

## TABLE OF CONTENTS.

### TABLE OF CASES REPORTED.

|                                                                              | PAGE |
|------------------------------------------------------------------------------|------|
| Abbott, Worthington <i>v.</i> . . . . .                                      | 434  |
| Ætna Life Insurance Company <i>v.</i> Belmont . . . . .                      | 551  |
| Ætna Life Insurance Company <i>v.</i> Middleport . . . . .                   | 534  |
| Ætna Life Insurance Company <i>v.</i> Milford . . . . .                      | 551  |
| Alabama, Smith <i>v.</i> . . . . .                                           | 465  |
| Andrews <i>v.</i> Cone . . . . .                                             | 720  |
| Andrews <i>v.</i> Hovey . . . . .                                            | 694  |
| Attorney General, Great Falls Manufacturing Com-<br>pany <i>v.</i> . . . . . | 581  |
|                                                                              |      |
| Baker <i>v.</i> Power . . . . .                                              | 167  |
| Baltimore and Ohio Railroad Company <i>v.</i> Burns . . . . .                | 165  |
| Barnes, Vetterlein <i>v.</i> . . . . .                                       | 169  |
| Beard <i>v.</i> Porter . . . . .                                             | 437  |
| Beard, Porter <i>v.</i> . . . . .                                            | 429  |
| Beeson <i>v.</i> Johns . . . . .                                             | 56   |
| Belmont, Ætna Life Insurance Company <i>v.</i> . . . . .                     | 551  |
| Benjamin, Roberts <i>v.</i> . . . . .                                        | 64   |
| Bissell <i>v.</i> Spring Valley Township . . . . .                           | 225  |
| Bloxham, Shoecraft <i>v.</i> . . . . .                                       | 730  |
| Bond, United States <i>v.</i> . . . . .                                      | 301  |
| Boyd <i>v.</i> Wyly . . . . .                                                | 98   |
| Brazee <i>v.</i> Schofield . . . . .                                         | 495  |
| Brooks <i>v.</i> Missouri . . . . .                                          | 394  |
| Brown, Florence Mining Company <i>v.</i> . . . . .                           | 385  |
| Brown <i>v.</i> Hazzard . . . . .                                            | 493  |
| Brown <i>v.</i> McConnell . . . . .                                          | 489  |
| Brown <i>v.</i> Ranck . . . . .                                              | 493  |
| Burns, Baltimore and Ohio Railroad Company <i>v.</i> . . . . .               | 165  |
| Butler <i>v.</i> Coleman . . . . .                                           | 721  |

## Table of Cases.

|                                                                               | PAGE |
|-------------------------------------------------------------------------------|------|
| Chapin <i>v.</i> Streeter . . . . .                                           | 360  |
| Childers, Widdicombe <i>v.</i> . . . .                                        | 400  |
| Coleman, Butler <i>v.</i> . . . .                                             | 721  |
| Cone, Andrews <i>v.</i> . . . .                                               | 720  |
| Craft, <i>In re</i> . . . . .                                                 | 370  |
| Crawford <i>v.</i> Halsey . . . . .                                           | 648  |
| Demmon, Pacific National Bank <i>v.</i> . . . .                               | 721  |
| District of Columbia <i>v.</i> Gallaher . . . . .                             | 505  |
| District of Columbia <i>v.</i> McBlair . . . . .                              | 320  |
| Dodge, State National Bank of Springfield <i>v.</i> . . . .                   | 333  |
| Dow <i>v.</i> Memphis and Little Rock Railroad Company . . . . .              | 652  |
| Dreyfus <i>v.</i> Searle . . . . .                                            | 60   |
| Dryfoos <i>v.</i> Wiese . . . . .                                             | 32   |
| Dull, Union Railroad Company <i>v.</i> . . . .                                | 173  |
| Dundee Mortgage and Trust Investment Company <i>v.</i><br>Hughes . . . . .    | 157  |
| Fant, Glen <i>v.</i> . . . .                                                  | 123  |
| Fayolle <i>v.</i> Texas and Pacific Railroad Company . . . . .                | 519  |
| Florence Mining Company <i>v.</i> Brown . . . . .                             | 385  |
| Floyd, Lawson <i>v.</i> . . . .                                               | 108  |
| French <i>v.</i> Hopkins . . . . .                                            | 524  |
| Frerichs, United States <i>v.</i> . . . .                                     | 315  |
| Gallaher, District of Columbia <i>v.</i> . . . .                              | 505  |
| Gleeson, United States <i>v.</i> . . . .                                      | 255  |
| Glen <i>v.</i> Fant . . . . .                                                 | 123  |
| Great Falls Manufacturing Company <i>v.</i> The Attorney<br>General . . . . . | 581  |
| Gumbel <i>v.</i> Pitkin . . . . .                                             | 131  |
| Hall, Inland and Seaboard Coasting Company <i>v.</i> . . . .                  | 121  |
| Hall, Western Union Telegraph Company <i>v.</i> . . . .                       | 444  |
| Halsey, Crawford <i>v.</i> . . . .                                            | 648  |
| Hamburg-American Steam Packet Company, Hoboken <i>v.</i> . . . .              | 656  |
| Hamilton, Lawther <i>v.</i> . . . .                                           | 1    |
| Hazzard, Brown <i>v.</i> . . . .                                              | 493  |

## TABLE OF CONTENTS.

vii

## Table of Cases.

|                                                                                   | PAGE |
|-----------------------------------------------------------------------------------|------|
| Hedden, Kelly <i>v.</i> . . . . .                                                 | 196  |
| Hendee, United States <i>v.</i> . . . . .                                         | 309  |
| Hess, United States <i>v.</i> . . . . .                                           | 483  |
| Hinchman <i>v.</i> Lincoln . . . . .                                              | 38   |
| Hoadley's Administrators <i>v.</i> San Francisco . . . . .                        | 639  |
| Hoboken <i>v.</i> Hamburg-American Steam Packet Company . . . . .                 | 656  |
| Hoboken <i>v.</i> North German Lloyd Steamship Com-<br>pany . . . . .             | 656  |
| Hoboken <i>v.</i> Pennsylvania Railroad Company . . . . .                         | 656  |
| Hoboken <i>v.</i> Schmidt . . . . .                                               | 656  |
| Hood, Norton <i>v.</i> . . . . .                                                  | 20   |
| Hopkins, French <i>v.</i> . . . . .                                               | 524  |
| Hopkins <i>v.</i> Orr . . . . .                                                   | 510  |
| Hovey, Andrews <i>v.</i> . . . . .                                                | 694  |
| Hughes, Dundee Mortgage and Trust Investment Com-<br>pany <i>v.</i> . . . . .     | 157  |
| Humiston <i>v.</i> Wood . . . . .                                                 | 12   |
| Inland and Seaboard Coasting Company <i>v.</i> Hall . . . . .                     | 121  |
| <i>In re</i> Craft . . . . .                                                      | 370  |
| <i>In re</i> Sawyer and others . . . . .                                          | 200  |
| <i>In re</i> Sherman . . . . .                                                    | 364  |
| Ironclad Manufacturing Company, Matthews <i>v.</i> . . . .                        | 347  |
| Iron Silver Mining Company <i>v.</i> Reynolds . . . . .                           | 374  |
| Jacksonville, Pensacola and Mobile Railroad Company,<br>Trask <i>v.</i> . . . . . | 515  |
| Johns, Beeson <i>v.</i> . . . . .                                                 | 56   |
| Johnston, United States <i>v.</i> . . . . .                                       | 236  |
| Jung Ah Lung, United States <i>v.</i> . . . . .                                   | 621  |
| Kelly <i>v.</i> Hedden . . . . .                                                  | 196  |
| King Iron Bridge and Manufacturing Company <i>v.</i> Otoe<br>County . . . . .     | 459  |
| Knight <i>v.</i> Paxton . . . . .                                                 | 552  |
| Langdon <i>v.</i> Sherwood . . . . .                                              | 74   |
| Lawson <i>v.</i> Floyd . . . . .                                                  | 108  |

## Table of Cases.

|                                                                                       | PAGE |
|---------------------------------------------------------------------------------------|------|
| Lawther <i>v.</i> Hamilton . . . . .                                                  | 1    |
| Lincoln, Hinchman <i>v.</i> . . . .                                                   | 38   |
| McBlair, District of Columbia <i>v.</i> . . . .                                       | 320  |
| McConnell, Brown <i>v.</i> . . . .                                                    | 489  |
| Mackall, Richards <i>v.</i> . . . .                                                   | 183  |
| Marshall <i>v.</i> United States . . . . .                                            | 391  |
| Masterson, Stewart <i>v.</i> . . . .                                                  | 493  |
| Matthews <i>v.</i> Ironclad Manufacturing Company . . .                               | 347  |
| Maverick, Sabariego <i>v.</i> . . . .                                                 | 261  |
| Mayor, Aldermen, and Commonalty of the City of New<br>York <i>v.</i> Munson . . . . . | 601  |
| Mayor, Aldermen, and Commonalty of the City of New<br>York, Munson <i>v.</i> . . . .  | 601  |
| Memphis and Little Rock Railroad Company, Dow <i>v.</i> .                             | 652  |
| Middleport, Ætna Life Insurance Company <i>v.</i> . . .                               | 534  |
| Milford, Ætna Life Insurance Company <i>v.</i> . . . .                                | 551  |
| Missionary Society of the Methodist Episcopal Church,<br>Woodman <i>v.</i> . . . .    | 161  |
| Missouri, Brooks <i>v.</i> . . . .                                                    | 394  |
| Mixer, Pacific National Bank <i>v.</i> . . . .                                        | 721  |
| Morant, United States <i>v.</i> . . . .                                               | 647  |
| Mouat, United States <i>v.</i> . . . .                                                | 303  |
| Mound City Land and Water Association, Phillips <i>v.</i> .                           | 605  |
| Munson <i>v.</i> Mayor, Aldermen, and Commonalty of the<br>City of New York . . . . . | 601  |
| Munson, Mayor, Aldermen, and Commonalty of the City<br>of New York <i>v.</i> . . . .  | 601  |
| New Orleans Pacific Railway Company <i>v.</i> United<br>States . . . . .              | 124  |
| North German Lloyd Steamship Company, Hoboken <i>v.</i> .                             | 656  |
| Norton <i>v.</i> Hood . . . . .                                                       | 20   |
| Orr, Hopkins <i>v.</i> . . . .                                                        | 510  |
| Otoe County, King Iron Bridge and Manufacturing Com-<br>pany <i>v.</i> . . . .        | 459  |

## TABLE OF CONTENTS.

ix

## Table of Cases.

|                                                            | PAGE    |
|------------------------------------------------------------|---------|
| Pacific National Bank <i>v.</i> Demmon . . . . .           | 721     |
| Pacific National Bank <i>v.</i> Mixter . . . . .           | 721     |
| Pacific National Bank <i>v.</i> Whitney . . . . .          | 721     |
| Paxton, Knight <i>v.</i> . . . . .                         | 552     |
| Pennsylvania Railroad Company, Hoboken <i>v.</i> . . . .   | 656     |
| Phillips <i>v.</i> Mound City Land and Water Association . | 605     |
| Pitkin, Gumbel <i>v.</i> . . . . .                         | 131     |
| Porter <i>v.</i> Beard . . . . .                           | 429     |
| Porter, Beard <i>v.</i> . . . . .                          | 437     |
| Power, Baker <i>v.</i> . . . . .                           | 167     |
| <br>Ranck, Brown <i>v.</i> . . . . .                       | <br>493 |
| Reynolds, Iron Silver Mining Company <i>v.</i> . . . .     | 374     |
| Richards <i>v.</i> Mackall . . . . .                       | 183     |
| Roberts <i>v.</i> Benjamin . . . . .                       | 64      |
| Robertson, Whitney <i>v.</i> . . . . .                     | 190     |
| <br>Sabariego <i>v.</i> Maverick . . . . .                 | <br>261 |
| San Francisco, Hoadley's Administrators <i>v.</i> . . . .  | 639     |
| Sawyer and others, <i>In re</i> . . . . .                  | 200     |
| Schiff, Shields <i>v.</i> . . . . .                        | 351     |
| Schmidt, Hoboken <i>v.</i> . . . . .                       | 656     |
| Schofield, Brazee <i>v.</i> . . . . .                      | 495     |
| School District No. 2, Searl <i>v.</i> . . . . .           | 197     |
| Schreiber, Thornton <i>v.</i> . . . . .                    | 612     |
| Searl <i>v.</i> School District No. 2 . . . . .            | 197     |
| Searle, Dreyfus <i>v.</i> . . . . .                        | 60      |
| Sherman, <i>In re</i> . . . . .                            | 364     |
| Sherwood, Langdon <i>v.</i> . . . . .                      | 74      |
| Shields <i>v.</i> Schiff . . . . .                         | 351     |
| Shoecraft <i>v.</i> Bloxham . . . . .                      | 730     |
| Smith <i>v.</i> Alabama . . . . .                          | 465     |
| Smith, Union Insurance Company <i>v.</i> . . . . .         | 405     |
| Smith, United States <i>v.</i> . . . . .                   | 525     |
| Spring Valley Township, Bissell <i>v.</i> . . . . .        | 225     |
| State National Bank of Springfield <i>v.</i> Dodge . . . . | 333     |
| Stewart <i>v.</i> Masterson . . . . .                      | 493     |

## TABLE OF CONTENTS.

| Table of Cases.                                                            |  | PAGE |
|----------------------------------------------------------------------------|--|------|
| Strathairly, The . . . . .                                                 |  | 558  |
| Streeter, Chapin v. . . . .                                                |  | 360  |
| <br>Texas and Pacific Railroad Company, Fayolle v. . . . .                 |  | 519  |
| The Strathairly . . . . .                                                  |  | 558  |
| Thornton v. Schreiber . . . . .                                            |  | 612  |
| Trask v. Jacksonville, Pensacola, and Mobile Railroad<br>Company . . . . . |  | 515  |
| <br>Union Insurance Company v. Smith . . . . .                             |  | 405  |
| Union Mutual Life Insurance Company v. Waters . . . . .                    |  | 369  |
| Union Railroad Company v. Dull . . . . .                                   |  | 173  |
| United States v. Bond . . . . .                                            |  | 301  |
| United States v. Frerichs . . . . .                                        |  | 315  |
| United States v. Gleeson . . . . .                                         |  | 255  |
| United States v. Hendee . . . . .                                          |  | 309  |
| United States v. Hess . . . . .                                            |  | 483  |
| United States v. Johnston . . . . .                                        |  | 236  |
| United States v. Jung Ah Lung . . . . .                                    |  | 621  |
| United States, Marshall v. . . . .                                         |  | 391  |
| United States v. Morant . . . . .                                          |  | 647  |
| United States v. Mouat . . . . .                                           |  | 303  |
| United States, New Orleans Pacific Railway Company v. . . . .              |  | 124  |
| United States v. Smith . . . . .                                           |  | 525  |
| United States <i>ex rel.</i> McLean v. Vilas . . . . .                     |  | 86   |
| <br>Vetterlein v. Barnes . . . . .                                         |  | 169  |
| Vilas, United States <i>ex rel.</i> McLean v. . . . .                      |  | 86   |
| <br>Waters, Union Mutual Life Insurance Company v. . . . .                 |  | 369  |
| Western Union Telegraph Company v. Hall . . . . .                          |  | 444  |
| Whitney, Pacific National Bank v. . . . .                                  |  | 721  |
| Whitney v. Robertson . . . . .                                             |  | 190  |
| Widdicombe v. Childers . . . . .                                           |  | 400  |
| Wiese, Dryfoos v. . . . .                                                  |  | 32   |
| Wood, Humiston v. . . . .                                                  |  | 12   |

# TABLE OF CONTENTS.

xi

## Appendix.

|                                                                                  | PAGE |
|----------------------------------------------------------------------------------|------|
| Woodman <i>v.</i> Missionary Society of the Methodist Episcopal Church . . . . . | 161  |
| Worthington <i>v.</i> Abbott . . . . .                                           | 434  |
| Wyly, Boyd <i>v.</i> . . . . .                                                   | 98   |

---

|                                               |      |
|-----------------------------------------------|------|
| APPENDIX . . . . .                            | 737  |
| I. Assignments to Circuits . . . . .          | 737  |
| II. Appointment of Marshal . . . . .          | 739  |
| INDEX . . . . .                               | 741  |
| TABLE OF CASES CITED IN OPINIONS . . . . .    | xiii |
| TABLE OF STATUTES CITED IN OPINIONS . . . . . | xxi  |

