

Decisions announced without Opinions.

DECISIONS ANNOUNCED WITHOUT OPINIONS  
DURING THE TIME COVERED BY THIS VOL-  
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No. 13. *VALK v. UNITED STATES*. Appeal from the Court of Claims. Submitted October 12, 1897. Decided October 18, 1897. *Per Curiam*. Judgment affirmed on the authority of *Marks v. United States*, 161 U. S. 297, and *Leighton v. United States*, 161 U. S. 291. *Mr. John C. Chaney* for appellant. *Mr. Attorney General* and *Mr. Assistant Attorney General Thompson* for appellee.

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No. 270. *THORP v. BONNIFIELD*. Certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Submitted May 24, 1897. Decided October 18, 1897. *Per Curiam*. The question whether the United States Circuit Court of Appeals for the Ninth Circuit has jurisdiction of this case answered in the negative on the authority of *Aztec Mining Company v. Ripley*, 151 U. S. 79, and *Steamer Coquiltam v. United States*, 163 U. S. 346. *Mr. John M. Thurston* for plaintiff in error. *Mr. E. S. Pillsbury* for defendants in error.

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No. 58. *KETTENRING v. UNITED STATES*. Error to the Circuit Court of the United States for the Western District of Arkansas. Submitted October 20, 1897. Decided October 25, 1897. Judgment reversed upon confession of error by counsel for the defendant in error and cause remanded for further proceedings in conformity to law. *Mr. William M. Cravens* for plaintiffs in error. *Mr. Attorney General* and *Mr. Assistant Attorney General Boyd* for defendant in error.

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No. 52. *DEFER v. DE MAY*. Error to the Supreme Court of the State of Michigan. Argued and submitted October

## Decisions announced without Opinions.

20, 1897. Decided October 25, 1897. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Burlington, Cedar Rapids &c. Railway v. Simmons*, 123 U. S. 52; *McGourkey v. Toledo & Ohio Central Railway*, 146 U. S. 536, and cases cited. *Mr. George William Moore* for plaintiff in error. *Mr. George Gartner* for defendants in error.

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No. 148. *GRAFTON, EXECUTRIX, v. PAINE*. Appeal from the Court of Appeals of the District of Columbia. Submitted October 25, 1897. Decided November 1, 1897. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Davis v. Crouch*, 94 U. S. 514; *Lodge v. Twell*, 135 U. S. 232; and *McGourkey v. Toledo and Ohio Central Railway*, 146 U. S. 536. *Mr. Walter D. Davidge* and *Mr. C. A. Brandenburg* for motion to dismiss. *Mr. J. M. Wilson* and *Mr. L. E. Payson* opposing.

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No. 253. *CHARLESTON & SOUTH SIDE BRIDGE COMPANY v. STATE OF WEST VIRGINIA*. Error to the Supreme Court of Appeals of the State of West Virginia. Submitted October 25, 1897. Decided November 1, 1897. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Morrison v. Watson*, 154 U. S. 111; *Miller v. Cornwall Railroad Company*, 168 U. S. 131, and cases cited. *Mr. W. S. Laidley* for motion to dismiss. *Mr. Malcolm Jackson* opposing.

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No. 60. *REAVES v. OLIVER*. Error to and appeal from the Supreme Court of the Territory of Oklahoma. Submitted October 27, 1897. Decided November 1, 1897. *Per Curiam*. The order or decree sought to be reviewed was not final but interlocutory, and the writ of error and the appeal must be dismissed. Acts September 24, 1789, c. 20, §§ 13, 22, 1 Stat. 81, 84; March 3, 1803, c. 40, 2 Stat. 244; Rev. Stat. §§ 691, 692; Act March 3, 1891, c. 517, 26 Stat. 826; *Forgay v. Conrad*, 6 How. 201, 205; *McLish v. Roff*, 141 U. S. 661; *American Construction Co. v. Jacksonville, Tampa &c. Railway*, 148

## Decisions announced without Opinions.

U. S. 372, 378; *Smith v. Vulcan Iron Works*, 165 U. S. 518, 524. *Mr. Frank B. Crosthwaite* for plaintiff in error and appellant.

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No. 61. SOUTHERN EXPRESS COMPANY *v.* VIRGINIA EX REL. BUFORD; No. 62. SOUTHERN EXPRESS COMPANY *v.* VIRGINIA EX REL. PENDLETON; No. 63. SOUTHERN EXPRESS COMPANY *v.* VIRGINIA EX REL. MCCOLGAN; No. 64. SOUTHERN EXPRESS COMPANY *v.* VIRGINIA EX REL. MCGAVOCK; and No. 65. SOUTHERN EXPRESS COMPANY *v.* VIRGINIA EX REL. WALKER. Error to the Supreme Court of Appeals of the State of Virginia. Argued October 27, 1897. Decided November 1, 1897. *Per Curiam*. Judgments affirmed with costs and interest on the authority of *Chicago and Grand Trunk Railway Company v. Wellman*, 143 U. S. 339. *Mr. F. S. Blair* for plaintiffs in error. *Mr. James A. Walker* for defendants in error and *Mr. J. J. A. Powell* for defendants in error in Nos. 63 and 64.

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No. 370. BALDWIN, GUARDIAN, *v.* COUNTY COMMISSIONERS OF WASHINGTON COUNTY. Error to the Court of Appeals of the State of Maryland. Submitted November 1, 1897. Decided November 8, 1897. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Oxley Stave Company v. Butler County*, 166 U. S. 648; *Eustis v. Bolles*, 150 U. S. 361, and cases cited. *Mr. Henry Kyd Douglas* for motion to dismiss. *Mr. Charles A. Boston* opposing.

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No. 429. DURRANT *v.* HALE, WARDEN. Appeal from the Circuit Court of the United States for the Northern District of California. Submitted November 1, 1897. Decided November 8, 1897. *Per Curiam*. Final order affirmed, with costs, on the authority of *Hurtado v. California*, 110 U. S. 516; *Nordstrom v. Washington*, 164 U. S. 705; *Craemer v. Washington*, 168 U. S. 124. *Mr. William F. Fitzgerald* and *Mr. T. C. Catchings* for motions to dismiss or affirm. *Mr. A. L. Hart* and *Mr. F. P. Dewees* opposing.

## Decisions announced without Opinions.

No. 92. HOUSTON AND TEXAS CENTRAL RAILROAD COMPANY *v.* BOWLES, and No. 284. HOUSTON AND TEXAS CENTRAL RAILROAD COMPANY *v.* STRYCHARSKI. Error to the Supreme Court of the State of Texas. Argued and submitted November 4, 1897. Decided November 8, 1897. *Per Curiam*. Judgments affirmed with costs and interest on the authority of *Pennsylvania Railroad v. Jones*, 155 U. S. 333, 350; *Railroad Company v. Brown*, 17 Wall. 445, 450; *Texas & Pacific Railway v. Johnson*, 151 U. S. 81; *Texas & Pacific Railway v. Bloom's Administrator*, 164 U. S. 636. *Mr. R. S. Lovett* and *Mr. Maxwell Evarts* for plaintiffs in error. *Mr. H. M. Garwood* for defendants in error in No. 92. *Mr. Presley K. Ewing* and *Mr. H. F. Ring* for defendants in error in No. 284.

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No. 111. SCHOFIELD, RECEIVER, *v.* FOLSOM. Error to the Supreme Court of the Territory of New Mexico. Argued November 9, 1897. Decided November 15, 1897. Dismissed for the want of jurisdiction on the authority of *Gregory Consolidated Mining Company v. Starr*, 141 U. S. 222. *Mr. W. B. Childers* for plaintiff in error. *Mr. Neill B. Field* and *Mr. Frank W. Clancy* for defendant in error.

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No. 96. BEARDSLEY *v.* BROOM, ADMINISTRATRIX. Appeal from the Supreme Court of the Territory of Utah. Argued November 8, 1897. Decided November 29, 1897. Decree affirmed with costs by a divided court and cause remanded to the Supreme Court of the State of Utah. *Mr. Charles C. Dey* and *Mr. Ogden Hiles* for the appellant. *Mr. E. M. Allison, Jr.*, and *Mr. James N. Kimball* for the appellee.

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No. 467. UNION STREET RAILWAY COMPANY OF SAGINAW, MICHIGAN, *v.* SNOW. Error to the Supreme Court of the State of Michigan. Motions to dismiss or affirm submitted November 15, 1897. Decided December 6, 1897. *Per Curiam*. Dismissed for want of jurisdiction on the authority of *Hen-*

## Decisions announced without Opinions.

*derson Bridge Company v. Henderson City*, 141 U. S. 679; *Lehigh Water Company v. Easton*, 121 U. S. 388; *Sioux City Street Railway Company v. Sioux City*, 138 U. S. 98; *New Orleans City and Lake Railroad Company v. Louisiana*, 157 U. S. 219. *Mr. George W. Weadock* in support of motions.

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No. 128. *NOYES v. SILVER QUEEN MINING COMPANY*. Certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Submitted December 1, 1897. Decided December 6, 1897. Question answered in the negative on the authority of *Thorp v. Bonnifield*, 168 U. S. 703, and cases cited. *Mr. W. H. Doolittle* for Noyes. *Mr. John H. Miller* for the Mining Company.

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No. 95. *BACON v. STEAMER POCONOKET*. Certiorari to the United States Circuit Court of Appeals for the Third Circuit. Argued November 3 and 4, 1897. Decided December 13, 1897. Decree affirmed with costs by a divided court and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. *Mr. Theodore Bacon* for the appellant. *Mr. Henry Flanders* and *Mr. E. F. Pugh* for the appellees.

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No. 501. *EBANKS v. HALE, WARDEN*. Appeal from the District Court of the United States for the Northern District of California. Motions to dismiss or affirm submitted December 13, 1897. Decided December 20, 1897. *Per Curiam*. Order affirmed with costs on the authority of *Durrant v. Hale, &c., Warden*, 168 U. S. 705. *Mr. T. C. Catchings*, *Mr. W. F. Fitzgerald* and *Mr. W. H. Anderson* in support of motions.

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No. 146. *MISSOURI, KANSAS AND TEXAS RAILWAY COMPANY v. FULLER, ASSIGNEE*. Error to the United States Circuit Court of Appeals for the Eighth Circuit. Argued December 8, 1897. Decided January 3, 1898. Judgment affirmed with

Decisions announced without Opinions.

costs by a divided court and cause remanded to the United States Court in the Indian Territory. *Mr. George P. B. Jackson* and *Mr. James Hagerman* for the plaintiff in error. *Mr. Harrison O. Shepard* for the defendant in error.

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*Decisions on Petitions for Writs of Certiorari.*

No. 371. *PICKHAM v. WHEELER-BLISS MANUFACTURING COMPANY*. Seventh Circuit. Denied October 18, 1897. *Mr. Allan C. Story* for petitioner. *Mr. James M. Flower, Mr. Frank J. Smith* and *Mr. Harrison Musgrave* opposing.

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No. 374. *KING v. WILLIAMSON*. Fourth Circuit. Granted October 18, 1897. *Mr. Maynard F. Stiles* for petitioner.

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No. 380. *AMERICAN GROCERY COMPANY v. GODILLOT*. Third Circuit. Denied October 18, 1897. *Mr. W. H. Van Steenberg* for petitioner. *Mr. H. Aplington* opposing.

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No. 382. *NATIONAL ACCIDENT SOCIETY v. SPIRO*. Sixth Circuit. Denied October 18, 1897. *Mr. H. D. McBurney* for petitioner. *Mr. Henry H. Ingersoll* opposing.

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No. 408. *CONTINENTAL TRUST COMPANY OF NEW YORK, TRUSTEE, v. AMERICAN SURETY COMPANY*. Seventh Circuit. Denied October 18, 1897. *Mr. Willard Parker Butler* and *Mr. A. H. Snow* for petitioner. *Mr. Bluford Wilson* opposing.

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No. 468. *NEELY v. NEWMAN*. Fifth Circuit. Denied October 18, 1897. *Mr. W. A. Gunter* and *Mr. Thomas H. Clark* for petitioner. *Mr. J. D. Rouse* and *Mr. William Grant* opposing.