

TRAVIS *v.* UNITED STATES.

APPEAL FROM THE COURT OF CLAIMS.

No. 84. Argued December 7, 8, 1904.—Decided January 9, 1905.

Slavens v. United States, p. 229, *ante*, followed.

THE facts are stated in the opinion.

Mr. A. A. Hoehling, Jr., for appellant.

Mr. Special Attorney Joseph Stewart, with whom Mr. Assistant Attorney General Pradt was on the brief, for the United States.

MR. JUSTICE DAY delivered the opinion of the court.

This case was argued with *Slavens v. United States*, No. 228, just decided. It involves the same question as to the right of the Postmaster General to terminate a mail contract. The Court of Claims dismissed the petition. 38 C. Cl. 590. For the reasons stated in the opinion in the *Slavens* case, the judgment of the Court of Claims is

Affirmed.

MADISONVILLE TRACTION COMPANY *v.* SAINT
BERNARD MINING COMPANY.

APPEAL FROM THE CIRCUIT COURT OF THE UNITED STATES FOR
THE WESTERN DISTRICT OF KENTUCKY.

No. 362. Submitted November 28, 1904.—Decided January 16, 1905.

In regard to the removal of cases the following principles have been settled:
If the case be a removable one, that is, if the suit, in its nature, be one of
which the Circuit Court could rightfully take jurisdiction, then