in error to the supreme court of the State of California; dismissed for the want of jurisdiction. Opinion by Mr. Chief-Justice Fuller.

No. 1135.—The United States, app't, *vs.* The Trinidad Coal & Coking Co.; motion to advance granted and cause assigned for argument on the second Monday of the next term after cases already assigned for that day. Announced by Mr. Chief-Justice Fuller.

Ex parte: In the matter of N. K. Fairbank & Co., petitioners, motion for leave to file petition for writ of mandamus denied. Announced by Mr. Chief-Justice Fuller.

No. 211.—Seth Osborne, adm'r, etc., appt., *vs.* John H. Gheen. Appeal from the supreme court of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

No. 655.—Marie P. Evans, *et al.*, appts., *vs.* The State National Bank of the city of New Orleans. Motion to dismiss denied. Opinion by Mr. Chief-Justice Fuller.

No. 192. Michael Gormley, appt., *vs.* Alfred Corning Clark. Appeal from the C. C. U. S. for the northern district of Illinois. Decree affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

The Chief-Justice announced the following 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. 166.—The Nashua & Lowell R. R. corporation, appt., *vs.* The Boston & Lowell R. R. corporation *et al.* On motion of Mr. E. J. Phelps, leave granted to argue orally the question of the jurisdiction of the circuit court.

No. 258.—The United States, plff. in error, *vs.* Robert Bates Kingsbury *et al.*, in error to the C. C. U. S. for the western district of Texas. On motion of Mr. Solicitor-General Taft, for the plaintiff in error, dismissed.

No. 386.—The United States, plff. in error, *vs.* Edward Samuel & Co., in error to the C. C. U. S. for the eastern district of Pennsylvania. On motion of Mr. Solicitor-General Taft, for the plaintiff in error, dismissed.

No. 1418.—Isabella Lee, etc., appt., *vs.* Richard W. Simpson. On motion of Mr. LeRoy F. Youmans, leave granted him to file an additional brief herein within ten days.

No. 1418.—Isabella Lee, etc., appt., *vs.* Richard W. Simpson. Submitted by Mr. LeRoy F. Youmans, Mr. J. P. Carey, and Mr. A. C. King, for the appellant, and by Mr. Augustine T. Smythe, Mr. Joseph H. Earle, and Mr. James L. Orr for the appellee.

No. 1182. The Louisville and Nashville R. R. Co., plff. in error, *vs.* Eddy Woodson, etc. On motion of Mr. A. A. Freeman, submission of motion to dismiss postponed to Monday next, and, on motion of Mr. Ed. Baxter, leave granted to Mr. Wm. M. Baxter to file brief on this motion.

Ex parte: In the matter of Martha M. Tompkins and Joseph A. Tompkins, petitioners. Motion for leave to file petition for writ of mandamus submitted by Mr. Duane E. Fox in behalf of counsel for the petitioners.

No. 486.—S. S. Etheridge, p. e., *vs.* Sperry, Wall & Garver. Motion to dismiss submitted by Mr. H. S. Wilcox in support of motion, and by Mr. N. W. Bliss and Mr. F. W. Lehman in opposition thereto.

No. 1384.—Ezekiel Giles *et al.*, p. e., *vs.* Samuel W. Little *et al.* Argued by Mr. J. M. Woolworth, for the plaintiffs in error and by Mr. T. M. Marquett for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, the 18th instant, will be as follows: Nos. 207, 1, 1205, 1219, 214, 215, 216, 217, 219, and 220.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 18, 1890.

Present : The Chief-Justice and all the Associate Justices.

John C. Clayberg, of Helena, Mont., was admitted to practice.

No. 220.—Wm. P. Gwin *et al.*, plffs. in error, *vs.* James A. Talbott *et al.* In error to the supreme court of the Territory of Montana. Dismissed, with costs, pursuant to the 10th rule. ~~Reversed~~

No. 207.—Joseph J. Burns *et al.*, appts., *vs.* Julius W. Rosenstein *et al.* Suggestion of death of Joseph J. Burns, one of the appellants in this cause, and appearance of Clara O. Burns, adm'x, etc., filed and entered on motion of Mr. Benj. F. Butler, of counsel for appellants.

No. 207.—Clara O. Burns, admx., &c., *et al.*, appts. *vs.* Julius W. Rosenstein *et al.* Argued by Mr. Eugene J. Hadley and Mr. Benj. F. Butler for the appellants, and by Mr. Wm. F. Slocum for the appellees.

No. 1.—The Home Insurance Company of New York, plaintiff in error, *vs.* The People of the State of New York. Argument commenced by Mr. B. H. Bristow for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, the 19th inst., will be as follows :

Nos. 1, 1205, 1219, 214, 215, 216, 217, 219, 221, and 222.

18837—12



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 19, 1890.

Present : The Chief-Justice and all the associate justices.

No. 218.—The Globe Nail Co., appt., *vs.* The Superior Nail Co. *et al.* On motion of Mr. L. L. Coburn, of counsel for the appellant, mandate granted.

No. 221.—John L. Morris, plff. in error, *vs.* Jas. A. Talbott *et al.* Error to the supreme court of the Territory of Montana. Dismissed pursuant to the 10th rule, and cause remanded to the supreme court of the State of Montana.

No. 222.—Joseph F. Baldwin, appt., *vs.* Tilly Haynes. Appeal from the C. C. U. S. for the district of Massachusetts. Dismissed with costs, pursuant to the 10th rule.

No. 1.—The Home Insurance Co. of N. Y., plff. in error, *vs.* The People of the State of New York. Reargument continued by Mr. Benj. H. Bristow for the plff. in error, and concluded by Mr. Charles F. Tabor for the defendants in error.

No. 1205.—O. R. Crutcher, plff. in error, *vs.* The Commonwealth of Kentucky. Argued by Mr. W. W. MacFarland for the plaintiff in error, and by Mr. James P. Helm for the defendant in error.

No. 1219.—Henry Lyng, plff. in error, *vs.* The People of the State of Michigan. Submitted by Mr. Howard E. Thompson for the plaintiff in error, and by Mr. Edward Cahill for the defendant in error.

No. 214.—Carlisle Mason *et al.*, plffs. in error, *vs.* The United States; argument commenced by Mr. W. C. Goudy for the plaintiffs in error. The court declined to hear further argument for the present and passed the case.

No. 215.—Wm. Preston Hill, excr., &c., plff. in error, *vs.* The Merchants' Mutual Ins. Co. Submitted by Mr. G. M. Stewart for the plaintiff in error, and by Mr. E. W. Patterson for the defendant in error.

No. 216.—James W. Elwell, trustee, &c., app't, *vs.* Wm. R. Fosdick *et al.*, trustees, &c.; argument commenced by Mr. Samuel A. Lynde for the appellant. (Mr. Chief-Justice Fuller did not sit during the argument of this case.)

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, the 20th instant, will be as follows :

Nos. 216, 217, 219, 223, 224, 225, 226, 227, 228, and 229.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 20, 1890.

Present: The Chief-Justice and all the Associate Justices.

No. 217.—Simon Florsheim *et al.*, appts., *vs.* Gustav Schilling. On motion of Mr. L. L. Coburn of counsel for appellants, continued.

No. 216.—James W. Elwell, trustee, &c., appt., *vs.* Wm. R. Fosdick *et al.*, trustees, &c.; argument continued by Mr. Samuel A. Lynde for the appellant, by Mr. W. H. Lyford for the appellees, and concluded by Mr. C. M. Osborn for the appellant. (The Chief-Justice did not sit during the argument of this case.)

No. 219.—David C. Whittemore, appt., *vs.* The Amoskeag National Bank *et al.* Argued by Mr. T. L. Livermore for the appellees, and submitted on printed arguments by Mr. H. G. Wood for the appellant.

No. 223.—Eveline L. Hathaway, widow, &c, plaintiff in error, *vs.* The First National Bank of Cambridge. Argument commenced by Mr. Duane E. Fox for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, the 21st instant, will be as follows:

Nos. 223, 224 and 225, 226, 227, 228, 229, 230, 231, 232, and 233.

18837—14

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 21, 1890.

Present: The Chief-Justice and all the Associate Justices.

Daniel J. Ryan, of Portsmouth, Ohio; Cecil D. Hine, of Youngstown, Ohio, and T. M. Garvin, of Wheeling, W. Va., were admitted to practice.

No. 230.—Thomas Fenton, app't, *vs.* Salt Lake County *et al*; appeal from the supreme court of the Territory of Utah. Dismissed with costs, on authority of counsel for appellant.

No. 231.—The Dismal Swamp Canal Co., pl'ff in error, *vs.* The Commonwealth of Virginia.

No. 232.—The Dismal Swamp Canal Co., pl'ff in error, *vs.* Wm. Lamb, mayor of Norfolk.

No. 233.—James E. Justice, pl'ff in error, *vs.* The Commonwealth of Virginia. In error to the supreme court of appeals of the State of Virginia. Dismissed with costs, pursuant to the 10th rule.

No. 223.—Eveline L. Hatheway, widow, &c., pl'ff in error, *vs.* The First National Bank of Cambridge. Argument continued by Mr. Duane E. Fox for the plaintiff in error, by Mr. George F. Hoar for the defendant in error, and concluded by Mr. Duane E. Fox for the plaintiff in error.

No. 224.—The United States, pl'ff in error, *vs.* John D. Sanborn; and

No. 225.—John D. Sanborn, pl'ff in error, *vs.* The United States. Argued by Mr. A. Hart for the United States and by Mr. B. F. Butler and Mr. O. D. Barrett for John D. Sanborn.

No. 226.—Sanford B. Small, appt. *vs.* The Northern Pacific R. R. Co. Submitted by Mr. John G. Wooley for appellant, and by Mr. W. P. Clough, Mr. A. H. Garland, and Mr. H. J. May for appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, the 24th instant, will be as follows:

Nos. 227, 228, 229, 22, 24, 25, 151, 234, 235, and 236.

18837—15

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 24, 1890.

Present: The Chief-Justice and all the Associate Justices.

Isaac D. McCutcheon, of Helena, Montana, and Harry E. Richards, of Bloomfield, N. J., were admitted to practice.

No. 197.—John Schreyer, etc., appt., *vs.* Wm. Forse Scott, assignee, etc. Appeal from the C. C. U. S. for the southern district of New York. Decree reversed with costs, and cause remanded for further proceedings to be had therein, in conformity with the opinion of this court. Opinion by Mr. Justice Brewer.

No. 200.—George H. Hammond & Co., pl'ff in error, *vs.* Thomas D. Hastings. In error to the C. C. U. S. for the northern district of Illinois. Judgment reversed with costs and cause remanded, with directions to award a new trial. Opinion by Mr. Justice Brewer.

No. 1554.—The United States, appt., *vs.* Richard M. Jones; appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Lamar.

No. 1269.—Carl Pohl *et al.*, appts., *vs.* The Anchor Brewing Company; appeal from the C. C. U. S. for the southern district of New York; decree reversed, with cost, and cause remanded, with a direction to overrule, with costs, the plea of defendant to assign it to answer the bill, and to take such further proceedings as shall not be inconsistent with the opinion of this court. Opinion by Mr. Justice Blatchford.

No. 762.—The Chicago, Milwaukee and St. Paul Railway Co., pl'ff. in error, *vs.* The State of Minnesota, *ex rel.* The R. R. & Warehouse Comn. of the State of Minnesota, in error to the supreme court of the State of Minnesota; judgment reversed, with costs, and cause remanded, with instructions for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Blatchford. Dissenting: Mr. Justice Bradley, Mr. Justice Gray, and Mr. Justice Lamar.

No. 1113.—The Minneapolis Eastern Railway Co., pl'ff in error, *vs.* The State of Minn., *ex rel.* The R. R. and Warehouse Com'n of the State of Minn.

In error to the supreme court of the State of Minnesota. Judgment reversed with costs and cause remanded with an instruction to take further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Blatchford. Dissenting: Mr. Justice Bradley, Mr. Justice Gray, and Mr. Justice Lamar.

No. 1118.—W. L. Thomas, police sergeant, etc., app't, *vs.* Wilson Loney; appeal from the C. C. United States for the eastern district of Virginia; decree affirmed with costs. Opinion by Mr. Justice Gray.

No. 1117.—H. Fitzgerald, sergeant, etc., app't, *vs.* Charles Green; appeal from the C. C. United States for the eastern district of Virginia; decree reversed with costs and cause remanded for further proceedings to be had therein, in conformity with the opinion of this court. Opinion by Mr. Justice Gray.

Ex parte.—In the matter of Martha M. Tompkins *et al.*, petitioners; motion for leave to file petition for a writ of mandamus denied. Announced by Mr. Chief-Justice Fuller.

No. 486.—S. S. Etheridge, plff. in error, *vs.* Sperry, Watt, and Garver; motion to dismiss postponed to the hearing on the merits. Announced by Mr. Chief-Justice Fuller.

No. 201.—The Howe Machine Co. *et al.*, appts., *vs.* The National Needle Co.

No. 202.—The Howe Machine Co. *et al.*, appts., *vs.* Alonzo H. Whitten *et al.*; appeals from the C. C. U. S. for the district of Massachusetts; decrees affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

No. 357.—John Glenn, trustee, &c., p. e., *vs.* Hamilton G. Fant; in error to the supreme court of the District of Columbia; judgment affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

No. 367.—Geilinger & Blum *et al.* plffs. in error, *vs.* Caesar Philippi, syndic, etc. On motion of Mr. R. H. Browne, in behalf of counsel, mandate granted.

No. 249.—Wm. H. Robertson, collr., etc., plff. in error, *vs.* Bennett B. Schneider. In error to the C. C. U. S. for the southern district of New York. On motion of Mr. Solicitor-General Taft, of counsel for the plaintiff in error, dismissed with costs.

No. 1307.—Thomas Ryan, plff. in error, *vs.* The United States. Motion to advance submitted by Mr. Solicitor-General Taft, in support of motion.

No. 1399.—Wm. H. Blount, plff. in error, *vs.* Julius H. Walker & Co.; motion to dismiss submitted by Mr. Robert W. Shand in support of motion and by Mr. Samuel F. Phillips in opposition thereto.

No. 1182.—The Louisville & Nashville R. R. Co., P. E., *vs.* Eddy Woodson, a minor, etc.; motion to dismiss or affirm submitted by Mr. A. A. Freeman in support of the motion and by Mr. Ed. Baxter in opposition thereto.

No. 827.—The Iowa Falls and Sioux City R. R. Co., pl'ff in error, *vs.* John Beck.

No. 828.—The Iowa Falls and Sioux City R. R. Co., pl'ff in error, *vs.* Levant Wentworth *et al.*

No. 829.—The Iowa Falls and Sioux City R. R. Co., pl'ff in error, *vs.* Eleanor Nichols *et al.*

No. 830.—The Iowa Falls and Sioux City R. R. Co., pl'ff in error, *vs.* Slocum Nichols *et al.*

In error to the supreme court of the State of Iowa.

On motion of Mr. Isaac S. Struble, in behalf of counsel for the plaintiff in error, dismissed with costs.

No. 1287.—Thomas J. Bryan appt., *vs.* M. W. Kales *et al.*

On motion of Mr. William A. McKenney, of counsel for the appellant, mandate granted.

No. 235.—Mrs. Julia A. Nutt, pl'ff in error, *vs.* the parish of Tensas. In error to the C. C. U. S. for the western district of Louisiana. Dismissed with costs pursuant to the tenth rule.

Nos. 236, 237, 238.—The Oregon Railway and Navigation Co., pl'ff in error, *vs.* The Oregonian Railway Co. (Limited).

Submitted on printed argument by Mr. J. N. Dolph, for the plaintiff in error, and on the printed record by Mr. George F. Edmunds and Mr. A. H. Garland, for the def't in error.

No. 227.—Brown, Bonnell & Co., appts., *vs.* The Lake Superior Iron Co. *et al.* Argued by Mr. Francis J. Wing and Mr. C. C. Baldwin, for appellees, and submitted on printed arguments by Mr. Henry Crawford, for the appellants, and by Mr. Samuel Shellabarger and Mr. J. M. Wilson, for the appellees.

No. 228.—Julius Frieburg *et al.*, appts., *vs.* Joseph Dreyfus *et al.* Argument commenced by Mr. D. C. Labatt, for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, the 25th instant, will be as follows:

Nos. 228, 229, 22, 24, 25, 151, 234, 239, 241, and 243.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 25, 1890.

Present: The Chief-Justice and all the Associate Justices.

Frederick H. Bacon, of St. Louis, Mo., was admitted to practice.

No. 213.—John S. Jencks *et al.*, ex'c'rs, etc., appt's., *vs.* The Quidnick Co. *et al.*

Leave granted appellants to file additional brief, and for appellees to reply in one week.

No. 228.—Julius Frieburg *et al.*, appt's, *vs.* Joseph Dreyfus *et al.* Argument continued by Mr. D. C. Labatt for appellants, and concluded by Mr. R. H. Browne for appellees.

No. 229.—George L. Rich, pl'ff in error *vs.* The Town of Mentz. Argued by Mr. James R. Cox, for the plaintiff in error, and by Mr. F. D. Wright, for the defendant in error.

No. 24, 25.—The Iron Silver Mining Co., pl'ff in error, *vs.* The Mike and Starr Gold and Silver Mining Co.

Argument commenced by Mr. Ashley Pond, for the plaintiff in error. Adjourned until to-morrow at 2 o'clock.

The day call for Wednesday, March 26th, will be as follows:

Nos. 24, 25, 22, 151, 234, 239, 241, 243, 159, and 3 original.

18837—17



SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 26, 1890.

Present: The Chief-Justice and all the Associate Justices.

James M. Rice, of Peoria, Ill.; Robert P. Hanna, of Fairfield, Ill.; James I. Kay, of Pittsburgh, Pa.; John C. Pennie, of Washington, D. C.; Frederic S. Hebard, of Cheyenne, Wyo.; C. Tyson Butcher, of St. Paul, Minn.; and R. Mason Lisle, of Philadelphia, Pa., were admitted to practice.

Nos. 24 and 25.—The Iron Silver Mining Co., pl'ff in error, *vs.* The Mike and Starr Gold and Silver Mining Co.

Argument continued by Mr. Ashley Pond for the plaintiff in error, by Mr. T. M. Patterson for the defendant in error, and concluded by Mr. L. S. Dixon for the plaintiff in error.

No. 22.—The Iron Silver Mining Co., pl'ff in error, *vs.* Peter Campbell *et al.*

Argument commenced by Mr. Edward O. Wolcott for the plaintiff in error, and continued by Mr. H. M. Teller for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, the 27th instant, will be as follows:

Nos. 22, 151, 234, 239, 241, 243, 159, 3 original, 244 and 248.

18837—18

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 27, 1890.

Present: The Chief-Justice and all the Associate Justices.

John A. Edget and Wm. Glover Gage, of Saginaw, Mich., were admitted to practice.

No. 244.—Adolphus Eckloff, pl'ff in error, *vs.* The District of Columbia. Submitted by Mr. C. C. Cole and Mr. W. L. Cole, for pl'ff in error; and by Mr. Geo. C. Hazelton, for defendant in error.

No. 1288.—The Ohio Central R. R. Co., app't, *vs.* The Central Trust Co., of New York. On motion of Mr. J. E. Kenna, in behalf of counsel, mandate granted.

No. 248.—The Citizens' Bank of Topeka, pl'ff in error, *vs.* Nathan F. Cabot, *et al.*, adm'rs, etc., in error, to the C. C. U. S. for the district of Vermont. Dismissed per stipulation.

No. 22.—The Iron Silver Mining Co., pl'ff in error, *vs.* Peter Campbell *et al.*

Argument continued by Mr. T. M. Patterson for the defendants in error, and concluded by Mr. L. S. Dixon for the plaintiff in error.

No. 151.—John L. Sullivan *et al.*, pl'ffs in error, *vs.* The Iron Silver Mining Company.

Argued by Mr. T. M. Patterson for the plaintiffs in error, and by Mr. L. S. Dixon for the defendants in error.

No. 234.—The District of Columbia, pl'ff in error, *vs.* Henry E. Woodbury. Argument commenced by Mr. Henry E. Davis for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, the 28th instant, will be as follows:

Nos. 234, 239, 241, 243, 159, 3 original, ~~249~~, 250, 251, and 252 and 1537.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 28, 1890.

Present: The Chief-Justice and all the Associate Justices.

Robert M. Newton, of Washington, D. C., and Warren Ozra Kyle, of Boston, Mass., were admitted to practice.

No. 654.—The United States, plaintiff, *vs.* Joseph W. Lacher, submitted by Mr. Assistant Attorney-General Maury for the plaintiff, and by Mr. Benjamin Barker, jr., for the defendant.

No. 1185.—Francis Alexandre *et al.*, claimants, etc., appts., *vs.* John Machan *et al.* Suggestion of death of Francis Alexandre and appearance of J. J., J. E., and J. H. Alexandre, ex'crs., etc., as parties appellants herein, filed and entered, on motion of Mr. R. D. Benedict, for appts.

No. 250.—Wm. H. Robertson, coll'r., etc., pl'ff in error, *vs.* Franklin Rolfe. In error to the C. C. U. S. for the southern district of New York. Dismissed with costs, on motion of Mr. Assistant Attorney-General Maury, for the plaintiff in error.

No. 234.—The District of Columbia, pl'ff in error, *vs.* Henry E. Woodbury. Argument continued by Mr. James Coleman and Mr. J. M. Wilson for the defendant in error, and concluded by Mr. Henry E. Davis for the plaintiff in error.

No. 239.—Howard Mansfield, pl'ff. in error, *vs.* The Excelsior Refinery Co. Argued by Mr. W. E. Blake for the defendant in error, and submitted by Mr. Henry B. Mason for the plaintiff in error.

No. 241.—The United States, plaintiff, *vs.* Leslie G. Chase. Argument commenced by Mr. Assistant Attorney-General Maury for the plaintiff, and continued by Mr. Warren O. Kyle for the defendant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, the 31st instant, will be as follows:

Nos. 241, 243, 159, 3 original, 251, 252, 1537, 253, 254, and 255.

18837—20

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 31, 1890.

Present: The Chief-Justice and all the Associate Justices.

Ulric Z. Wiley, of Fowler, Ind., A. W. Houston, of San Antonio, Tex., and N. C. Gridley, of Chicago, Ill., were admitted to practice.

No. 216.—James W. Elwell, trustee, etc., app't, *v.* Wm. R. Fosdick, *et al.*, trustees, etc., *et al.* Appeal from the C. C. U. S. for the northern district of Illinois. Appeal dismissed with costs. Opinion by Mr. Justice Blatchford. (Mr. Chief-Justice Fuller did not take any part in the decision of this case.)

No. 223.—Eveline L. Hathaway, ex't'x, etc., pl'ff in error, *v.* The First National Bank of Cambridge. In error to the C. C. U. S. for the district of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice Blatchford.

No. 8.—Original. *Ex parte*: In the matter of the Louisville underwriters, of Louisville, Ky., petitioners. *ac.*

No. 9.—Original. *Ex parte*: In the matter of the St. Paul Fire and Marine Insurance Co., of St. Paul, Minn., petitioner. Petitions for writs of prohibition denied. Opinion by Mr. Justice Gray.

No. 215.—Wm. Preston Hill, exc'r, etc., pl'ff in error, *vs.* The Merchant's Mutual Insurance Company; in error to the Supreme Court of the State of Missouri; judgment affirmed with costs. Opinion by Mr. Justice Harlan.

No. 207.—Clara O. Burns, adm'x, etc., *et al.*, app'ts, *vs.* Julius W. Rosenstein; appeal from the C. C. U. S. for the district of Massachusetts; decree affirmed with costs and interest. Opinion by Mr. Justice Harlan.

Nos. 236, 237, 238.—The Oregon Railway and Navigation Co., pl'ff in error, *vs.* The Oregonian Railway Company (limited). In error to the C. C. U. S. for the district of Oregon; judgments reversed, with costs, and causes remanded with a direction to grant new trials. Announced by Mr. Chief Justice Fuller.

No. 226.—Sanford S. Small, app't, *vs.* The Northern Pacific R. R. Co.; appeal from the C. C. U. S. for the district of Minnesota. Dismissed for the want of jurisdiction. Opinion by Mr. Chief-Justice Fuller.

No. 219.—David C. Whittemore, app't, vs. The Amoskeag National Bank *et al.*; appeal from the C. C. U. S. for the district of New Hampshire. Decree reversed; cost to be paid by appellant and cause remanded with a direction to dismiss the bill for want of jurisdiction. Opinion by Chief-Justice Fuller.

No. 1307.—Thomas Ryan, pl'ff in error *v.* The United States. Motion to advance granted; cause to be submitted on printed arguments to be filed on or before the third Monday in April next. Announced by Mr. Chief-Justice Fuller.

No. 1277.—The Central Trust Co. of N. Y., app't, *v.* The Grant Locomotive Works *et al.*

No. 1278.—The Dayton, Fort Wayne, and Chicago R. R. Co., app't, *v.* The Grant Locomotive Works *et al.*

No. 1279.—The Central Trust Co. of N. Y., app't, *v.* R. S. Grant.

No. 1280.—The Dayton, Fort Wayne, and Chicago R. R. Co., app't, *v.* R. S. Grant.

No. 1281.—The Central Trust Co. of N. Y., app't, *v.* The Grant Locomotive Works.

No. 1282.—The Central Trust Co. of N. Y., app't, *v.* R. S. Grant.

Motions to dismiss or affirm submitted by Mr. B. H. Bristow, Mr. W. S. Opdyke, and Mr. Bluford Wilson in support of the motions, and by Mr. Edward Colston and Mr. George Hoadly, jr., in opposition thereto.

No. 1114.—The United States, app't, *v.* The Central Pacific R. R. Co.

No. 1122.—The Central Pacific R. R. Co., app't, *v.* The United States. Motion to advance submitted by Mr. Joseph K. McCammon in support of same.

No. 254.—Otis Bros. & Co. *et al.*, app'ts, *v.* Crane Bros Manf'g Co. *et al.* Appeal from the C. C. U. S. for the northern district of Illinois. Dismissed with costs, pursuant to the 10th rule.

No. 255.—Louis M. Blades, app't, *v.* Rand, McNally & Co. Appeal from the C. C. U. S. for the northern district of Illinois. Dismissed with costs, pursuant to the 10th rule.

No. 241.—The United States, plaintiff, *v.* Leslie G. Chase. Argument continued by Mr. Warren O. Kyle for the defendant, and concluded by Mr. Assistant Attorney-General Maury for the plaintiff.

No. 604.—Geo. L. Thayer, trustee, pl'ff in error, *v.* Peter Butler, rec'r, etc.

No. 605.—Peter Butler, rec'r, etc., pl'ff in error, *v.* Mary J. Eaton.

No. 542.—The Pacific National Bank of Boston, pl'ff in error, *v.*

J. Eaton. Motion to advance submitted by Mr. A. A. Ranney in support of same.

No. 166.—The Nashua & Lowell R. R. Corporation, app't, v. The Boston & Lowell R. R. Corporation *et al.* The question of the jurisdiction of the C. C. U. S. for the district of Massachusetts argued by Mr. E. J. Phelps for the ~~plaintiff in error~~, and by Mr. J. H. Benton, jr., for ~~defendants in error~~.

No. 11.—Original. *Ex parte.* In the matter of Jacob Baiz, petitioner. Argument commenced by Mr. Joseph H. Choate for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 1, ~~instant~~, will be as follows:

Nos. 243, 159, 3 original, 251, 252, 1537, 253, 256, 257, and 259.



SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 1, 1890.

Present: The Chief-Justice and all the Associate Justices.

W. H. Dyrenforth, of Chicago, Ill., and Robert F. Hill, of Washington, D. C., were admitted to practice.

The Chief-Justice announced that the court would adjourn from Thursday, the 3d, to Monday, the 7th, inst.

No. 259.—Chas. H. Krippendorf, app't, *vs.* William L. Hyde, *et al.* Appeal from the C. C. U. S. for the district of Indiana. Dismissed with costs pursuant to the 10th rule.

No. 30.—The Quebec Steam-ship Co., pl'ff in error, *vs.* Barbara Merchant. On motion of Mr. R. D. Benedict, mandate granted.

No. 11.—Original: Ex parte: In the matter of Jacob Baiz, petitioner. Argument continued by Mr. Joseph H. Choate, for the petitioner, and concluded by Mr. R. D. Benedict, for the respondent.

No. 243.—August ~~Trum~~ ^{Trum}, trustee, etc., app't, *vs.* Leander J. S. Turney *et al.* Argument commenced by Mr. Joseph Wilby, for the appellant. Further argument suspended for the present.

No. 159.—Leonard Mackall *et al.*, app'ts, *vs.* Brooke Mackall, jr., *et al.* Argument commenced by Mr. S. S. Henkle, for the appellants, and continued by Mr. J. M. Wilson, for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, the 2d inst., will be as follows:

Nos. 159, 3 original, 251, 252, and 1537, 253, 256, 257, 260, 261, and 262.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 2, 1890.

Present: The Chief-Justice and all the Associate Justices.

John B. Carson, of San Francisco, Cal., B. R. Vineyard, of St. Joseph, Mo., S. G. Ryan, of Raleigh, N. C., E. B. Convers, of New York City, M. S. Bright, of Indianapolis, Ind., William H. Green, of Cairo, Ill., and J. Alexander Preston, of Baltimore, Md., were admitted to practice.

No. 317.—Francois Henry Jumel *et al.*, appts., *vs.* Stephen M. Chester. Appeal from the C. C. U. S. for the southern district of New York. Dismissed per stipulation on motion of Mr. Charles E. Hovey, in behalf of counsel.

No. 260.—Nancy A. Maag *et al.*, appts., *vs.* William L. Hyde *et al.* Appeal from the C. C. U. S. for the district of Indiana. Dismissed with costs pursuant to the tenth rule.

No. 243.—August Trum, trustee, etc., appt., *vs.* Leander J. S. Turney *et al.* Appeal from the C. C. U. S. for the southern district of Illinois. Decree reversed with costs and cause remanded with directions to remand the cause to the State court.

No. 159.—Leonard Mackall *et al.*, appt's., *vs.* Brooke Mackall, jr., *et al.* Argument continued by Mr. J. C. S. Blackburn for the appellees and concluded by Mr. S. S. Henkle for the appellants.

No. 3.—Original: United States, plaintiff, *vs.* The State of North Carolina. Argued by Mr. Samuel F. Phillips and Mr. Attorney-General Miller for the plaintiff and by Mr. S. G. Ryan and Mr. Theodore F. Davidson for the defendant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, the 3d inst., will be as follows:

Nos. 251, 252, and 1537, 253, 256, 257, 261, 262, 264, 266, and 267.

18837—23

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 3, 1890.

Present: The Chief-Justice and all the Associate Justices.

James Bumgardner, jr., of Staunton, Va., and James G. Flanders, of Milwaukee, Wis., were admitted to practice.

No. 4.—Original. *Ex parte*: In the matter of Ed. Mills, petitioner. Submitted on petition of petitioner and printed argument of Mr. Attorney-General Maury for respondent.

No. 267.—The Lake Shore and Michigan Southern Ry. Co., plaintiff in error, *vs.* Scofield, Shurmer & Teagle; in error to the supreme court of the State of Ohio. Dismissed with costs on authority of counsel for the plaintiff in error.

No. 251.—The Board of County Com'rs of the county of Leavenworth, appt., *vs.* The Chicago, Rock Island and Pacific Railway Co. *et al.* Argued by Mr. J. M. Flower and Mr. S. S. Gregory for the appellant, and by Mr. Thomas F. Withrow for the appellees.

No. 654.—The Bank of Lewisburg, appt., *vs.* Sheffy and Bumgardner, trustees. Death of H. W. Sheffy, trustee, one of the appellees, herein suggested by Mr. James Bumgardner, jr., for appellees, and cause ordered to proceed in the name of James Bumgardner, jr., surviving trustee.

Nos. 252 and 1537.—Sylvester H. Kneeland, appt., *vs.* The American Loan and Trust Company, of Boston, *et al.* Sylvester H. Kneeland, appt., *vs.* George Wm. Ballou, trustee. Argument commenced by Mr. John M. Butler, for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, the 7th inst., will be as follows:

Nos. 252, and 1537, 1224, 2 original, 253, 256, 257, 261, 262, 264, 266, and 603.

18837—24

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 7, 1890.

Present: The Chief Justice and all the Associate Justices.

Samuel P. Sparks, of Warrensburgh, Mo., B. M. Malone, of Beloit, Wis., Robert W. Steele, of Denver, Colo., R. B. Lamon, of Paris, Ill., Thomas J. Gargan, of Boston, Mass., W. D. Haynes, of Bristol, Tenn., William F. Rhea, of Bristol, Va., and Tennessee, Thomas A. Connolly and Franklin H. Hough, of Washington, D. C., and Wm. M. Booth, of Chicago, Ill., were admitted to practice.

No. 227.—Brown, Bunnell & Co, appts., *vs.* The Lake Superior Iron Co. *et al.*; appeal from the C. C. U. S. for the northern district of Ohio; decree affirmed, with costs and interest. Opinion by Mr. Justice Brewer.

No. 147.—M. M. Wheeler *et al.*, appts., *vs.* J. C. Cloyd *et al.*; appeal from the C. C. U. S. for the southern district of Illinois; appeal dismissed for the want of jurisdiction. Opinion by Mr. Justice Lamar.

No. 194.—Henry S. Little, rec'r, etc., pl'ff in error, *vs.* Sam'l D. Bowers, Comptroller, etc., *et al.*, in error to the court of errors and appeals of the State of New Jersey, writ of error dismissed with costs. Opinion by Mr. Justice Lamar.

No. 1418.—Isabella Lee, by her next friend Gideon Lee, appt., *vs.* Richard W. Simpson; appeal from the C. C. U. S. for the district of South Carolina; decree affirmed with costs. Opinion by Mr. Justice Blatchford.

No. 1384.—Ezekiel Giles *et al.*, pl'ffs in error, *vs.* Samuel W. Little *et al.*; in error to the supreme court of the State of Nebraska; writ of error dismissed for the want of jurisdiction. Opinion by Mr. Justice Gray.

No. 158.—John H. Mendenhall, appt., *vs.* Clark N. Hall *et al.*; appeal from the C. C. U. S. for the western district of Louisiana. Decree reversed to the extent indicated in the opinion, with costs, and cause remanded with directions to enter a decree recognizing and establishing the mortgage of December 24, 1875, as against Clark N. Hall and the succession of Charles F. Hall, and as giving a lien in behalf of the plaintiff superior and paramount to any right which the succession of Charles F. Hall has in the mortgaged property, by virtue of the sale for taxes and

the sheriff's deed to him, and ordering a sale of the mortgaged property to satisfy the balance due plaintiff upon the notes given by Clark N. Hall. Opinion by Mr. Justice Harlan.

No. 176.—Henry W. Kingsbury, app't, *vs.* Simon B. Buckner, *et. al.* Appeal from the C. C. U. S. for the northern district of Illinois. Decree affirmed with costs. Opinion by Mr. Justice Harlan (Mr. Chief-Justice Fuller took no part in the consideration or decision of this case).

No. 1.—The Home Insurance Co. of N. Y., pl'ff in error *vs.* The People of the State of N. Y. In error to the supreme court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Field. Dissenting: Mr. Justice Miller and Mr. Justice Harlan.

No. 519.—Henry T. Thomes, pl'ff in error, *vs.* James A. Murray.

No. 520.—Jefferson McCauley, pl'ff in error, *vs.* James A. Murray:

No. 521.—Benj. C. Kingsbury, pl'ff in error, *vs.* James A. Murray.

In error to the supreme court of the Territory of Montana. Writs of error dismissed for the want of jurisdiction and causes remanded to the supreme court of the State of Montana. Announced by Mr. Chief-Justice Fuller.

No. 542.—The Pacific National Bank of Boston, plff. in error, *vs.* Mary J. Eaton.

No. 604.—George L. Thayer, trustee, plff. in error, *vs.* Peter Butler, Recr., etc.

No. 605.—Peter Butler, Recr., etc., plff. in error, *vs.* Mary J. Eaton. Motion to advance these cases denied, announced by Mr Chief-Justice Fuller. .

No. 1114.—The United States, app't., *vs.* The Central Pacific R. R. Co.

No. 1122.—The Central Pacific R. R. Co., app't., *vs.* The United States. Motion to advance granted and cases assigned for argument on the second Monday in November next, announced by Mr. Chief-Justice Fuller.

No. 1182.—The Louisville & Nashville R. R. Co., plff. in error, *vs.* Eddy Woodson, a minor. In error to the supreme court of the State of Tennessee. Judgment affirmed, with costs and interest. Opinion by Mr. Chief-Justice Fuller.

No. 1399.—William H. Blount, pl'ff in error, *vs.* Julius H. Walker, exc'r, etc. In error to the supreme court of the State of South Carolina. Dismissed for the want of jurisdiction. Opinion by Mr. Chief-Justice Fuller.

No. 1572.—The U. S., *ex. rel.* Charles R. Miller, pl'ff in error, *vs.* Green B. Raum, Com'r, etc. Submitted on printed arguments by Mr. J.

G. Bigelow for the plaintiff in error, and by Mr. Attorney-General Miller and Mr. Assistant Attorney-General Maury for the defendant in error.

No. 74.—Benj. E. Cole *et al.*, ex'rs, etc., pl'ffs in error, *vs.* Richard Cunningham, *et al.*, assignees. On motion of Mr. O. D. Barrett, in behalf of counsel. Mandate granted.

No. 7.—Original. The State of Virginia, compl't, *vs.* The State of Tennessee. Motion for leave to file stipulation amending bill of complaint and extending time in which to file answer granted, on application of Mr. ~~George W. Pickle~~, for the defendant.

No. 1538.—Charles Palliser, appt., *vs.* The United States of America *et al.* Motion to advance submitted by Mr. Roger Foster for appellant.

Ex parte: In the matter of Charles Palliser, petitioner. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. Roger Foster for the petitioner.

No. 79.—The Illinois Central R. R. Co. *et al.*, pl'ffs in error, *vs.* Milard Bosworth *et al.* On motion of Mr. A. B. Browne, in behalf of counsel, mandate granted.

No. 252.—Sylvester H. Kneeland, appt., *vs.* The American Loan and Trust Co. of Boston *et al.*; and

No. 1537.—Sylvester H. Kneeland, appt., *vs.* George Wm. Ballou, trustee. On motion of Mr. James L. High, leave granted that three counsel be heard for appellees.

Argument continued by Mr. John M. Butler for the appellant, by Mr. James L. High, Mr. Bluford Wilson, and Mr. Henry D. Hyde for appellees, and by Mr. Robert G. Ingersoll for appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday the 8th inst., will be as follows:

Nos. 252 and 1537, 1224, 2 orig'l, 253, 256, 257, 261 and 262, 264, 266 and 603, and 268.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 8, 1890.

Present : The Chief-Justice and all the Associate Justices.

Lelia Robinson Sawtelle, of Boston, Mass., Emma L. Gillett, of Washington, D. C., Charles Edwin Countryman, of Albany, N. Y., and Wm. P. Fishback, of Indianapolis, Ind., were admitted to practice.

No. 1149.—The Citizens' Street Railway Co., of Pine Bluff, Ark. appt., *vs.* Wiley Jones; and

No. 1186.—The First National Bank of Pine Bluff, Ark., *et al.*, plaintiffs in error, *vs.* The Hanover National Bank, of the City of New York. On motion of Mr. Eppa Hunton, in behalf of counsel, leave granted to withdraw transcripts of records for proper certification.

No. 11.—Original; *ex parte*: In the matter of Jacob Baiz, petitioner; motion for an order that the petitioner show cause before this court on the next motion day why certain certified copies of documents from the State Department should not be submitted for the consideration of the court in the determination of this matter. Submitted by Mr. R. D. Benedict in support of motion.

No. 268.—Charles A. Davenport, plff. in error, *vs.* The Town of Paris; submitted on printed arguments by Mr. George A. Sanders for the plaintiff in error, and by Mr. R. B. Lamon for the defendant in error.

No. 252 and 1357.—Sylvester H. Kneeland, appt., *vs.* The American Loan and Trust Co. of Boston, *et al.* Sylvester H. Kneeland, appt., *vs.* Geo. Wm. Ballow, trustee. Argument concluded by Mr. Robert G. Ingersoll for the appellants.

No. 1224.—The Cornell University *et al.*, plffs in error, *vs.* Willard Fiske *et al.* One hour additional time allowed to each side, on motion of Mr. George F. Edmunds for the plaintiffs in error. Argument commenced by Mr. Edwin Countryman for the plaintiffs in error and continued by Mr. Esek Cowen for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day-call for Wednesday, the 9th inst., will be as follows:

Nos. 1224, 2 original, 253, 256, 257, 261 and 262, 264, 266 and 603, 271 and 272.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 9, 1890.

Present : The Chief-Justice and all the Associate Justices.

William W. Dewhurst, of St. Augustine, Fla., and N. M. Taylor, of Bristol, Tenn., were admitted to practice.

No. 272.—John C. Burroughs *et al.* appts., *vs.* The Union Mutual Life Ins. Co. of Me.; appeal from the C. C. U. S. for the northern district of Illinois. Dismissed with costs, pursuant to the 10th rule.

No. 281.—Wm. Sensenderfer, plff. in error, *vs.* Samuel Swisher. Death of Samuel Swisher, defendant in error herein, suggested by Mr. Samuel P. Sparks, of counsel for the plaintiff in error, and appearance of J. C. Swisher, excr., and Sarah A. Tate *et al.*, heirs at law, as parties defendants in error, filed and entered.

No. 1224.—The Cornell University *et al.*, pl'ffs in error, *vs.* Willard Fiske *et al.* Argument continued by Mr. Esek Cowen, Mr. S. S. Gregory, and Mr. George F. Comstock for the defendants in error, and concluded by Mr. George F. Edmunds for the plaintiffs in error.

No. 2, original.—The State of Indiana, complt., *vs.* The State of Kentucky. Argument commenced by Mr. Alpheus H. Snow for the complainant.

Adjourned until to-morrow at 12 o'clock.

The day-call for Thursday, the 10th inst., will be as follows :

Nos. 2 original, 253, 256, 257, 261 and 262, 264, 266 and 603, 271, 273 and 274.

18837—27

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<p><i>l. ...</i></p> <p>" <i>disposition</i></p> <p>" <i>l. a. v.</i></p>	<p>450,</p> <p>328</p> <p>70+</p>
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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 10, 1890.

Present : The Chief-Justice and all the Associate Justices.

Ruble A. Cole, of Ashland, Wis., was admitted to practice.

No. 273.—John H. Harding, plff. in error, *vs.* W. M. Woodcock. Ordered to be continued until the next term.

No. 1603.—The U. S. *ex rel.* : Sylvanus C. Boynton, plaintiff in error, *vs.* James G. Blaine, Secretary of State. Motion to advance submitted by Mr. George Ticknor Curtis in support of motion.

No. 2.—Original. The State of Indiana, complt., *vs.* The State of Kentucky. On motion of Mr. J. E. McDonald for the complainant, half hour additional time granted to counsel for the complainant in the argument of this cause.

Argument continued by Mr. Alpheus H. Snow for the complainant, by Mr. P. W. Hardin and Mr. J. Proctor Knott for the defendant, and concluded by Mr. Joseph E. McDonald for the complainant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, the 11th inst., will be as follows :

Nos. 253, 256, 257, 261 and 262, 264, 266 and 603, 271, 274, 275, and 276.

18837—28



SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 11, 1890.

Present: The Chief-Justice and all the Associate Justices.

John Sidney Webb and Everett J. Waring, of Washington, D. C., and Le Roy Parker, of Buffalo, N. Y., were admitted to practice.

No. 1596.—Edward Smith, pl'ff in error, *vs.* The United States.

No. 1597.—Henry Jones, pl'ff in error, *vs.* The United States; and

No. 1598.—George S. Key, pl'ff in error, *vs.* The United States.

On motion of Mr. Attorney-General Miller, cases advanced and assigned for argument on the 2d Monday of ~~October~~ ^{the} next ^{term}, after cases already set down for that day.

No. 1421.—Wm. D. McKey, pl'ff in error, *vs.* The Village of Hyde Park. On motion of Mr. James Coleman, in behalf of counsel, mandate granted.

No. 276.—The Vicksburg, Shreveport and Pacific R. R. Co., pl'ff in error, *vs.* Robert N. Smith *et al.* Submitted on printed arguments by Mr. Edward Colston for the plaintiff in error, and by Mr. A. H. Leonard for the defendants in error.

No. 253.—The Commercial Manufacturing Co. (consolidated) *et al.*, app'ts, *vs.* The Fairbank Canning Company. Argued by Mr. Lysander Hill for the appellee, and submitted on printed arguments by Mr. Chas. K. Affield, Mr. T. D. Lincoln, and Mr. B. F. Thurston, for the appellants.

No. 256.—The Des Moines and Fort Dodge R. R. Co., app't *vs.* The Wabash, St. Louis and Pacific R'y Co. *et al.* Argued by Mr. Charles E. Whitehead for the appellant, and by Mr. Wells H. Blodgett and Mr. Wm. Rush Taggart for the appellees.

No. 257.—Ferdinand de St. Germain, app't *vs.* Emanuel Brunswick. Argued by Mr. W. P. Butler for the appellee, and submitted on printed arguments by Mr. M. A. Wheaton for the appellant.

No. 261 and 262.—The Yale Lock Manufacturing Co. *et al.*, app'ts, *vs.* The Berkshire Nat'l B'k *et al.*; The Berkshire National Bank *et al.*, app'ts, *vs.* The Yale Lock Manufacturing Co. *et al.*

Death of Joseph L. Hall, suggested by Mr. W. C. Cochran, of counsel for the Berkshire National Bank *et al.*, and appearance of his executors and trustees as parties herein, filed and entered.

Argument commenced by Mr. George Ticknor Curtis for the Yale Lock Co. *et al.*

Adjourned until Monday next at 12 o'clock.

The day call for Monday, the 14th inst., will be as follows :

Nos. 261 and 262, 264, 266 and 603, 271, 274, 275, 277, 278, 279 and 280.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 14, 1890.

Present: The Chief-Justice and all the Associate Justices.

Robert M. Hughes and William H. White, of Norfolk, Va., and John Barret, of Louisville, Ky., were admitted to practice.

No. 213.—John S. Jencks *et al.* exec'rs, etc., app'ts, *vs.* The Quidnick Co. *et al.* Appeal from the C. C. U. S. for the district of Rhode Island. Decree affirmed with costs. Opinion by Mr. Justice Brewer. (Mr. Justice Blatchford did not take any part in the decision of this case.)

No. 228.—Julius Frieberg *et al.*, app'ts, *vs.* Joseph Dreyfus *et al.* Appeal from the C. C. U. S. for the eastern district of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice Brewer.

No. 251.—The Board of County Com'rs of the County of Leavenworth, app'ts, *vs.* The Chicago, Rock Island and Pacific Railway Company *et al.* Appeal from the C. C. U. S. for the western district of Missouri. Decree affirmed, with costs. Opinion by Mr. Justice Blatchford. (Mr. Chief-Justice Fuller and Mr. Justice Brewer did not sit in this case or take any part in its decision.)

No. 81.—The County of Upshur, W. Va., app't., *vs.* Benjamin Rich *et al.* Appeal from the C. C. U. S. for the district of West Virginia. Decree reversed with costs, and cause remanded, with directions to remand to the State court, from which it was removed. Opinion by Mr. Justice Bradley.

No. 1472.—Thomas Cunningham, sheriff, etc., app't, *vs.* David Neagle. Appeal from the C. C. U. S. for the northern district of California. Decree affirmed with costs. Opinion by Mr. Justice Miller. Dissenting: Mr. Justice Lamar and Mr. Chief-Justice Fuller.

(Mr. Justice Field did not sit in this case or take any part in its decision.)

No. 11.—Original. *Ex parte*: In the matter of Jacob Baáz, petitioner. Motion for an order that the petitioner show cause why certain papers should not be submitted for the consideration of the court in the determination of this matter granted, and the petitioner ruled to show cause on or before Monday, April 21, next.

Announced by Mr. Chief-Justice Fuller.

No. 1538.—Charles Palliser, app't., *vs.* The United States of America *et al.* Motion to advance granted and cause assigned for argument on Monday, April 21st next. Announced by Mr. Chief-Justice Fuller.

Ex parte: In the matter of Charles Palliser, petitioner. Motion for leave to file petition for a writ of habeas corpus denied. Announced by Mr. Chief-Justice Fuller.

No. 268.—Charles Davenport, pl'ff in error, *vs.* The Town of Paris. In error to the C. C. U. S. for the southern district of Illinois. Judgment affirmed with costs. Announced by Mr. Chief-Justice Fuller.

No. 229.—George L. Rich, pl'ff in error, *vs.* The Town of Mentz. In error to the C. C. U. S. for the northern district of New York. Judgment affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

No. 654.—The United States, plaintiff, *vs.* Joseph W. Lacher. On a certificate of division in opinion between the judges of the C. C. U. S. for the southern district of New York.

Second question answered in the affirmative. Opinion by Mr. Chief-Justice Fuller.

The Chief-Justice announced the following order:

The call of the docket will not be continued after Friday, May 2d, and on Monday, May 5th, after the announcement of opinions and the hearing of motions, the court will take a recess until Monday, May 19th, on which day it will adjourn for the term.

No. 1608.—John A. Brimmer, jr., serg't, etc., pl'ff in error, *vs.* William Rebman. Motion to advance submitted by Mr. R. Taylor Scott in support of same.

No. 1326.—The United States, app't, *vs.* The Union Pacific R'y Co. *et al.* Motion to dismiss submitted by Mr. Samuel Shellabarger and Mr. J. M. Wilson in support of motion and by Mr. Solicitor-General Taft in opposition thereto.

No. 1557.—F. C. Howes, pl'ff in error, *vs.* Levi M. Kellogg *et al.* Motions to dismiss or affirm submitted by Mr. H. A. Barclay in support of motions and by Mr. Thomas Mitchell in opposition thereto.

No. 261.—The Yale Lock Manufacturing Co. *et al.*, app'ts., *vs.* The Berkshire National Bank *et al.*, and

No. 262.—The Berkshire National Bank *et al.*, app'ts., *vs.* The Yale Lock Manufacturing Co. *et al.*

Argument continued by Mr. George Ticknor Curtis for the Yale Lock Manufacturing Co. *et al.*, and by Mr. W. C. Cochran for the Berkshire National Bank *et al.*

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, the 15th, instant, will be as follows:

Nos. 261 and 262, 264, 266, and 603, 271, 274, 275, 277, 278, 279, and 280.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 15, 1890.

Present: The Chief-Justice and all the Associate Justices except Mr. Justice Field.

Henry Randall Webb, of Washington, D. C., was admitted to practice.

No. 261.—The Yale Lock Manufacturing Co. *et al.*, appts. *vs.* The Berkshire National Bank *et al.*, and

No. 262.—The Berkshire National Bank *et al.*, appts., *vs.* The Yale Lock Manufacturing Co. *et al.* Argument continued by Mr. W. C. Cochran for the Berkshire National Bank *et al.*, and concluded by Mr. Edmund Wetmore for the Yale Lock Manufacturing Co. *et al.*

No. 12.—Original: *Ex parte*: In the matter of Chas. M. Lane, petitioner. Argued by Mr. H. J. May for the petitioner and by Mr. Solicitor-General Taft for the respondent.

No. 1538.—Chas. Palliser, appt., *vs.* The United States of America *et al.* On motion of Mr. Solicitor-General Taft, for the appellees, re-assigned for argument on the 28th of April next.

No. 264.—Columbus Thaw, plff. in error, *vs.* Moore S. Falls *et al.*, heirs, etc. Argument commenced by Mr. S. R. Bond for the plaintiff in error. Adjourned until to-morrow at 12 o'clock.

The day-call for Wednesday, the 16th inst., will be as follows:

Nos. 264, 266 and 603, 271, 274, 275, 277, 278, 279, 280, and 148.

18837—31

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 16, 1890.

Present: The Chief-Justice and all the Associate Justices except Mr. Justice Field.

E. Calvin Williams, of Baltimore, Md., and Thomas E. Ellison, of Fort Wayne, Ind., were admitted to practice.

No. 264.—Columbus Thaw, pl'ff in error, *vs.* Moore S. Falls *et al.*, heirs, etc. Argument continued by Mr. S. R. Bond, for the plaintiff in error, by Mr. Geo. F. Appleby, for the defendants in error, and concluded by Mr. F. P. Stanton, for the plaintiff in error.

No. 266.—Walton Farrar, adm'r, etc., *et al.*, appts, *vs.* John Churchill, trustee, *et al.*; and

No. 603.—John Churchill, trustee, *et al.*, appt's, *vs.* Walton Farrar, admr. etc. Death of Thomas Rigby, one of the appellants in No. 266, suggested by Mr. Alex. Pope Humphrey, of counsel for John Churchill *et al.*, and Mary Ella Beck substituted as a party in his place.

Argued by Mr. Alexander Pope Humphrey, for Churchill *et al.*, and submitted on printed arguments by Mr. W. Hallett Phillips and Mr. W. L. Nugent, for Farrar, adm'r etc., *et al.*

No. 271.—Wm. Ferguson *et al.*, appt's, *vs.* George G. Dent *et al.* Ordered to be continued.

No. 274.—Société Foncière et Agricole des États-Unis, plaintiff in error, *vs.* Sam. H. Milliken.

Submitted on printed arguments by Mr. John T. Harcourt, for the plaintiff in error, and by Mr. A. S. Lathrop, for the defendant in error.

No. 275.—Mrs. Elizabeth Norman *et al.* appt's, *vs.* John A. Buckner *et al.* Argument commenced by Mr. Wade R. Young, for the appellants, and continued by Mr. Charles J. Boatner, for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day-call for Thursday, the 17th instant, will be as follows:

Nos. 275, 277, 278, 279, 280, 148, 281, 282, 283, and 284.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 17, 1890.

Present: The Chief-Justice and all the Associate Justices except Mr. Justice Field.

Thomas B. Kerr, of Pittsburgh, Pa., was admitted to practice.

No. 283.—James Milligan *et al.*, pl'ffs in error, *vs.* James C. Savery. In error to the supreme court of the Territory of Montana. Dismissed with costs, pursuant to the 10th rule, and cause remanded to the supreme court of the State of Montana.

No. 275.—Mrs. Elizabeth Norman *et al.*, app'ts, *vs.* John A. Buckner *et al.* Argument continued by Mr. Charles J. Boatner, for the appellees, and concluded by Mr. Wade R. Young, for the appellants.

No. 277.—The New England Mortgage Security Co., app't, *vs.* J. F. Groves, sheriff, etc., *et al.* Ordered to be continued.

No. 278.—Wm. C. West, pl'ff in error, *vs.* Johnson N. Camden. Argument commenced by Mr. E. Calvin Williams, for the plaintiff in error, continued by Mr. Thomas W. Hall and Mr. Charles Marshall, for the defendant in error, and by Mr. S. Teackle Wallis, for the plaintiff in error. Adjourned until to-morrow at 12 o'clock.

The day call for Friday, the 18th instant, will be as follows:

Nos. 278, 279, 280, 148, 281, 282, 284, 285, 286, and 287.

18837—33

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 18, 1890.

Present: The Chief-Justice and all the Associate Justices except Mr. Justice Field.

A. W. Reynolds, of Princeton, West Va., was admitted to practice.

No. 1402.—The McCormick Harvesting Machine Co., plaintiff in error, *vs.* Charles H. Walthers. On motion of Mr. Jno. L. Webster, in behalf of counsel, mandate granted.

No. 278.—William C. West, plaintiff in error, *vs.* Johnson N. Camden. Argument concluded by Mr. S. Teakle Wallis for the plaintiff in error.

No. 279.—Francis Beatty *et al.*, plaintiffs in error, *vs.* Georgia Benton, executrix, etc.

Submitted on printed argument by Mr. Salem Dutcher for the plaintiff in error; no counsel appearing for the defendant in error.

No. 148.—Sallie D. Hartranft, adm'x of John F. Hartranft, coll'r, etc., plaintiff in error, *vs.* Meyer and Dickinson.

Argued by Mr. Assistant Attorney-General Maury for the plaintiff in error, and by Mr. Frank P. Prichard for the defendants in error.

No. 282.—The United States, plaintiff in error, *vs.* Luke Voorhees. Argued by Mr. Assistant Attorney-General Maury for the plaintiff in error and by Mr. John L. Webster for the defendant in error.

No. 284.—Joseph Lodge *et al.*, app'ts, *vs.* Amanda Twell. Submitted on printed arguments by Mr. S. S. Burdett for the appellants and by Mr. James I. Brownson, jr., for the appellee.

No. 285.—John H. Bass, app't, *vs.* George Milmine. Argument commenced by Mr. Robert S. Taylor for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, the 21st instant, will be as follows:

Nos. 285, 280, 281, 286, 287, 288, 289, 290, 291, and 292.

18837—34

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 21, 1890.

Present: The Chief-Justice and all the Associate Justices.

Wilmarth H. Thurston, of Providence, R. I., J. M. McCormick, of Dallas, Texas, and John W. Finley, of Sherman, Texas, were admitted to practice.

No. 159.—Leonard Mackall *et al.*, app'ts, *vs.* Brooke Mackall, jr., *et al.* Appeal from the supreme court of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Brewer.

No. 253.—The Commercial Manufacturing Company (consolidated) *et al.*, app'ts, *vs.* The Fairbank Canning Company. Appeal from the C. C. U. S. for the northern district of Illinois. Decree affirmed with costs. Opinion by Mr. Justice Blatchford.

No. 276.—The Vicksburg, Shreveport and Pacific Railroad Company, plaintiff in error, *vs.* Robert N. Smith *et al.* In error to the C. C. U. S. for the western district of Louisiana; dismissed for the want of jurisdiction. Opinion by Mr. Justice Blatchford.

No. 1572.—The United States *ex rel.* Charles R. Miller, plaintiff in error, *vs.* Green B. Raum, Comr. of Pensions. In error to the supreme court of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Bradley.

No. 1326.—The United States, app't, *vs.* The Union Pacific Ry. Co. *et al.* Motion to dismiss denied. Announced by Mr. Chief-Justice Fuller.

No. 1557.—F. C. Howes, plaintiff in error, *vs.* Levi M. Kellogg *et al.* In error to the supreme court of the State of California. Dismissed for the want of jurisdiction. Announced by Mr. Chief-Justice Fuller.

No. 1603.—The U. S. *ex rel.* Sylvanus C. Boynton, plaintiff in error, *vs.* James G. Blaine, Secretary of State. Motion to advance denied. Announced by Mr. Chief-Justice Fuller.

No. 1608.—John A. Brimmer, jr., serg't, etc., plaintiff in error, *vs.* Wm. Rebman. Motion to advance denied. Announced by Mr. Chief-Justice Fuller.

No. 1277.—The Central Trust Company of N. Y., app't, *vs.* The Grant

Locomotive Works *et al.*; appeal from the C. C. U. S. for the southern district of Ohio. Decree affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

No. 1278.—The Dayton, Fort Wayne and Chicago Railroad Company, app't, *vs.* The Grant Locomotive Works *et al.* Appeal from the C. C. U. S. for the southern district of Ohio. Dismissed, with costs. Opinion by Mr. Chief-Justice Fuller.

No. 1279.—The Central Trust Co. of N. Y., app't, *vs.* R. S. Grant. Appeal from the C. C. U. S. for the southern district of Ohio. Decree affirmed, with costs. Opinion by Mr. Chief-Justice Fuller.

No. 1280.—The Dayton, Fort Wayne and Chicago Railroad Company, app't, *vs.* R. S. Grant; appeal from the C. C. U. S. for the southern district of Ohio; dismissed with costs. Opinion by Mr. Chief Justice Fuller.

No. 1281.—The Central Trust Company of N. Y., app't., *vs.* The Grant Locomotive Works *et al.*; appeal from the C. C. U. S. for the southern district of Ohio; decree affirmed with costs. Opinion by Mr. Chief Justice Fuller.

No. 1282.—The Central Trust Company of N. Y., app't, *vs.* R. S. Grant; appeal from the C. C. U. S. for the southern district of Ohio; decree affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

No. 1573.—The United States, pl'ff in error, *vs.* Richard S. Tuthill; in error to the D. C. U. S. for the northern district of Illinois; dismissed on motion of Mr. Attorney-General Miller for plaintiff in error.

No. 978.—George W. White, app't *vs.* Ira P. Rankin *et al.* Death of George W. White suggested and order of publication granted on motion of Mr. F. J. Lippett for appellees.

No. 1307.—Thomas Ryan, pl'ff in error, *vs.* The United States; submitted on printed arguments by Mr. Isaac Marston. Mr. Michael Brennan and Mr. J. C. Donnelly for the plaintiff in error, and Mr. Solicitor-General Taft for the defendant in error.

No. 912.—Byron M. Smith, app't, *vs.* Artemas Gale *et al.* Death of Byron M. Smith suggested and order of publication granted, on motion of Mr. A. G. Safford for appellees.

No. 1367.—Amelia A. Gunther *et al.*, executor, etc., pl'ffs in error, *vs.* The Liverpool and London and Globe Insurance Company. On motion of Mr. R. D. Benedict, mandate granted.

No. 11.—Original *ex parte*: In the matter of Jacob Baiz, petitioner. Printed arguments on rule to show cause why certain documents should not be submitted to the court for consideration in the decision of this cause, submitted by Mr. Joseph H. Choate and Mr. M. H. Cardozo for the petitioner and by Mr. R. D. Benedict for the respondent.

No. 306.—John Glenn, trustee, etc., pl'ff in error, *vs.* John E. Liggett, and

No. 307.—John Glenn, trustee, etc., pl'ff in error, *vs.* John J. Taussig *et al.*, executor, etc. Suggestion of diminution of the records in these causes and motions for writs of certiorari, argued by Mr. Charles Marshall in support of motions, and by Mr. George W. Taussig in opposition thereto. Writs of certiorari granted.

No. 873.—The Mutual Reserve Fund Life Association, pl'ff in error, *vs.* Mamie Keary *et al.* In error to the C. C. U. S. for the eastern district of Missouri. Dismissed with costs on motion of Mr. S. S. Henkle in behalf of counsel for the plaintiff in error.

No. 1571.—Louis Trager and wife, pl'ffs in error, *vs.* John F. Jenkins. Motion to dismiss submitted by Mr. W. Hallett Phillips, in support of motion, and by Mr. Van H. Manning, Mr. Duane E. Fox, and Mr. Charles J. Boatner, in opposition thereto.

No. 290.—George Cornwall, pl'ff in error, *vs.* The State of Virginia.

No. 291.—C. W. Newton *et ux.*, pl'ffs in error, *vs.* The State of Virginia.

No. 292.—Nathaniel Burruss, pl'ff in error, *vs.* The State of Virginia. In error to the supreme court of appeals of the State of Virginia. Dismissed with costs on authority of counsel for the plaintiffs in error.

No. 1100.—Collis P. Huntington, pl'ff in error, *vs.* Elizabeth C. Attrill. Motion to dismiss or affirm submitted by Mr. S. Teackle Wallis and Mr. Wm. A. Fisher in support of the motion; and by Mr. Jno. K. Cowen, Mr. E. J. D. Cross, and Mr. H. L. Bond, jr., in opposition thereto.

No. 285.—John H. Bass, appellant, *vs.* George Milmine. Argument continued by Mr. L. M. Ninde for appellee, and concluded by Mr. Robert S. Taylor, for appellant.

No. 280.—Wm. Sensitivefer, pl'ff in error, *vs.* Sam'l A. Kemp *et al.* Argument commenced by Mr. Samuel P. Sparks for plaintiff in error, and continued by Mr. George P. B. Jackson, for defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, the 22d instant, will be as follows:

Nos. 280, 281, 286, 287, 288, 289, 293, and 1105, 294, 295, and 296.

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 22, 1890.

Present: The Chief-Justice and all the Associate Justices.

George W. Burnell, of Oshkosh, Wis., and T. P. Young, of Marshall, Tex., were admitted to practice.

No. 1611.—G. F. Packer, pl'ff in error, *vs.* Jake Bird and Frank Bixler; in error to the supreme court of the State of California. Docketed and dismissed with costs on motion of Mr. W. W. Morrow, for defendants in error.

Nos. 368 and 369.—Horace S. Eldredge *et al.*, app'ts, *vs.* The United States. Death of H. S. Eldredge suggested and appearance of James A. and Ben. R. Eldredge, Lewis S. Hills, Thomas G. Webber, and Le Grande Young, ex'c'rs, etc., filed and entered, on motion of Mr. J. M. Wilson, in behalf of counsel.

No. 289.—The Northern Pacific R. R. Co, plff. in error, *vs.* Jacob Austin. Submitted by Mr. W. P. Clough, Mr. James McNaught, Mr. A. H. Garland, and Mr. H. J. May for the plaintiff in error, and by Mr. M. D. Grover for the defendant in error.

No. 280.—Wm. Sensenderfer, plff. in error, *vs.* Samuel A. Kemp *et al.* Argument continued by Mr. Geo. P. B. Jackson for defendants in error and concluded by Mr. Sam'l P. Sparks for defendants in error.

No. 281.—Wm. Sensenderfer, pl'ff in error, *vs.* J. C. Swisher, excr., etc., *et al.* Argued by Mr. Samuel P. Sparks for the plaintiff in error and by Mr. George P. B. Jackson for the defendants in error.

No. 286.—Henry K. Willard, adm'r, etc., pl'ff in error, *vs.* Mary L. C. Wood, excx., etc. Death of Mary L. C. Wood suggested and appearance of Thomas N. Wood filed and entered on motion of Mr. John Sidney Webb, for defendant in error. Argued by Mr. Enoch Totten for the plaintiff in error and by Mr. John Sidney Webb for defendant in error.

No. 287.—The Michigan Mutual Life Insurance Co., pl'ff in error, *vs.* Elizabeth R. Adams. Argued by Mr. Charles A. Kent for the plaintiff in error and by Mr. Wm. H. H. Miller for defendant in error.

No. 288.—Herman Royer, pl'ff in error, *vs.* The Schultz Belting Co. Argument commenced by Mr. M. A. Wheaton for the plaintiff in error.

Adjourned until to-morrow at 2 o'clock.

The day call for Wednesday, the 23d instant, will be as follows:

Nos. 288, 293, and 1105, 294, 295, 296, 297, 298, 299, 300, and 301.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 23, 1890.

Present : The Chief-Justice and all the Associate Justices.

Wm. B. Lamberton, of Harrisburgh, Pa. ; Joe C. Elwell, of Pueblo, Colo., and Joseph W. O'Hara, of Cincinnati, Ohio, were admitted to practice.

No. 3.—Henrietta C. Keller, appt., *v.* Isabella W. Ashford, extx., etc. On motion of Mr. R. B. Washington, in behalf of counsel, mandate granted.

No. 298.—The United States, appt., *vs.* The Northern Pacific Railroad Co. On motion of Mr. Solicitor-General Taft, for appellant, continued per stipulation.

No. 300.—Max Rosenthal, appt., *v.* Kersey Coates, as assignee, etc. Ordered to be continued.

No. 288.—Herman Royer, plff. in error, *vs.* The Schultz Belting Co. Argument continued by Mr. M. A. Wheaton for the plaintiff in error, by Mr. Chester H. Krum and Mr. Wilmarth H. Thurston for the defendant in error, and concluded by Mr. M. A. Wheaton for the plaintiff in error.

No. 293.—The Texas and Pacific Railway Company *et al.*, appts., *vs.* The City of Marshall, and

No. 1105.—The City of Marshall, appt., *vs.* The Texas and Pacific Railway Company *et al.* Argument commenced by Mr. W. Hallett Phillips for the City of Marshall.

Adjourned until to-morrow at twelve o'clock.

The Day Call for Thursday, the 24th instant, will be as follows :

Nos. 293 and 1105, 294, 295, 296, 297, 299, 301, 302, 303, and 304.

18837—37

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 24, 1890.

Present : The Chief-Justice and all the Associate Justices.

Richard Bayne, of Colusa, Cal., was admitted to practice.

No. 297.—The Clark Thread Co., appt., *vs.* the Willimantic Linen Co. *et al.* On motion of Mr. Edmund Wetmore, of counsel for appellant, continued by consent.

No. 302.—Theo. H. Butler *et al.*, appts., *vs.* George Steckel *et al.* Appeal from the C. C. U. S. for the northern district of Illinois. Dismissed, with costs, pursuant to the 10th rule.

No. 303.—Orestes S. Brown *et al.*, appts., *vs.* Julia A. Brown *et al.* Appeal from the Supreme Court of the Territory of Dakota. Dismissed, with costs, pursuant to the 10th rule, and cause remanded to Supreme Court of the State of South Dakota.

No. 304.—Isaac W. Birdseye *et al.*, appts., *vs.* Solomon Heilner *et al.* Appeal from the C. C. U. S. for the southern district of New York. Dismissed per stipulation.

No. 293.—The Texas and Pacific Railway Co. *et al.*, appts., *vs.* The City of Marshall, and

No. 1105.—The City of Marshall, appts., *vs.* the Texas and Pacific Railway Co. *et al.* Argument continued by Mr. W. Hallett Phillips, for the City of Marshall; by Mr. John F. Dillon for the Railroad Co. *et al.*, and concluded by Mr. Augustus H. Garland, for the City of Marshall.

No. 302.—Theo. H. Butler *et al.*, appts., *vs.* George Steckel *et al.* Decree of dismissal stricken out, and case restored to the docket; death of George W. Earhart, one of the appellants herein, suggested, and cause ordered to be continued, on motion of Mr. William H. Doolittle, for appellants.

No. 294.—The Norfolk and Western R. R. Co., plff. in error, *vs.* The Commonwealth of Pennsylvania. Argument commenced by Mr. M. E. Olmsted for the plaintiff in error, and continued by Mr. John F. Sander-son, for defendant in error.

Adjourned until to-morrow at twelve o'clock.

The day-call for Friday, the 25th instant, will be as follows :

Nos. 294, 295, 296, 299, 301, 305, 306, 307, 308, and 309.

18837—38

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 25, 1890.

Present : The Chief-Justice and all the Associate Justices.

D. T. Phillips, of Oakland, Cal., and Mason G. Smith, of St. Louis, Mo., were admitted to practice.

No. 1611.—G. F. Packer, plff. in error, *vs.* Jake Bird and Frank Bixler. Order docketing and dismissing writ of error in this cause rescinded on motion of Mr. W. W. Morrow for defendants in error.

No. 1182.—The Louisville and Nashville R. R. Co., plff. in error, *vs.* Eddy Woodson, etc. On motion of Mr. A. A. Freeman, for defendant in error, mandate granted.

No. 308.—John M. Miller *et al.*, plffs. in error, *vs.* The Domestic Sewing Machine Co. In error to the C. C. U. S. for the eastern district of Michigan. Dismissed with costs, pursuant to the 10th rule.

No. 294.—The Norfolk and Western R. R. Co., plff. in error, *vs.* The Commonwealth of Pennsylvania. Argument concluded by Mr. M. E. Olmsted for the plaintiff in error. Leave granted to each side to file supplemental briefs prior to the third ~~Monday~~ of May.

No. 296 (substituted for No. 295).—The Richelieu and Ontario Navigation Co., plff. in error, *vs.* The Boston Marine Ins. Co. Argued by Mr. F. H. Canfield and Mr. Joseph H. Choate for the plaintiff in error, and by Mr. Henry H. Swan for the defendant in error.

Adjourned until Monday next at twelve o'clock.

The day-call for Monday, the 28th instant, will be as follows :

Nos. 301, 299, 295, 305, 306, and 307, 309, 310, 311, 312, and 1538.

18837—39

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 28, 1890.

Present : The Chief-Justice and all the Associate Justices.

B. F. Dunwiddie, of Janesville, Wis., and John B. Hinkson, of Chester, Pa., were admitted to practice.

No. 148.—Sallie D. Hartranft, admx., etc., plff. in error, *vs.* Chas. H. Meyer *et al.*; in error to the C. C. U. S. for the eastern district of Pennsylvania. Judgment affirmed with costs and interest. Opinion by Mr. Justice Brewer.

No. 244.—Adolphus Eckloff, plff. in error, *vs.* The District of Columbia; in error to the supreme court of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 241.—The United States, plaintiff, *vs.* Leslie G. Chase, on a certificate of division in opinion between the judges of the circuit court of the United States for the district of Massachusetts. First question certified answered in the negative. Opinion by Mr. Justice Lamar.

No. 279.—Frances Beatty *et al.*, plffs. in error, *vs.* Georgia Benton, executrix, etc.; in error to the supreme court of the State of Georgia. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Blatchford.

No. 224.—The United States, plff. in error, *vs.* John D. Sanborn; and

No. 225.—John D. Sanborn, plff. in error, *vs.* the United States. In error to the C. C. U. S. for the district of Massachusetts. Judgment reversed and cause remanded with directions to enter a judgment in favor of the United States for the sum of \$7,334, with interest at the rate of 6 per cent. per annum from October 15, 1883, the date of the commencement of this action, and for its costs as indicated in the opinion of this court. Opinion by Mr. Justice Harlan.

No. 4, Original.—*Ex parte.* In the matter of Ed. Mills, petitioner; petition for a writ of habeas corpus granted. Opinion by Mr. Justice Harlan.

No. 12, Original.—*Ex parte.* In the matter of Chas. Mason Lane, petitioner; petition for a writ of habeas corpus denied. Opinion by Mr. Justice Miller.

No. 22.—The Iron Silver Mining Co., pl'ff in error, *vs.* Peter Campbell *et al.* In error to the C. C. U. S. for the district of Colorado. Judgment reversed with costs and cause remanded, with ad irection to grant a new trial. Opinion by Mr. Justice Miller. Dissenting: Mr. Justice Brewer and Mr. Chief-Justice Fuller.

No. 1100.—Collis P. Huntington, pl'ff in error, *vs.* Elizabeth C. Att-rill. Motions to dismiss or affirm postponed to the hearing of the cause on its merits. Announced by Mr. Chief-Justice Fuller.

No. 1571.—Louis Trager *et ux.*, pl'ffs in error, *vs.* John F. Jenkins. In error to the C. C. U. S. for the southern district of Miss. Dismissed for the want of jurisdiction. Announced by Mr. Chief-Justice Fuller.

No. 280.—William Sensurefer, pl'ff in error, *vs.* Samuel A. Kemp *et al.* In error to the supreme court of the State of Missouri. Judgment affirmed, with costs. Announced by Mr. Chief-Justice Fuller.

No. 281.—Wm. Sensurefer, pl'ff in error, *vs.* J. C. Swisher, exc'r., *etc.*, *et al.* In error to the supreme court of the State of Missouri. Judgment affirmed with costs. Announced by Mr. Chief-Justice Fuller.

No. 287.—The Michigan Mutual Life Ins. Co., pl'ff in error, *vs.* Elizabeth R. Adams. In error to the C. C. U. S. for the district of Indiana. Judgment affirmed with costs and interest by a divided court. Announced by Mr. Chief-Justice Fuller.

No. 257.—Ferdinand De St. Germain, app't, *vs.* Emanuel Brunswick. Appeal from the C. C. U. S. for the district of California. Decree reversed with costs and cause remanded to the C. C. U. S. for the northern district of California, with a direction to dismiss the bill. Opinion by Mr. Chief-Justice Fuller.

No. 284.—Joseph Lodge *et al.*, app'ts, *vs.* Amanda Twell. Appeal from the supreme court of the Territory of Montana. Dismissed for want of jurisdiction, and cause remanded to the supreme court of the State of Montana. Opinion by Mr. Chief-Justice Fuller.

No. 1459.—Gus Leisy & Company, plffs. in error, *vs.* A. J. Harden; in error to the supreme court of the State of Iowa. Judgment reversed with costs and cause remanded for further proceedings to be had therein not inconsistent with the opinion of this court. Opinion by Mr. Chief-Justice Fuller. Dissenting: Mr. Justice Gray, Mr. Justice Harlan, and Mr. Justice Brewer.

No. 1219.—Henry ~~King~~^{King}, plff. in error, *vs.* The people of the State of Michigan; in error to the supreme court of the State of Michigan. Judgment reversed with costs and cause remanded for further proceedings to be had therein not inconsistent with the opinion of this court. Opinion by Mr. Chief-Justice Fuller. Dissenting: Mr. Justice Gray, Mr. Justice Harlan, and Mr. Justice Brewer.

No. 530.—John J. Schillinger *et al.*, appts., *vs.* H. L. Crawford *et al.* Motion to dismiss submitted by Mr. Enoch Totten, Mr. Wm. A. Cook, and Mr. C. C. Cole in support of the motion, and by Mr. J. E. McDonald, Mr. R. J. Bright, and Mr. John C. Fay in opposition thereto.

No. 392.—The State of North Carolina *et al.*, appts., *vs.* Alfred H. Temple. Motion to modify decree submitted by Mr. S. F. Phillips and Mr. E. L. Andrews in support of motion, and by Mr. Theo. F. Davidson in opposition thereto.

No. 299.—The Covington Stock Yards Co., appt., *vs.* Charles W. Keith *et al.*, etc. On motion of Mr. Ed. Baxter, for appellant, continued.

No. 346.—Edw. F. Lawrence, admr. *et al.*, appts., *vs.* Henry M. Rector. Stipulation to correct record filed on motion of Mr. H. J. May.

No. 312.—Lewis W. Hasselman, appt., *vs.* Allen E. Russell *et al.* Appeal from the C. C. U. S. for the district of Indiana. Dismissed with costs pursuant to the 10th rule.

No. 301.—Gustav Falk *et al.*, plffs. in error, *vs.* Wm. H. Robertson, late collr., etc. Passed.

No. 295.—The city of Detroit, plff. in error, *vs.* Elizabeth S. Osborn. Argument commenced by Mr. Henry M. Duffield for plaintiff in error, continued by Mr. F. H. Canfield for the defendant in error, and by Mr. Henry M. Duffield for plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day-call for Tuesday, the 29th instant, will be as follows :

Nos. 295, 305, 306, and 307, 309, 310, 311, 1538, 313, 314, and 315.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 29, 1890.

Present : The Chief-Justice and all the Associate Justices.

Geo. Woodward Wickersham, of New York City, was admitted to practice.

No. 1311.—George J. Bippus, trustee, appt., *vs.* The Farmers' Loan and Trust Co., appeal from the C. C. U. S. for the district of Indiana.

Dismissed per stipulation, on motion of Mr. George W. Wickersham, for appellant. *And to update & order.*

No. 313.—Lewis W. Hasselman, appt., *vs.* Gaar, Scott & Company. Appeal from the C. C. U. S. for the district of Indiana. Dismissed with costs, pursuant to the 10th rule.

No. 295.—The City of Detroit, plff. in error, *vs.* Elizabeth S. Osborne. Argument concluded by Mr. Henry M. Duffield, for plaintiff in error.

No. 305.—J. M. Shivelay, appt., *vs.* Nancy Welch *et al.* Argument commenced by Mr. John H. Mitchell, for appellant. Further argument postponed until to-morrow.

No. 306.—John Glenn, trustee, etc., plff. in error, *vs.* John E. Liggett. Question of jurisdiction argued by Mr. Enoch Totten in support of motion to dismiss.

No. 306.—John Glenn, trustee, etc., plff. in error, *vs.* John E. Liggett, and

No. 307.—John Glenn, trustee, etc., plff. in error, *vs.* Jno. J. Taussig, ex'r, etc., *et al.* Argued by Mr. John Howard for the plaintiff in error, and by Mr. Mason G. Smith and Mr. George W. Taussig for defendants in error.

No. 309.—The Board of County Commissioners of Yellowstone Co., M. T., appt. *vs.* the Board of County Commissioners of Custer Co., M. T. Argued by Mr. J. W. Strevell, for appellee, and submitted by Mr. W. F. Sanders, for appellant.

No. 310.—Wm. Rea, *et al.*, appts. *vs.* The Steamboat "Eclipse," etc. Argued by Mr. W. Hallett Phillips and Mr. Geo. W. Guthrie, for appellants, and by Mr. J. G. Bigelow, for appellee.

No. 311.—D. P. Thompson, rec'r, app'l, *vs.* The Phoenix Ins. Co., of Brooklyn, N. Y. Argument commenced by Mr. J. M. Wilson, for appellant.

Adjourned until to-morrow at 12 o'clock.

The day-call for Wednesday, the 30th instant, will be as follows :

Nos. 311, 305, 1538, 314, 315, 316, 318, 320, 321, and 322.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 30, 1890.

Present: The Chief-Justice and all the Associate Justices.

John A. Casto, of Hastings, Nebr., was admitted to practice.

No. 305.—J. M. Shively, appt., *vs.* Nancy Welch *et al.* Ordered by the court that leave be granted to the appellant to file affidavits of value.

No. 316.—J. H. Allen *et al.*, appts., *vs.* Helena Hanks, submitted by Mr. Jacob Trieber for appellants and by Mr. James C. Tappan and Mr. Jno. J. Hornor for appellees.

No. 318.—Samuel G. Hickman, plff. in error, *vs.* The City of Fort Scott, continued per stipulation.

No. 320.—The Oregon Railway and Navigation Co. *et al.*, appts., *vs.* Spencer Ervin *et al.*

No. 321.—The Oregon Railway and Navigation Co. *et al.*, appts., *vs.* Harris C. Fahnestock, appeals from the C. C. U. S. for the southern district of New York; dismissed per stipulation.

No. 311.—D. P. Thompson, recr., appt., *vs.* The Phenix Ins. Co. of Brooklyn, argument continued by Mr. J. M. Wilson for appellant; by Mr. Robert Rae for appellee, and concluded by Mr. J. M. Wilson for appellant.

No. 305.—J. M. Shively, appt., *vs.* Nancy Welch *et al.*; argument continued by Mr. John H. Mitchell for appellant; by Mr. J. N. Dolph for appellees, and concluded by Mr. John H. Mitchell for appellant. Mr. Mitchell also submitted to the court a motion for leave to file affidavits of value during vacation.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 1, will be as follows:

Nos. 1538, 314, 315, 322, 323, 324, 325, 326, 327, and 328.

18837—42

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 1, 1890.

Present: The Chief-Justice and all the Associate Justices.

Grover Cleveland, of New York City; Channing Richards, of Cincinnati, Ohio; M. F. Mott, of Galveston, Tex., and Charles H. Hanson, of Malden, Mass., were admitted to practice.

No. 1556.—The North Penna. R. R. Co., pl'ff in error, *vs.* The Commonwealth of Penna. In error to the supreme court of the State of Penna. Dismissed with costs, on motion of Mr. Wm. B. Lamberton, for plaintiff in error.

No. 323.—The N. Y. Belting and Packing Co., app't, *vs.* The N. J. Car Spring and Rubber Co. Continued per stipulation.

No. 324.—Wm. Robinson, app't, *vs.* The Toledo, Cincinnati & St. Louis R. R. Co. *et al.* Submitted by Mr. George W. Morse for appellant, and by Mr. J. C. Coombs and Mr. Chas. H. Hanson for appellees.

No. 325.—John H. Law *et al.*, pl'ffs in error, *vs.* The Fire Association of Philadelphia. In error to the C. C. U. S. for the southern district of Ohio. Dismissed with costs, on motion of Mr. Joseph Wilby for plaintiffs in error.

No. 327.—Ebenezer Kitzmiller, plff. in error, *vs.* John T. Pierce. In error to the supreme court of appeals of the State of West Va. Dismissed with costs pursuant to the 10th rule.

No. 1538.—Charles Palliser, appt., *vs.* the United States *et al.* Argued by Mr. Roger Foster for appellant and by Mr. Solicitor-General Taft for appellees.

No. 314.—George R. Riddle *et al.*, app'ts, *vs.* Joseph M. Whitehill. Submitted by Mr. John Dalzell for appellants and by Mr. D. H. Reynolds for appellee.

No. 315.—James W. Haines, pl'ff in error, *vs.* E. W. McLaughlin *et al.* Argued by Mr. M. A. Wheaton and Mr. Wm. M. Stewart for plaintiff in error and submitted by Mr. Zach. Montgomery for defendants in error.

No. 322.—Joseph Anderson *et al.*, plff's in error, *vs.* Levi Carkins. Argument commenced by Mr. John A. Casto for plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day-call for Friday, the 2nd instant, will be as follows:

Nos. 322, 326, 328, 329 (780, 781, and 1234), 330, 331, 332, 333, 334, and 336.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 2, 1890.

Present: The Chief-Justice and all the Associate Justices.

Burton Hanson, of Milwaukee, Wis., George Fuller, of San Diego, Cal., Eugene Marshall, of Dallas, Tex., Sherwood Dixon, of Dixon, Ill., William E. Jewell, of Boston, Mass., and George E. Baldwin, of Canton, Ohio, were admitted to practice.

No. 4.—Original. *Ex parte*: In the matter of Ed. Mills, petitioner. Mr. Solicitor-General Taft announced to the court that an order had been issued for the release of the prisoner in this case, thus rendering the issuance of the writ of habeas corpus unnecessary.

No. 1617.—Wm. J. Stevens, appt., *vs.* Wm. G. Fuller, judgment creditor. Motion that appellant be allowed to enter into a recognizance, etc., submitted by Mr. Wm. E. Jewell for the appellant and ordered to be postponed until Monday next.

No. 1269.—Carl Pohl *et al.*, appts., *vs.* The Anchor Brewing Company. On motion of Mr. W. Hallett Phillips, in behalf of counsel, mandate granted.

No. 330.—Catherine Fishburn, plff. in error, *vs.* The Chicago, Milwaukee and St. Paul R'y Co. Continued per stipulation.

No. 333.—Samuel Norris, appt., *vs.* James B. Haggin, *et al.* Submitted by Mr. J. H. McKune, for appellant, with leave to appellee to file briefs.

No. 334.—Wm. G. Miller, appt., *vs.* R. M. Thompson, deputy sheriff, etc. Continued by the court.

No. 322.—Joseph Anderson *et al.*, plffs. in error, *vs.* Levi Carkins. Argument continued by Mr. J. A. Casto for plaintiffs in error, by Mr. A. H. Bowen for defendant in error, and concluded by Mr. J. A. Casto for plaintiffs in error.

No. 326.—Robert Hamilton, plff. in error, *vs.* The Liverpool and London and Globe Insurance Company of Great Britain. Argument commenced by Mr. Joseph Wilby for plaintiff in error. The court declines to hear further argument.

No. 328.—John Broom *et al.*, appts., *vs.* James C. Armstrong. Continued by the court.

Nos. 329, 780, 781, and 1234.—James Wallace Peake *et al.*, appts., *vs.* The City of New Orleans *et al.* Continued by the court.

No. 331.—John Dobson *et al.*, appts., *vs.* James Lees *et al.* Continued by the court.

No. 332.—The steamer *Max Morris*, etc., appt., *vs.* Patrick Curry. Continued by the court.

No. 336.—John G. Williams, admr., etc., appt., *vs.* The United States. Continued by the court.

Adjourned until Monday next at 12 o'clock.

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etc.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 5, 1890.

Present : The Chief-Justice and all the Associate Justices.

Louis S. Phillips, of New York City ; John J. Jennings, of Bristol, Conn. ; Horace Stringfellow, of Montgomery, Ala., and Joseph W. Reynolds of Herman, Minn., were admitted to practice.

No. 274.—*Societe Fonciere et Agricole Des Etats Unis*, plff. in error, *vs. Sam. H. Milliken*. In error to the C. C. U. S. for the northern district of Texas ; judgment affirmed with costs. Opinion by Mr. Justice Brewer.

No. 261.—*The Yale Lock Manf'g Co. et al.*, appts., *vs. The Berkshire National Bank et al.*

No. 262.—*The Berkshire National Bank et al.*, appts., *vs. The Yale Lock Manf'g Co. et al.*

Appeals from the C. C. U. S., for the district of Massachusetts. Decree of February 12, 1886, so far as it relates to the Sargent re-issue No. 7947, affirmed, and so far as it relates to the Little reissue No. 8550, reversed ; cost in this court to be paid by the complainants ; and cause remanded with a direction to dismiss the bill of complaint, with costs to the defendants. Opinion by Mr. Justice Blatchford.

No. 228.—*Herman Royer*, pl'ff in error, *vs. The Schultz Belting Co.* In error to the C. C. U. S for the eastern district of Missouri. Judgment reversed with cost and cause remanded, with a direction to grant a new trial. Opinion by Mr. Justice Blatchford.

No. 106.—*The New York Elevated R. R. Co.*, plff. in error, *vs. The Fifth National Bank of the City of New York*, in error to the C. C. U. S. for the southern district of New York. Judgment affirmed with costs and interest. Opinion by Mr. Justice Gray. (Mr. Justice Brewer not having been a member of the court when this case was argued, took no part in the decision.)

No. 286.—*Henry K. Willard*, adm'r, pl'ff in error, *vs. Thomas N. Wood*, surviving ex'ut'r In error to the Supreme Court of the Dist. of Col. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 239.—Howard Mansfield, pl'ff in error, *vs.* The Excelsior Refining Co. In error to the C. C. U. S. for the northern district of Illinois. Judgment reversed with costs and cause, remanded with directions to enter judgment for the plaintiff. Opinion by Mr. Justice Harlan.

No. 530.—John J. Schillinger *et al.* appts., *vs.* H. L. Cranford *et al.* Ordered by the court that the motion to dismiss in this cause be overruled on the appellants taking out a new citation within ten days from this date to be served upon all the appellees. If said citation is not obtained in ten days the appeal will be dismissed. Announced by Mr. Chief-Justice Fuller.

No. 285.—John H. Bass, appt., *vs.* George Milmine. Appeal from the C. C. U. S. for the district of Indiana. Decree affirmed with costs by a divided court. Announced by Mr. Chief-Justice Fuller.

No. 305.—J. M. Shively, appt., *vs.* Nancy Welch *et al.* Appeal from the C. C. U. S. for the district of Oregon. Motion for leave to file additional affidavits of value during vacation denied and appeal dismissed for the want of jurisdiction announced by Mr. Chief-Justice Fuller.

No. 289.—The Northern Pacific R. R. Co., pl'ff in error, *vs.* Jacob Austin. In error to the supreme court of the State of Minnesota. Dismissed for the want of jurisdiction. Opinion by Mr. Chief-Justice Fuller.

No. 11.—Original. *Ex parte*: In the matter of Jacob Baiz, petitioner. Rule to show cause discharged and petition for a writ of prohibition or for a writ of mandamus denied. Opinion by Mr. Chief-Justice Fuller.

No. 392.—The State of North Carolina *et al.*, app't, *vs.* Alfred H. Temple. Motion to modify decree entered herein denied. Announced by Mr. Chief-Justice Fuller.

No. 1617.—Wm. J. Stevens, app't, *vs.* Wm. G. Fuller, judgment creditor. Motion to advance granted, the cause to be submitted on printed argument to be filed on or before Monday the 12th inst. Announced by Mr. Chief-Justice Fuller.

No. 214.—Carlisle Mason *et al.*, plffs. in error, *vs.* The United States. Motion for leave to amend writ of error, citation, and bond, herein submitted by Mr. W. C. Goudy in support of motion with leave to the Solicitor-General to file brief in opposition thereto on or before Monday the 12th instant.

No. 623.—Julia H. McLean *et al.*, appts., *vs.* Ruggles W. Clapp *et al.* Motions to reverse and remand for want of jurisdiction and for leave to withdraw transcript for the purpose of correction, submitted by Mr. E. B. Smith in support of motions and by Mr. Sherwood Dixon in opposition thereto.

Death of Henry Clapp, one of the appellees herein, suggested and appearance of Sarah A. Clapp, admx., etc., filed and entered.

Ex parte. In the matter of William Kemmler, petitioner. Petition for writ of habeas corpus argued by Mr. Roger M. Sherman for the petitioner. The Chief-Justice said: "This case is governed by the rule laid down in *ex parte* Murzan, 119 U. S., and inasmuch as the writ of habeas corpus has been granted by the judge of the United States Circuit Court, and the cause proceeding to hearing there, we must deny the application."

No. 1621.—B. F. Hammond *et al.*, plffs. in error, *vs.* James Connolly *et al.* In error to the C. C. U. S. for the Northern District of Texas. Docketed and dismissed with costs on motion of Mr. Frederic D. McKenney for defendants in error.

Adjourned until Monday, May 19, 1890, at 12 o'clock.



SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 19, 1890.

Present: The Chief-Justice and all the Associate Justices.

Kate Kane, of Chicago, Ill.; Stephen L. Mestrezat, of Uniontown, Pa.; E. Frank Carson, of Elizabeth, N. J.; John W. Willis, of St. Paul, Minn.; John Ridout, of Washington, D. C.; Wm. Wirt Henry, of Richmond, Va.; and Chalmers Scott, of San Diego, Cal., were admitted to practice.

No. 275.—Mrs. Elizabeth Norman *et al.*, appts., *vs.* John A. Buckner *et al.* Appeal from the C. C. U. S., for the western district of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice Brewer.

No. 295.—The City of Detroit, plff. in error, *vs.* Elizabeth S. Osborne. In error to the C. C. U. S. for the eastern district of Michigan. Judgment reversed with costs and cause remanded with directions to sustain the demurrer to the amended declaration. Opinion by Mr. Justice Brewer.

No. 322.—Joseph Anderson *et al.*, plffs. in error, *vs.* Levi Carkins. In error to the supreme court of the State of Nebraska. Judgment reversed with costs and cause remanded for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Brewer.

No. 252.—Sylvester H. Kneeland, appt., *vs.* The American Loan and Trust Co. *et al.*

No. 1537.—Sylvester H. Kneeland, appt., *vs.* Geo. Wm. Balton, trustee, appeals from the C. C. U. S. for the district of Indiana. Decrees reversed with costs and causes remanded with directions to strike out all allowances for rental prior to December 1, 1883, the time when the receiver was appointed at the instance of the mortgagees, and to allow the rentals as fixed for the time subsequent thereto. Opinion by Mr. Justice Brewer. Dissenting, Mr. Justice Bradley.

No. 93.—The Hot Springs R. R. Co., plff. in error, *vs.* Fannie G. Williamson. In error to the supreme court of the State of Arkansas. Judgment affirmed with costs and interest. Opinion by Mr. Justice Lamar.

137.—The Washington and Georgetown R. R. Co., plff. in error, *vs.* Lewis H. McDade. In error to the supreme court of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Lamar.

(Mr. Justice Brewer, not having been a member of the court at the time this case was considered, took no part in its decision.)

No. 1190.—J. G. McCall, plff. in error, *vs.* The People of the State of California. In error to the superior court of the city and county of San Francisco. Judgment reversed with costs and cause remanded for further proceedings, to be had in conformity with the opinion of this court. Opinion by Mr. Justice Lamar. Dissenting, Mr. Chief-Justice Fuller, Mr. Justice Gray, and Mr. Justice Brewer.

No. 1204.—The Norfolk & Western R. R. Co., plff. in error, *vs.* The Commonwealth of Penna. In error to the supreme court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Lamar. Dissenting, Mr. Chief-Justice Fuller, Mr. Justice Gray, and Mr. Justice Brewer.

No. 1282.—The United States, plaintiff in error, *vs.* Luke Voorhees. In error to the C. C. U. S. for the district of Nebraska. Judgment affirmed. Opinion by Mr. Justice Lamar. (Mr. Justice Field did not sit in this case.)

No. 212.—Wm. S. Lovell, appt., *vs.* George D. Cragin *et al.* Appeal from the C. C. U. S. for the eastern district of Louisiana. So much of the decree as sustains the complainant's bill reversed with costs, and so much of the said decree as dismisses the cross-bill affirmed, and cause remanded with a direction to dismiss the bill with costs. Opinion by Mr. Justice Lamar.

No. 324.—Wm. Robinson, appt., *vs.* The Iron Railway Co. *et al.* Appeal from the C. C. U. S. for the southern district of Ohio. Decree affirmed with costs. Opinion by Mr. Justice Blatchford.

No. 306.—John Glenn, trustee, etc., plff. in error, *vs.* John E. Liggett.

No. 307.—John Glenn, trustee, etc., plff. in error, *vs.* John J. Taussig, *et al.*, etc. In error to the C. C. U. S. for the eastern district of Missouri. Judgments reversed with costs, and causes remanded with a direction to overrule the demurrers to the amended petitions and to take such further proceedings as shall not be inconsistent with the opinion of this court. Opinion by Mr. Justice Blatchford. Dissenting, Mr. Justice Brewer.

No. 278.—Wm. C. West, plff. in error, *vs.* Johnson N. Camden. In error to the C. C. U. S. for the district of Maryland. Judgment affirmed with costs. This judgment to be entered *nunc pro tunc* as of April 17, 1890. Opinion by Mr. Justice Blatchford.

No. 1617.—Wm. J. Stevens, appt., *vs.* Wm. G. Fuller. Appeal from the C. C. U. S. for the district of Massachusetts. Decree affirmed with costs. Opinion by Mr. Justice Blatchford.

. 1224.—The Cornell University *et al.*, plffs. in error, *vs.* Willard *et al.* In error to the supreme court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Blatchford. Dissenting, Mr. Justices Brewer and Gray, dissenters.

No. 3.—Original. The United States of America, plff., *vs.* The State of North Carolina. Judgment for defendant. Opinion by Mr. Justice Gray.

No. 16.—Mary Ann Gibbons, appt., *vs.* Jane Owen Mahon. Appeal from the supreme court of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Gray.

No. 13.—The Union National Bank of Chicago *et al.*, appts. *vs.* The Bank of Kansas City *et al.* Appeal from the C. C. U. S. for the western district of Missouri. Decree affirmed with costs. Opinion by Mr. Justice Gray. (The Chief-Justice having been of counsel, and Mr. Justice Brewer not having been a member of the court when the case was argued, took no part in its consideration or decision.)

No. 28.—The Geo. T. Smith Middlings Purifier Co. *et al.*, appts., *vs.* Mary S. J. McGroarty *et al.* Appeal from the C. C. U. S. for the southern district of Ohio. Decree reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Gray. (Mr. Justice Brewer not having been a member of the court when this case was argued, took no part in the decision.)

No. 326.—Robert Hamilton, plff. in error, *vs.* The Liverpool & London & Globe Ins. Co. In error to the C. C. U. S. for the southern district of Ohio. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 1538.—Charles Palliser, appt., *vs.* The United States of America *et al.* Appeal from the C. C. U. S. for the southern district of New York. Decree affirmed ~~with costs~~. Opinion by Mr. Justice Gray.

No. 1346.—The State of Minnesota, appt., *vs.* Henry E. Barber. Appeal from the C. C. U. S. for the district of Minnesota. Decree affirmed with costs. Opinion by Mr. Justice Harlan.

No. 64.—The Chicago Ry. Equipment Co., plff. in error, *vs.* The Merchants Nat'l B'k of Chicago. In error to the C. C. U. S. for the western district of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice Harlan. Dissenting, Mr. Justice Miller and Mr. Justice Gray. (Mr. Justice Brewer was not a member of the court when this case was argued and took no part in its decision.)

No. 1307.—Thomas Ryan, plff. in error, *vs.* The United States. In error to the C. C. U. S. for the western district of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

No. 311.—D. P. Thompson, Reer., etc., app't, *vs.* The Phenix Insurance Co., etc. Appeal from the C. C. U. S. for the district of Oregon. Decree reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 316.—J. H. Allen *et al.*, appts., *vs.* Helena Hanks. Appeal from the D. C. U. S. for the eastern district of Arkansas. Decree affirmed with costs. Opinion by Mr. Justice Harlan.

No. 664.—The Cherokee Nation, appt., *vs.* The Southern Kansas Ry. Co. Appeal from the D. C. U. S. for the western district of Arkansas. Decree reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Harlan.

No. 234.—The District of Columbia, pl'ff in error, *vs.* Henry E. Woodbury. In error to the supreme court of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Harlan.

No. 153.—J. M. B. Reynolds, assignee and pl'ff, *vs.* John Adden *et al.* Appeal from the C. C. U. S. for the eastern district of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice Bradley.

No. 23.—George S. Vashon, pl'ff in error, *vs.* Samuel C. Greenhow. In error to the supreme court of appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Bradley.

No. 1055.—Joseph Bryan, pl'ff in error, *vs.* The State of Virginia.

No. 1056.—James P. Cooper, pl'ff in error, *vs.* The State of Virginia.

No. 1057.—John McGahey, pl'ff in error, *vs.* The State of Virginia.

No. 1058.—H. W. Ellett, pl'ff in error, *vs.* The State of Virginia.

No. 1142.—C. H. Cuthbert, pl'ff in error, *vs.* The State of Virginia.

In error to the supreme court of appeals of the State of Virginia; judgments reversed with costs, and causes remanded for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Bradley.

No. 1216.—Thomas S. Hueless, plff. in error, *vs.* John K. Childrey. In error to the C. C. U. S. for the eastern district of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Bradley.

No. 1217.—*Ex parte*: In the matter of Lewis Brown, appellant; appeal from the C. C. U. S. for the eastern district of Virginia. Decree reversed and cause remanded for such further proceedings as may be required by law and justice in conformity with the opinion of this court. Opinion by Mr. Justice Bradley.

No. 1031.—The Late Corporation of the Church of Jesus Christ of Latter Day Saints *et al.*, appls., *vs.* The United States; and,

No. 1054.—George Romney *et al.*, app'ts, *vs.* The United States. Ap-

peals from the supreme court of the Territory of Utah. Decree affirmed. Opinion by Mr. Justice Bradley. Dissenting: Mr. Chief-Justice Fuller, Mr. Justice Field, and Mr. Justice Lamar.

No 2. Original.—The State of Indiana, complt., *vs.* The State of Kentucky; decree for defendant. Opinion by Mr. Justice Field.

No. 166.—The Nashua and Lowell R. R. Corp'n, appt., *vs.* The Boston and Lowell R. R. Corp'n *et al.* Appeal from the C. C. U. S. for the district of Massachusetts. Decree reversed with costs, and cause remanded for further proceedings to be had therein in conformity with the opinion of this court. Opinion by Mr. Justice Field. (Mr. Justice Blatchford did not sit in this case or take any part in its decision. Mr. Chief-Justice Fuller, Mr. Justice Gray, and Mr. Justice Lamar dissented on the question of jurisdiction.)

No. 333.—Samuel Norris, appt., *vs.* James B. Haggin *et al.* Appeal from the C. C. U. S. for the district of California. Decree affirmed with costs and cause remanded to the C. C. U. S. for the northern district of California. Opinion by Mr. Justice Miller.

No. 256.—The Des Moines and Ft. Dodge R. R. Co., appt., *vs.* The Wabash and St. Louis and Pac. R. R. Co. *et al.* Appeal from the C. C. U. S. for the southern district of Iowa. Decree affirmed with costs. Opinion by Mr. Justice Miller.

No. 293.—The Texas and Pac. Ry. Co. *et al.*, appts., *vs.* The City of Marshall.

No. 1105.—The City of Marshall, appt., *vs.* The Tex. and Pac. Ry. Co. *et al.* Appeals from the C. C. U. S. for the eastern district of Texas. Decree reversed; costs in this court to be paid by the city of Marshall and cause remanded with directions to dismiss the bill. Opinion by Mr. Justice Miller. Dissenting, Mr. Justice Brewer.

No. 10.—Original. *Ex parte.* In the matter of Thomas F. Burress, petitioner. Petition for writ of habeas corpus granted and prisoner ordered to be discharged. Opinion by Mr. Justice Miller. Dissenting, Mr. Justice Brewer.

No. 214.—Carlile Mason *et al.*, plffs. in error, *vs.* The United States. In error to the C. C. U. S. for the northern district of Illinois. Motion for leave to amend writ of error; citation and bond in this cause denied and writ of error dismissed. Announced by Mr. Chief-Justice Fuller.

No. 623.—Julia H. McLean *et al.*, appts., *vs.* Ruggles W. Clapp *et al.* Motion to reverse and remand and for leave to withdraw transcript of record denied. Announced by Mr. Chief-Justice Fuller.

No. 266.—Walton Farrar, admr., etc., *et al.*, appts., *vs.* John Churchill, trustee *et al.* Appeal from the C. C. U. S. for the southern district of Mis-

Mississippi. Decree affirmed with costs and interest. Opinion by Mr. Chief-Justice Fuller.

No 603.—John Churchill, trustee, *et al.*, appts., *vs.* Walton Farrar, admr., etc. Appeal from the C. C. U. S. for the southern district of Mississippi. Appeal dismissed for the want of jurisdiction. Opinion by Mr. Chief-Justice Fuller.

No. 315.—James W. Haines, plff. error, *vs.* E. W. McLaughlin *et al.* In error to the C. C. U. S. for the northern district of California. Judgment affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

No. 310.—Wm. Rea *et al.*, appts., *vs.* the steamer *Eclipse*, etc. Appeal from the supreme court of the territory of Dakota. Decree affirmed with costs and cause remanded to the district court of the United States for the district of North Dakota. Opinion by Mr. Chief-Justice Fuller.

No. 314.—George R. Riddle *et al.*, appts., *vs.* Joseph M. Whitehill. Appeal from the C. C. U. S. for the eastern district of Arkansas. Decree reversed with costs and cause remanded with directions to allow the complainants to amend their bill and for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief-Justice Fuller.

No. 296.—The Richelieu & Ontario Navigation Co., plff. in error, *vs.* The Boston Marine Insurance Company. In error to the C. C. U. S. for the eastern district of Michigan. Judgment affirmed with costs. Opinion by Mr. Chief-Justice Fuller.

The Chief-Justice announced the following order :

It is ordered by the court that mandates issue in all cases decided at this term when applied for.

No. 193.—H. J. McMurray *et al.* appts., *vs.* Charles Moran *et al.* Suggestion of death of Jerry Schooling and James Webster, two of appellants herein, and motion for leave to enter the appearance of their administrators submitted by Mr. Horatio C. King, of counsel for appellants.

No. 252.—Sylvester H. Kneeland, appt., *vs.* The American Loan & Trust Co. *et al.*

No. 1537.—Sylvester H. Kneeland, appt., *vs.* George Wm. Ballou, trustee. Motion to stay mandates in these causes and for leave to file petition for rehearing submitted by Mr. R. G. Ingersoll for appellant.

No. 1631.—Luis de Oteiza y Cortez, appt., *vs.* Jno. J. Jacobus, marshal, etc. Motion to advance submitted by Mr. E. R. Olcott in support of motion, and by Mr. Lewis Phillips in opposition.

Ex parte Logan *et al.*, petitioners. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. A. H. Garland for petitioners.

No. 1031.—The late corp'n. of the Church of Jesus Christ of Latter Day Saints *et al.*, appts., *vs.* The United States, and

No. 1054.—George Romney *et al.*, appts., *vs.* The United States. Motion to stay mandate herein submitted by Mr. J. E. McDonald for appellants.

No. 1092.—The Delaware Division Canal Co., plff. in error, *vs.* The Commonwealth of Pa.

No. 1154.—The Lake Shore and Mich. So. Ry. Co., plff. in error, *vs.* The Commonwealth of Pa.

No. 1574.—The Lehigh Valley R. R. Co., plff. in error, *vs.* The Commonwealth of Pa.

No. 1576.—The Del., Lackawanna and Western R. R. Co., plff. in error, *vs.* The Commonwealth of Pa. In error to the supreme court of the State of Penna. Dismissed with costs on motion of Mr. M. E. Olmsted for the plaintiffs in error.

No. 418.—Albert T. Babbitt, plff. in error, *vs.* Parker P. Clark. On motion of Mr. James Lowndes, for defendant in error, order of publication granted.

No. 1169.—The United States, appt., *vs.* Frank Ives. Appeal from the Court of Claims. Dismissed per stipulation on motion of Mr. George A. King for appellee.

No. 430.—Phil Leitch, jr., plff. in error, *vs.* D. W. McLane *et al.* In error to the supreme court of the State of Iowa. Dismissed per stipulation on motion of Mr. Wm. A. McKenney in behalf of counsel.

No. 818.—John P. Davie *et al.*, plffs. in error, *vs.* John A. McCormick, collr., etc. In error to the supreme court of the State of Texas. Dismissed with costs on motion of Mr. Wm. A. McKenney in behalf of counsel.

No. 1478.—M. M. Dodds, appt., *vs.* Joseph Chaffe *et al.*, etc. Appeal from the C. C. U. S. for the eastern dist. of Arkansas. Dismissed on motion of Mr. William A. McKenney in behalf of counsel.

No. 1549.—John Chaffe *et al.*, appts., *vs.* M. M. Dodds. Appealed from the C. C. U. S. for the eastern dist. of Ark. Dismissed on motion of Mr. Wm. A. McKenney in behalf of counsel.

Nos. 1593 and 1594.—Wm. H. Ensign *et al.*, plffs. in error, *vs.* Mills W. Barse *et al.* Wm. H. Ensign *et al.*, plffs. in error, *vs.* John L. McKenney *et al.* In error to the supreme court of the State of New York. Dismissed on motion of Mr. Wm. A. McKenney in behalf of counsel.

Adjourned until to-morrow at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 20, 1890.

Present : The Chief-Justice and all the Associate Justices.

Edgar M. Beach, of Waupun, Wis., was admitted to practice.

No. 1031.—The late Corporation of the Church of Jesus Christ of Latter-day Saints *et al.*, appellants, *vs.* The United States, and

No. 1054.—George Romney *et al.*, appellants, *vs.* The United States. Motion to stay mandate denied. Leave granted to Mr. Joseph E. McDonald, of counsel for appellants, to file motion for leave to file petitions for rehearing.

No. 1631.—Luis de Oteiza y Cortez, appellant, *vs.* John J. Jacobus, marshal, etc., *et al.* Motion to advance granted and cause assigned for argument immediately after the hearing of the Kemmler application for a writ of error.

Ex parte: In the matter of William Kemmler, petitioner. Petition for allowance of writ of error argued by Mr. Roger M. Sherman for the petitioner and by Mr. Charles F. Tabor for the respondent.

No. 1631.—Luis de Oteiza y Cortez, appellant, *vs.* John J. Jacobus, marshal, etc., *et al.* Argued by Mr. Louis S. Phillips for the appellant and Mr. E. R. Olcott for appellees.

Adjourned until Friday next at 12 o'clock.

18837—47

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 23, 1890.

Present: The Chief-Justice and all the Associate Justices.

Hiram R. Steele, of Natchez, Miss., and Chauncey S. Kellogg, of New Orleans, La., were admitted to practice.

No. 1631.—Luis de Oteizay Cortez, appt., *vs.* John W. Jacobus, marshal, etc., *et al.* Appeal from the C. C. U. S. for the southern district of New York. Decree affirmed with costs. Opinion by Mr. Justice Blatchford.

No. 264.—Columbus Thaw, plff. in error, *vs.* Moore S. Falls *et al.*, etc. In error to the supreme court of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Gray.

No. 92.—Bertrand Saloy, plff. in error, *vs.* Simon Bloch. In error to the C. C. U. S. for the eastern district of Louisiana. Judgment reversed with costs and cause remanded with directions to enter judgment for the defendant. Opinion by Mr. Justice Bradley.

Ex parte: In the matter of Eugene Logan *et al.*, petitioners. Motion for leave to file petition for writ of habeas corpus denied. Announced by Mr. Chief-Justice Fuller.

No. 309.—The Board of County Commissioners of Yellowstone County, Mont., appt., *vs.* The Board of County Com'rs of Custer County, Mont. Appeal from the supreme court of the Territory of Montana. Decree affirmed with costs and cause remanded to the supreme court of the State of Montana. Announced by Mr. Chief-Justice Fuller.

No. 13.—Original. *Ex parte*: In the matter of Wm. Kemmler, petitioner. Application for a writ of error denied. Opinion by Mr. Chief-Justice Fuller.

The Chief-Justice announced the following 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.

No. 1493.—Robert S. Hale, plff. in error, *vs.* Gotlieb Scherer, *et al.* Motion to reform judgment, so as to remand the cause to the supreme court of the State of Montana, granted on motion of Mr. W. K. Mendenhall for the defendants in error.

No. 690.—The Chicago, Portage and Superior Railway Co., plff. in error, vs. Sarah R. Angle, admx., etc. In error to the C. C. U. S. for the western district of Wisconsin. Dismissed with costs on motion of Mr. A. H. Garland in behalf of counsel for the plaintiff in error.

No. 1031.—The Late Corporation of the Church of Jesus Christ of Latter Day Saints *et al.*, appts., vs. The United States; and

No. 1054.—George Romney *et al.*, appts., vs. The United States. Decree vacated. Announced by Mr. Justice Bradley.

Adjourned until time and place appointed by law.

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