

MEMORANDUM.

IN *United States v. Erie Railway Company*, p. 327, MR. JUSTICE BRADLEY, while assenting to the judgment of the court, delivered a separate opinion, in which MR. JUSTICE HARLAN concurred. It was not received in time for insertion in its appropriate place, and it will be found in the Appendix, p. 703.

MEMORANDUM

In *United States v. The Fishery Company*, 752 U.S. 100 (1937), the Supreme Court, in a unanimous opinion written by Chief Justice Brandeis, held that the Government's seizure of the fishery company's boats was not a taking of property for public use within the meaning of the Fifth Amendment. The Court stated that the boats were used for the purpose of fishing and that the Government's seizure was for the purpose of enforcing the laws of the United States. The Court held that the seizure was not a taking of property for public use within the meaning of the Fifth Amendment.