

# TABLE OF CASES

## CITED IN OPINIONS.

	PAGE		PAGE
Abbott <i>et ux.</i> v. Essex Co., 18 How. 202	571	Baldwin v. Franks, 120 U. S. 678	455
Acers v. Snyder, 8 Okla. 659	635	Baltimore & Potomac R. R. Co. v. Mackey, 157 U. S. 72	227
Adams v. Norris, 23 How. 353	43	Banholzer v. New York Life Ins. Co., 178 U. S. 402	465
Addyston Pipe & Steel Co. v. United States, 175 U. S. 211	400	Bank of the Republic v. Millard, 10 Wall. 152	301, 309
Ah How v. United States, 193 U. S. 65	636	Bank of United States v. Dev-eaux, 5 Cr. 61	586
Aikens v. Wisconsin, 195 U. S. 194	396	Bank Tax Case, 2 Wall. 200	626
Alleghany Co. v. Allen, 69 N. J. L. 270	460	Barclay v. Barclay, 184 Ill. 375	73
Allen v. Pullman Co., 191 U. S. 171	397	Barnard v. Kellogg, 10 Wall. 383	166
American Coal Co. v. Alleghany Co. Comrs., 59 Md. 185	472, 474	Bartlett v. Teah, 1 McCrary, 176	50
American Express Co. v. Iowa, 196 U. S. 133	148	Belk v. Meagher, 104 U. S. 279	124, 346
American File Co. v. Garrett, 110 U. S. 288	119	Bell County v. Alexander, 22 Tex. 350	569
American Steel & Wire Co. v. Speed, 192 U. S. 500	146, 399	Bell's Gap R. R. Co. v. Pennsylvania, 134 U. S. 232	274, 609
American Sugar Refining Co. v. Louisiana, 179 U. S. 89	274	Benjamin v. New Orleans, 169 U. S. 161	637
American Sugar Refining Co. v. New Orleans, 181 U. S. 277	636	Benson v. Railway Co., 75 Minn. 163	16
Anderson v. United States, 171 U. S. 604	397	Bevins v. Ramsey, 11 How. 185	100
Ansbro v. United States, 159 U. S. 695	132	Biggins v. People, 106 Ill. 270	83
Arkansas v. Schlierholz, 179 U. S. 598	91	Billings v. People, 189 Ill. 472	496
Arrowsmith v. Gleason, 129 U. S. 86	423	Binns v. United States, 194 U. S. 486	19
Asher v. Sekofsky, 10 Wash. 379	96	Blackstone v. Miller, 188 U. S. 189	620
Audubon v. Shufelt, 181 U. S. 575	71, 72, 74, 75, 77	Blake v. Doherty, 5 Wheat. 358	578
Austin v. Tennessee, 179 U. S. 343	269, 271, 275	Blake v. United States, 103 U. S. 227	174
Ayres v. Polsdorfer, 187 U. S. 585	637	Blythe v. Hinckley, 180 U. S. 333	637
Bache v. Hunt, 193 U. S. 523	91	Board of Assessors v. Comptoir National, 191 U. S. 388	620
Back v. Sierra Nevada Mining Co., 2 Idaho, 386	359	Board of Supervisors of Riverside County v. Thompson, 122 Fed. Rep. 860	637
Bailey v. Clark, 21 Wall. 284	21, 77	Bodie Tunnel & Co. v. Bechtel Mining Co., 1 L. D. 594	359
Baker v. Butte City Water Co., 28 Mont. 222	122	Bohall v. Dilla, 114 U. S. 47	406
		Boom Co. v. Patterson, 98 U. S. 403	247, 248, 249, 250, 259, 260
		Boston Woven Hose Co. v. Kendall, 178 Mass. 232	226

	PAGE		PAGE
Bourne <i>v.</i> Seymour, 16 C. B.	337	Chicago, Burlington & Q. R. R.	
Bowen <i>v.</i> Evans, 2 H. L. Cas.	257	<i>Co. v.</i> Chicago, 166 U. S.	226
	424		87, 252
Bowman <i>v.</i> Chicago & N. W. Ry.	141	Chicago, Indianapolis & c. Ry.	
<i>Co.</i> , 125 U. S.	465	<i>Co. v.</i> McGuire, 31 Ind. App.	130
Boynton <i>v.</i> Ball, 121 U. S.	457		110
Brawley <i>v.</i> United States, 96	168	Chicago, Milwaukee & c. Ry. Co.	
U. S.	168	<i>v.</i> Solan, 169 U. S.	133
Brewster <i>v.</i> Shoemaker, 28 Colo.	176	Chicago, Milwaukee & c. Ry. Co.	
	348	<i>v.</i> Voelker, 129 Fed. Rep.	522
Bridge Proprietors <i>v.</i> Hoboken	133	Chicago, Rock Island & c. Ry.	
<i>Co.</i> , 1 Wall.	116	<i>Co. v.</i> McGlinn, 114 U. S.	542
Bristol <i>v.</i> Washington County,	620, 632	Chin Bak Kan <i>v.</i> United States,	635
177 U. S.	133	186 U. S.	193
Brown <i>v.</i> Marion Nat. Bank, 169	118	Choctaw, Oklahoma & c. R. R. <i>v.</i>	
U. S.	416	McDade, 191 U. S.	64
Brown <i>v.</i> Maryland, 12 Wheat.	419	City of Sonora <i>v.</i> Curtin, 137 Cal.	583
	269, 270		559, 560, 361
Brown Shoe Co. <i>v.</i> Hunt, 103	281	City of Cincinnati <i>v.</i> Fleisher,	
Iowa, 586	281	Adm'r, 63 Ohio St.	229
Browne <i>v.</i> Turner, 176 Mass.	9	City of Guthrie <i>v.</i> Beamer, 3	538
Burlington & c. Ry. Co. <i>v.</i> Dunn,	245	Okla. 652	
122 U. S.	513	City of Guthrie <i>v.</i> Oklahoma, 1	537
Butte City Water Co. <i>v.</i> Baker,	346	Okla. 188	
196 U. S.	191	City of Springfield <i>v.</i> Springfield	552
Cabot <i>v.</i> Winsor, 1 Allen, 546	325	St. Ry., 182 Mass.	41
Calder <i>v.</i> Ball, 3 Dall.	386	City of Scranton <i>v.</i> Callerson, 94	156
Caldwell <i>v.</i> North Carolina, 187	144	Pa. St. 202	
U. S.	622	City of Worcester <i>v.</i> Worcester	
Calhoun Mining Co. <i>v.</i> Ajax Min-	353	Consolidated St. Ry. Co., 182	552
ing Co., 182 U. S.	499	Mass. 49	539, 552
Capital City Dairy Co. <i>v.</i> Ohio,	86	Clapp <i>v.</i> Mason, 94 U. S.	589
183 U. S.	238	Clark Distilling Co. <i>v.</i> Cumber-	478
Carib Prince, The, 170 U. S.	595	land, 95 Md.	468
Carson <i>v.</i> Hyatt, 118 U. S.	245	Clarke <i>v.</i> McDade, 165 U. S.	168
Carstairs <i>v.</i> Cochran, 193 U. S.	10	Clarke <i>v.</i> Turton, 11 Ves. Jr.	240
Cedar Canyon Mining Co. <i>v.</i>	350	Pet. 319	41
Yarwood, 27 Wash.	271	Clipper Mining Co. <i>v.</i> Eli Mining	
Central Land Co. <i>v.</i> Laidley, 159	83, 638	& Land Co., 194 U. S.	220
U. S.	103	Coe <i>v.</i> Errol, 116 U. S.	517
Central of Georgia Ry. Co. <i>v.</i>	202	Cole <i>v.</i> La Grange, 113 U. S.	1
Murphey, 113 Ga.	514; S. C.,		252, 260
116 Ga.	863	Coleman <i>v.</i> Dobbins, 8 Ind.	156
Central Pacific R. R. Co. <i>v.</i>	578	Colorado Midland Ry. Co. <i>v.</i>	
Nevada, 162 U. S.	512	Jones, 29 Fed. Rep.	193
Central Railroad Co. <i>v.</i> Avant,	202	Colorado Mining Co. <i>v.</i> Turck,	637
80 Ga.	195	150 U. S.	138
Chandler <i>v.</i> Dix, 194 U. S.	590	Columbia Fire Ins. Co. <i>v.</i> Ken-	465
	258, 259	yon, 37 N. J. L.	33
Charles <i>v.</i> Clagett, 3 Md.	82	Columbia Water Power Co. <i>v.</i>	
Charter Gas Engine Co. <i>v.</i> Char-	317	Columbia St. Ry. & c. Co., 172	85, 86, 132
ter, 47 Ill. App.	36	U. S.	475
Chattahoochee, The, 173 U. S.	598	Commissioners & c. <i>v.</i> Lucas,	550, 551
540		Commissioners of Laramie	
Cherokee Nation <i>v.</i> Southern	252	County <i>v.</i> Commissioners of	549
Kansas Ry. Co., 135 U. S.	641	Albany County, 92 U. S.	307
Chicago & Alton R. R. <i>v.</i> Wig-	463	Commonwealth <i>v.</i> Crane, 158	280
gins Ferry Co., 119 U. S.	615	Mass. 218	
Chicago & Northwestern Ry. Co.	236		
<i>v.</i> United States, 104 U. S.	680		

TABLE OF CASES CITED.

XV

	PAGE		PAGE
Commonwealth v. Gardner, 11 Gray, 438	325	Deland v. Platte County, 155 U. S. 221	100, 532
Commonwealth v. Peaslee, 177 Mass. 267	396, 402	DeLima v. Bidwell, 182 U. S. 1	92
Commonwealth v. Pierce, 138 Mass. 165	596	Dennison v. Christian, 101 N. W. Rep. 1045	637
Comstock v. Eagleton, 11 Okla. 487	99	Denver First Nat. Bank v. Klug, 186 U. S. 202	152
Comstock v. Eagleton, 196 U. S. 99	531	Deseret Salt Co. v. Tarpey, 142 U. S. 241	577
Conley v. Mathieson Alkali Works, 190 U. S. 406	92	Detroit v. Dean, 106 U. S. 537	587
Connemara, The, 103 U. S. 754	430	Deweese v. Reinhard, 165 U. S. 386	633
Connolly v. Union Sewer Pipe Co., 184 U. S. 540	273, 274	Dibble v. Bellingham Bay Land Co., 163 U. S. 63	194
Cook et al. v. Holmes et ux., 11 Mass. 528	571	Dietzsch v. Hindekoper, 103 U. S. 494	245
Cook v. Marshall County, 196 U. S. 261	277	Dodge v. Woolsey, 18 How. 331	588
Cook v. Marshall County, 119 Iowa, 384	262	Dooley v. Pease, 180 U. S. 126	522
Cope v. Cope, 137 U. S. 682	21, 77	Dower v. Richards, 151 U. S. 658	637
Copper Globe Mining Co. v. Allman, 23 Utah, 410	125	Dubois v. City of Kingston, 102 N. Y. 219	155
Corlis v. Railroad Co., 23 L. D. 265; S. C., 26 L. D. 652	361, 363	Dugan v. Mayor of Baltimore, 1 G. & J. 499	472
Cornell v. Green, 163 U. S. 75	132	Dunbar v. Dunbar, 190 U. S. 340	75, 76
Corning Tunnel Co. v. Pell, 4 Colo. 507	359	Dushane v. Beall, 161 U. S. 513	119
Corry v. Baltimore City, 96 Md. 310	467	East Hartford v. Hartford Bridge Co., 10 How. 511	549
Cotting v. Kansas City Stock Yards Co., 183 U. S. 79	273	East St. Louis Connecting Ry. Co. v. O'Hara, 150 Ill. 580	16
Coulter v. Weir, 127 Fed. Rep. 897	608	Eaton v. Whiting, 3 Pick. 484	50
County of Inyo v. Erro, 119 Cal. 119	559	Egan v. Hart, 165 U. S. 188	637
Cowley v. Northern Pacific R. R. Co., 159 U. S. 569	93	Elster v. Springfield, 49 Ohio St. 82	156
Cragin v. Powell, 128 U. S. 691	578	Engard v. United States, 38 C. Cl. 712	513
Craigie v. Hadley, 99 N. Y. 131	302	Enterprise Mining Co. v. Rico-Aspen Mining Co., 167 U. S. 108	352, 356, 359
Cramer v. Wilson, 195 U. S. 408	523	Erhardt v. Boaro, 113 U. S. 527	124, 127, 346
Crehore v. Ohio &c. Ry. Co., 131 U. S. 240	245	Erwin v. Perego, 93 Fed. Rep. 608; S. C., 35 C. C. A. 482	351
Crosley v. United States, 38 C. Cl. 82	329	Etling v. Potter, 17 L. D. 424	349
Cross v. Eglin, 2 Barn. & Adol. 106	168	Falkenbach v. Patterson, 43 Ohio St. 359	622
Crutcher v. Kentucky, 141 U. S. 47	397	Fargo v. Hart, 193 U. S. 490	608
Curtis, Matter of, 142 N. Y. 219	495	Farmers' &c. Nat. Bank v. Dear- ing, 91 U. S. 29	17
Davenport v. Dows, 18 Wall. 626	588	Farney v. Towle, 1 Black, 350	88
Davis v. City of Austin, 22 Tex. Civ. App. 460	156	Farrington v. Tennessee, 95 U. S. 679	626
Davis v. Elmira Savings Bank, 161 U. S. 275	302	Fayerweather v. Ritch, 195 U. S. 276	610
Davis v. Schwartz, 155 U. S. 631	430	Ferry v. Deneen, 82 N. W. Rep. 424	278
Deffenback v. Hawke, 115 U. S. 392	358	Finney v. Guy, 189 U. S. 335	465, 466
		First Nat. Bank v. Whitman, 94 U. S. 343	309

	PAGE		PAGE
Flanigan <i>v.</i> Sierra County, 196 U. S. 553	563	Guthrie, City of, <i>v.</i> Oklahoma, 1 Okla. 188	537
Flanigan <i>v.</i> Sierra County, 58 C. C. A. 340	558, 559	Hagar <i>v.</i> Reclamation District, 111 U. S. 701	280
Flash <i>v.</i> Conn., 109 U. S. 371	477	Hamburg-Am. S. S. Co. <i>v.</i> Lennan, 194 U. S. 629	414
Fleming <i>v.</i> Southern Ry. Co., 131 N. Car. 476	16	Handley <i>v.</i> Stutz, 137 U. S. 366	430
Fletcher <i>v.</i> Leight, 4 Bush. 303	251	Hanley <i>v.</i> Donoghue, 116 U. S. 1	464
Fong Yue Ting <i>v.</i> United States, 149 U. S. 698	635	Harding <i>v.</i> People, 202 Ill. 122	83
Fort Leavenworth R. R. Co. <i>v.</i> Lowe, 114 U. S. 525	415	Hardten <i>v.</i> State, 32 Kan. 637	281
Fourth Street Bank <i>v.</i> Yardley, 165 U. S. 634	309	Harkrader <i>v.</i> Wadley, 172 U. S. 148	245
Fowler <i>v.</i> Lamson, 164 U. S. 252	86 132	Harrison <i>v.</i> Morton, 171 U. S. 38	638
French, Trustee, <i>v.</i> Hay, 22 Wall. 238	245	Hart, <i>Ex parte</i> , 59 Fed. Rep. 894	373
Fritts <i>v.</i> Palmer, 132 U. S. 282	465	Hartigan <i>v.</i> United States, 38 C. Cl. 346	169
Frogmorton <i>v.</i> Wright, 2 W. Bl. 889	570	Hartwell <i>v.</i> Havighorst, 11 Okla. 189	635
Fullerton <i>v.</i> Texas, 75 S. W. Rep. 534; <i>S. C.</i> , 75 S. W. Rep. 535	193	Harvey Steel Co. <i>v.</i> United States, 38 C. Cl. 662	315
Garcewich, <i>In re</i> , 115 Fed. Rep. 87	526, 635	Hauselt <i>v.</i> Harrison, 105 U. S. 401	526
Gardner <i>v.</i> Bonestell, 180 U. S. 362	635	Hawes <i>v.</i> Oakland, 104 U. S. 450	588
Garfielde <i>v.</i> United States, 93 U. S. 242	236	Heame <i>v.</i> Marine Ins. Co., 20 Wall. 488	166
Gates <i>v.</i> Bucki, 53 Fed. Rep. 961	245	Henkel <i>v.</i> Cincinnati, 177 U. S. 170	194
Germanic, The, 107 Fed. Rep. 294; <i>S. C.</i> , 124 Fed. Rep. 1 594,	595	Hennen, Matter of, 13 Pet. 230	174
Gibson <i>v.</i> Jenney, 15 Mass. 205	17	Hodge <i>v.</i> Muscatine County, 121 Iowa, 482	276
Gibson <i>v.</i> United States, 194 U. S. 182	332	Hoffman, Matter of, 143 N. Y. 327	495
Gilbert <i>v.</i> Vail, 60 Vt. 261	526	Holy Trinity Church <i>v.</i> United States, 143 U. S. 457	19
Glenn <i>v.</i> Garth, 147 U. S. 360	465	Home for Incurables <i>v.</i> New York, 187 U. S. 155	507
Glenn <i>v.</i> United States, 13 How. 250	578	Hope Insurance Co. <i>v.</i> Boardman, 5 Cr. 57	586
Glenochil, The, Prob. [1896] 10	597	Hopkins <i>v.</i> United States, 171 U. S. 578	397
Glynn <i>v.</i> Central R. R. Co., 175 Mass. 510	223	Horner <i>v.</i> United States, No. 2, 143 U. S. 570	295
Goldey <i>v.</i> Morning News, 156 U. S. 518	92, 444	Hostetter <i>v.</i> Park, 137 U. S. 30	166
Grand Chute <i>v.</i> Winegar, 15 Wall. 373	633	Hough <i>v.</i> Horsey, 36 Md. 184	118
Gray <i>v.</i> Bennett, 3 Met. (Mass.) 522	17	Howe <i>v.</i> Howe, 179 Mass. 546	497
Gray <i>v.</i> Boston Gas Light Co., 114 Mass. 149	225	Hubbard <i>v.</i> Brush, 61 Ohio St. 252	625, 627, 628
Greenwood <i>v.</i> Freight Company, 105 U. S. 13	588	Hull <i>v.</i> Southern Development Co., 89 Md. 8	472, 473
Gregory <i>v.</i> Pershbaker, 73 Cal. 109	351	Hume <i>v.</i> United States, 132 U. S. 406	238
Gregory <i>v.</i> Van Ee, 160 U. S. 643	637	Hunt <i>v.</i> Springfield & c. Ins. Co., 20 D. C. App. 48	48
Griffiths <i>v.</i> Griffiths, L. R. 2 P. & D. 300	44	Huntington <i>v.</i> Attrill, 146 U. S. 657	561
Guthrie, City of, <i>v.</i> Beamer, 3 Okla. 652	538	Huntington <i>v.</i> Laidley, 176 U. S. 668	91
		Hutchinson <i>v.</i> Otis, 190 U. S. 552	152
		Hyatt <i>v.</i> Cochran, 188 U. S. 691	372, 374, 637
		Hyde <i>v.</i> Goodnow, 3 N. Y. 266	465

## TABLE OF CASES CITED.

xvii

	PAGE		PAGE
Indianapolis Cabinet Co. v. Herrman, 7 Ind. App. 462	168	Layton v. Missouri, 187 U. S.	356 132
Indiana v. Kentucky, 136 U. S. 479	35	Leavenworth &c. R. R. Co. v. United States, 92 U. S.	733 111, 577
Inman v. South Carolina Ry., 129 U. S. 128	599	Lee v. Johnson, 116 U. S.	48 406
Insurance Company v. Bailey, 13 Wall. 616	633	Lee v. Sturges, 46 Ohio St.	153 627
Insurance Companies v. Wright, 1 Wall. 456	166	Leggate v. Clark, 111 Mass.	308 46
Iowa v. American Express Co., 118 Iowa, 447	134	Leisy v. Hardin, 135 U. S.	100 142, 269, 270
Iron Mountain R. R. Co. v. Memphis, 96 Fed. Rep. 113	245	Leloup v. Port of Mobile, 127 U. S.	640 397
Iroquois, The, 194 U. S. 240	595	Les Bois v. Bramell, 4 How.	449 578
Israel v. Arthur, 152 U. S. 355	638	Libby v. Hopkins, 104 U. S.	303 510
Jackson v. Roby, 109 U. S. 440	126	License Tax Cases, The, 5 Wall.	462 280
Jacobi v. Alabama, 187 U. S. 133	132	Liverpool Steam Co. v. Phenix Insurance Co., 129 U. S.	397 599
James v. Central Trust Co., 98 Fed. Rep. 489	245	Livingston v. Livingston, 173 N. Y.	377 72, 75
James Mitchell, <i>In re</i> , 2 L. D. 752	349	Lloyd v. Matthews, 155 U. S.	222 465
Johnson v. New York Life Ins. Co., 187 U. S. 491	465	Loan Association v. Tokepa, 20 Wall.	655 252, 260
Johnson v. Southern Pacific Co., 117 Fed. Rep. 462	2, 14, 16, 17	Lockwood v. Exchange Bank, 190 U. S.	294 152
Johnson v. Towsley, 13 Wall. 72	635	Loeb v. Trustees, 179 U. S.	472 91
Johnson v. Waters, 111 U. S. 640	422, 424	Louisville &c. R. R. Co. v. Coulter, 131 Fed. Rep.	282 606
Jones v. Davis, 35 Ohio St. 474	626	Louisville &c. R. R. Co. v. Letson, 2 How.	497 586
Jones, <i>Ex parte</i> , 164 U. S. 691	637	Louisville Trust Co. v. Knott, 191 U. S.	225 91
Jupiter Mining Co. v. Bodie Mining Co., 11 Fed. Rep. 666	350	McAllister v. United States, 141 U. S.	174 444
Kansas v. Smiley, 65 Kan. 240	449, 457	McBride v. State, 70 Miss.	716 279
Kansas City &c. R. R. Co. v. Crocker, 95 Ala. 412	16	McCaffrey v. Manogue, 22 App. D. C.	385 566, 568
Keely v. Moore, 22 D. C. App. 9	39	McDaniel v. Traylor, 123 Fed. Rep.	338 420
Kendall v. San Juan Mining Co., 144 U. S. 658	124, 346	McGuire v. Commonwealth, 3 Wall.	387 280
Kensington, The, 183 U. S. 263	598	McKenna v. Simpson, 129 U. S.	506 523
Kentucky Railroad Tax Cases, 115 U. S. 321	274	McLane v. Paschal, 47 Texas,	365 50
Kern v. Huidekoper, 103 U. S. 485	245	McLish v. Roff, 141 U. S.	661 636
Kidd v. Pearson, 128 U. S. 1	402	McMaster v. New York Ins. Co., 183 U. S.	25 49
King v. Ackerman, 2 Black, 408	568	McMillen v. Anderson, 95 U. S.	37 280
King v. Mullins, 171 U. S. 404	282	Mackey v. Dillon, 4 How.	421 578
Knott v. Botany Mills, 179 U. S. 69	597, 598	Macomber v. City of Taunton, 100 Mass.	255 156
Knowlton v. Moore, 178 U. S. 41	489, 497	Magoun v. Illinois Trust & Savings Bank, 170 U. S.	283 274, 609
Kohl v. United States, 91 U. S. 367	247, 264	Maguire v. Tyler, 8 Wall.	650 578
Lake Superior &c. Co. v. Cunningham, 155 U. S. 354	112	Mallett v. North Carolina, 181 U. S.	589 193
Lander v. Burke, 65 Ohio St. 532	625	Mann v. Tacoma Land Co., 153 U. S.	273 111
Lassen County v. Cone, 72 Cal. 387	559	Marchant v. Pennsylvania R. R. Co., 153 U. S.	380 83
Lawrence v. Minturn, 17 How. 100	596		

	PAGE		PAGE
Marine Bank <i>v.</i> Fulton Bank, 2 Wall. 252	302	Mitchell, <i>In re</i> , James, 2 L. D. 752	349
Marquez <i>v.</i> Frisbie, 101 U. S. 473	635	Montague & Co. <i>v.</i> Lowry, 193 U. S. 38	397, 398
Marrow <i>v.</i> Brinkley, 129 U. S. 178	638	Moon <i>v.</i> Northern Pacific R. R. Co., 46 Minn. 106	223
Marshall <i>v.</i> B. & O. R. R. Co., 16 How. 314	587	Moore <i>v.</i> United States, 38 C. Cl. 590	165
Marshall <i>v.</i> Holmes, 141 U. S. 589	245, 425	Moran <i>v.</i> Sturges, 154 U. S. 256	245
Marye <i>v.</i> Baltimore & Ohio R. R. Co., 127 U. S. 117	632	Morris <i>v.</i> Levison, 1 C. P. D. 155	168
Maynard <i>v.</i> Hecht, 151 U. S. 324	91	Mount Hope Cemetery <i>v.</i> Boston, 158 Mass. 509	551
Mayor <i>v.</i> Howard, 6 H. & J. 383	472	Mount Pleasant <i>v.</i> Beckwith, 100 U. S. 514	550
Mayor &c. <i>v.</i> Third Ave. R. R. Co., 117 N. Y. 404	16	Mueller <i>v.</i> Nugent, 184 U. S. 1	525
Medley's Case, 134 U. S. 160	326	Mullan <i>v.</i> United States, 140 U. S. 240	174
Memphis <i>v.</i> Dean, 8 Wall. 64	588	Munsey <i>v.</i> Clough, 196 U. S. 364	637
Merced County <i>v.</i> Helm, 102 Cal. 159	559	Murray's Lessees <i>v.</i> Hoboken Land &c. Co., 18 How. 272	632
Merchants' & Manufacturers' Bank <i>v.</i> Pennsylvania, 167 U. S. 461	609	Napa State Hospital <i>v.</i> Flaherty, 134 Cal. 315	561
Metcalf <i>v.</i> Prescott, 10 Mont. 283	125	Nashua Savings Bank <i>v.</i> Anglo- American &c. Co., 189 U. S. 221	477
Metcalf <i>v.</i> Watertown, 128 U. S. 586	246	National Bank <i>v.</i> Common- wealth, 9 Wall. 353	475
Metropolitan Nat. Bank <i>v.</i> Loyd, 90 N. Y. 530	302	National Bank <i>v.</i> Burkhardt, 100 U. S. 686	166
Met. Railroad Co. <i>v.</i> Dist. of Columbia, 195 U. S. 322	100	Nebraska <i>v.</i> Iowa, 143 U. S. 359	35, 36
Mexican Central Ry. Co. <i>v.</i> Eck- man, 187 U. S. 429	91	Neuchatel Asphalt Co. <i>v.</i> Mayor 155 N. Y. 373	465
Mexican Central Ry. Co. <i>v.</i> Pinkney, 149 U. S. 194	444	Newhall <i>v.</i> Sanger, 92 U. S. 761	111
Mexican Nat. R. R. <i>v.</i> Davidson, 157 U. S. 201	246	New Orleans <i>v.</i> Clark, 95 U. S. 644	549
Middleton <i>v.</i> La Compagnie Générale Transatlantique, 100 Fed. Rep. 866	415	New Orleans <i>v.</i> New Orleans Water Works Co., 142 U. S. 79	551
Middleton <i>v.</i> Parke, 3 D. C. App. 149	49	New Orleans <i>v.</i> Stempel, 175 U. S. 309	620
Minnesota <i>v.</i> Northern Securities Co., 194 U. S. 48	246	New Orleans <i>v.</i> United States, 10 Pet. 662	34, 35
Mineral Range R. R. Co. <i>v.</i> Detroit &c. Copper Co., 25 Fed. Rep. 515	249, 250	New Orleans Pacific Ry. <i>v.</i> Parker, 143 U. S. 42	430
Mirande, <i>Ex parte</i> , 73 Cal. 365	559	New Orleans Pacific Ry. <i>v.</i> United States, 124 U. S. 124	577
Missouri <i>v.</i> Dockery, 191 U. S. 165	609	New York <i>ex rel.</i> Pennsylvania R. R. Co. <i>v.</i> Knight, 192 U. S. 21	401
Missouri <i>v.</i> Kentucky, 11 Wall. 395	35	Norfolk & Western Ry. Co. <i>v.</i> Sims, 191 U. S. 441	141, 145, 399
Missouri, Kansas &c. Ry. Co. <i>v.</i> Haber, 169 U. S. 613	453	Northampton, <i>In re</i> , 158 Mass. 299	257
Missouri, Kansas &c. Ry. Co. <i>v.</i> McCann, 174 U. S. 580	455	Northern Pacific R. R. Co. <i>v.</i> Hussey, 61 Fed. Rep. 231	578
Missouri, Kansas &c. R. R. Co. <i>v.</i> Merrill, 70 Pac. Rep. 358; S. C., 61 Kan. 671	224	Northern Pacific R. R. Co. <i>v.</i> Marshall, 17 L. D. 545	349
Missouri Pacific Co. <i>v.</i> Fitz- gerald, 160 U. S. 556	132	Northern Pacific R. R. Co. <i>v.</i> Sanders, 49 Fed. Rep. 129	347

TABLE OF CASES CITED.

xix

PAGE		PAGE
	Northern Pacific R. R. Co. v. Traill County, 115 U. S. 600	577
	Northern Securities Co. v. United States, 193 U. S. 197	400
	North Nooday Mining Co. v. Orient Mining Co., 1 Fed. Rep. 522	350
	Northmore v. Simmons, 97 Fed. Rep. 386	125
	Oceanic Steam Nav. Co. v. Compania Transatlantica Espanola, 134 N. Y. 461	225
	O'Donnell v. Glenn, 8 Mont. 248	125
	Oelricks v. Ford, 23 How. 49	166
	O'Neil v. Vermont, 144 U. S. 324	141
	Osborn v. Bank of the United States, 9 Wheat. 738	246
	Overby v. Gordon, 177 U. S. 214	430
	Oxley Stave Co. v. Butler County, 166 U. S. 648	131
	Paine v. Foster, 9 Okla. 213	635
	Palmer v. Gurnsey, 7 Wend. 248	50
	Palmer v. McMahan, 133 U. S. 660	632
	Parsons v. United States, 167 U. S. 324	174
	Payne v. Robertson, 169 U. S. 323	635
	Peabody v. Landon, 61 Vt. 318	522
	Pearce v. Texas, 155 U. S. 311	373
	Penn Mutual Life Ins. Co. v. Austin, 168 U. S. 685	609
	Pennington v. Woolfolk, 79 Ky. 13	251
	Pennoyer v. Neff, 95 U. S. 714	444
	Pennsylvania R. R. Co. v. Knight, 192 U. S. 21	401
	Pennsylvania R. R. Co. v. Snyder, 55 Ohio St. 342	223
	People v. Hyatt, 172 N. Y. 176	375
	Perris Irrigation Dist. v. Thompson, 116 Fed. Rep. 832	637
	Pervear v. Commonwealth, 5 Wall. 475	280
	Phenix Insurance Co. v. Erie & Western Trans. Co., 117 U. S. 312	599
	Pierce v. Somerset Railway, 171 U. S. 641	638
	Pine River Logging Co. v. United States, 186 U. S. 279	132
	Pittsburg &c. Ry. Co. v. Backus, 154 U. S. 421	281
	Platt v. Union Pacific R. R. Co., 99 U. S. 48	50
	Platt v. Wilmot, 193 U. S. 602	477
	Polk County v. Hierb, 37 Iowa, 361	281
	Pollock v. Glassell, 2 Gratt. 439	44
	Potter v. Hall, 189 U. S. 292	635
	Powell v. Brunswick County, 150 U. S. 433	84
	Press Publishing Co. v. Monroe, 164 U. S. 105	637
	Priddy v. Dodd, 4 Ind. 84	131
	Pullman's Car Co. v. Transportation Co., 171 U. S. 138	13
	Purdum v. Laddin, 23 Mont. 387	125
	Quinby v. Conlan, 104 U. S. 420	635
	Quincy v. Steel, 120 U. S. 241	588
	Railroad Co. v. Kontz, 104 U. S. 5	245
	Railroad Co. v. Mississippi, 102 U. S. 135	244
	Ramsey v. Tacoma Land Co., 31 Wash. 351	361
	Reagan v. Farmers' L. & T. Co., 154 U. S. 362	253
	Reggel, <i>Ex parte</i> , 114 U. S. 642	373
	Reigal v. Wood, 1 Johns. Ch. 402	424
	Reins v. Raunheim, 28 L. D. 526	349
	Rhodes v. Iowa, 170 U. S. 412	142
	Richardson v. Baker, 52 Vt. 617	118
	Richardson v. United States, 38 C. Cl. 182	334
	Richmond & Allegheny R. R. Co. v. Tobacco Co., 169 U. S. 311	205
	Richmond & Danville R. R. Co. v. Shomo, 90 Ga. 496	202
	Right v. Sidebotham, 2 Douglas, 730	570
	Robert v. Powell, 168 N. Y. 411	156
	Roberts v. Reilly, 116 U. S. 80	372, 637
	Roberts v. United States, 92 U. S. 41	238
	Robinson v. Caldwell, 165 U. S. 359	636
	Robinson v. Lee, 122 Fed. Rep. 1012	65
	Rodgers v. United States, 185 U. S. 83	332
	Roe d. Callow v. Bolton, 2 W. Bl. 1045	570
	Roe d. Peter v. Daw, 3 M. & Sel. 518	570, 571
	Romaine v. Chauncey, 129 N. Y. 566	74
	Roosevelt, Matter of, 143 N. Y. 120	495
	Rouse v. Letcher, 156 U. S. 47	637
	Russell v. Harrison, 49 Ind. 97	132
	Sabin v. Camp, 98 Fed. Rep. 974	524
	St. Louis, I. M. & St. P. Ry. Co. v. Paul, 173 U. S. 404	455
	St. Louis Mining Co. v. Montana Mining Co., 194 U. S. 235	344
	St. Louis &c. Ry. v. James, 161 U. S. 545	587
	St. Louis &c. Ry. v. Johnston, 133 U. S. 566	309

	PAGE		PAGE
St. Paul & Chicago Ry. Co. v. McLean, 108 U. S. 212	245	Southern Pacific R. R. Co. v. Doyle, 11 Fed. Rep. 253	50
Salmon v. Boykin, 66 Md. 541	168	Sparhawk v. Yerkes, 142 U. S. 1	119
San Diego Land &c. Co. v. National City, 174 U. S. 739	252	Spencer v. M'Gowen & Shepard, 13 Wend. 256	281
Santa Monica v. Guidinger, 137 Cal. 658; S. C., 70 Pac. Rep. 732	559, 560	Spies v. Illinois, 123 U. S. 131	132
Sarchet v. United States, 12 Pet. 143	100	Springfield v. Springfield St. Ry. 182 Mass. 41	552
Sargent v. Holton, 115 U. S. 348	245	Springer v. Bien, 28 N. Y. 99	533
Scammon v. Kimball, 92 U. S. 362	302	Springer v. United States, 102 U. S. 586	632
Scotland, The, 105 U. S. 24	598	Star of Hope, The, 9 Wall. 203	596
Searl v. School Dist., No. 2, 124 U. S. 197, 248, 249, 259,	260	State v. Clough, 71 N. H. 594	369
Sears v. Cottrell, 5 Mich. 251	281	State v. Matthews, 64 Ohio St. 419	622
Selking v. Jones, 52 Ind. 409	132	State v. Rooney, 12 N. Dak. 144	326
Sessions v. Romadka, 145 U. S. 29	119	State v. Snyder, 34 Kan. 425	281
Sheldon v. Van Burkirk, 2 N. Y. 473	281	State <i>ex rel.</i> Shives v. Comptroller General, 4 S. Car. 185	66
Shields v. Thomas, 17 How. 3428, 429,	430	Steamship Co. v. Tugman, 106 U. S. 118	245
Shillaber v. Robinson, 97 U. S. 68	49	Stebbins v. Duncan, 108 U. S. 32	41
Shively v. Bowlby, 152 U. S. 1	111	Stewart v. McHarry, 159 U. S. 643	406
Shollenberger v. Pennsylvania, 171 U. S. 1	269, 270	Stewart v. Platt, 101 U. S. 731	526
Shoshone Mining Co. v. Rutter, 177 U. S. 505	124	State v. South Carolina, 117 U. S. 430	245
Shurtleff v. United States, 189 U. S. 311	174	Sweet v. Rechel, 159 U. S. 380	252
Silvia, The, 171 U. S. 462	597	Taft v. Bank, 172 Mass. 363	330
Simmerman v. Nebraska, 116 U. S. 54	84	Tappan v. Merchants' Nat. Bank 19 Wall. 490	475
Simpson v. N. Y., N. H. & H. R. R. Co., 38 N. Y. Supp. 341	168	Taylor v. United States, 3 How. 197	17
Simpson v. Serviss, 2 Ohio Circuit Dec. 246	281	Tennessee v. Union & Planters' Bank, 152 U. S. 454	246
Sisson v. Sommers, 24 Nev. 379	125	Texas & Pacific Ry. Co. v. Gentry, 163 U. S. 353	430
Slavens v. United States, 196 U. S. 229	239	Texas & Pacific Ry. Co. v. Kuteman, 54 Fed. Rep. 547	245
Slavens v. United States, 38 C. Cl. 574	229, 231	Texas & Pacific Ry. Co. v. Swearingen, 122 Fed. Rep. 193	53
Small v. Rakestraw, 28 Mont. 413	405	Thomas v. Georgia R. R. &c. Co., 38 Ga. 222	16
Smalley v. Laugenour, 30 Wash. 307	94, 98	Thompson v. Fairbanks, 75 Vt. 361	516, 528
Smelting Co. v. Kemp, 104 U. S. 636	347	Thompson v. Phenix Ins. Co., 136 U. S. 287	49
Smith, <i>In re</i> , 104 Iowa, 199	280	Thompson v. Riggs, 5 Wall. 663	302
Smith v. Adams, 130 U. S. 167	250	Thompson v. Spray, 72 Cal. 528	351
Smith v. Reeves, 178 U. S. 436	255, 258, 259	Town of Santa Monica v. Guidinger, 137 Cal. 658; S. C., 70 Pac. Rep. 732	559, 560
Smith v. Skow, 97 Iowa, 640	278	Tracy, Matter of, 179 N. Y. 501	501
Smith v. United States, 10 Pet. 326	578	Tracy v. Elizabethtown &c. R. R. Co., 80 Ky. 259	252, 256
Smyth v. Ames, 169 U. S. 466	252	Trade-Mark Cases, 100 U. S. 82	455
Sonora v. Curtin, 137 Cal. 583	559, 560, 561	Travis v. United States, 38 C. Cl. 590	239
		Tullis v. L. E. & W. R. R. Co., 175 U. S. 348	455

TABLE OF CASES CITED.

xxi

	PAGE		PAGE
Tuolumne Cons. Mining Co. v. Maier, 134 Cal. 583	351	United States v. Stowell, 133 U. S. 1	17
Turpin v. Lemon, 187 U. S. 51	280	United States v. Symonds, 120 U. S. 46	515
Uinta Tunnel &c. Co. v. Creede & Cripple Creek Mining &c. Co., 119 Fed. Rep. 164	338	United States v. Thomas, 195 U. S. 418	332, 336
Union Stock Yards Co. v. Goodwin, 57 Neb. 138	222	United States v. Tichenor, 12 Fed. Rep. 415	112
United States, Petitioner, 194 U. S. 194	635	United States v. Trans-Missouri Freight Assn., 166 U. S. 290	606
United States v. American Bell Tel. Co., 29 Fed. Rep. 17	444	United States v. Winn, 3 Sumn. 209	18
United States v. Baker, 125 U. S. 646	174	United States Electric &c. Co. v. State, 79 Md. 63	472
United States v. Barnette, 165 U. S. 174	515	Vance v. Vandercook Co., No. 1, 170 U. S. 438	143
United States v. Boutwell, 17 Wall. 604	440, 442	Vanderbilt v. Eidman, 121 Fed. Rep. 590	484
United States <i>ex rel.</i> &c. v. Butterworth, 169 U. S. 600	441	Vaughan v. Menlove, 3 Bing. N. C. 468	596
United States v. Chandler, 122 U. S. 643	441	Voelker v. Railway Co., 116 Fed. Rep. 867	21
United States v. Cook, 128 U. S. 254	174	Wabash Western Ry. Co. v. Brow, 164 U. S. 271	92
United States v. E. C. Knight Co., 156 U. S. 1	397, 402	Walderon v. Lee, 5 Pick. 323	281
United States v. Fitzgerald, 15 Pet. 407	112	Walker v. Walker, 155 N. Y. 77	72, 75
United States v. Freeman, 3 How. 556	21, 77	Waller v. Northeastern Railroad Co., 147 U. S. 370	426
United States v. Hanson, 16 Pet. 196	578	Warner Valley Stock Co. v. Smith, 165 U. S. 28	441
United States v. Harris, 106 U. S. 629	455	Washington Gas Light Co. v. District of Columbia, 161 U. S. 316	224
United States v. Harris, 177 U. S. 305	19	Wesley v. Milford, 41 Ind. 413	131
United States v. Jahn, 155 U. S. 109	636	Western Tie & Timber Co. v. Brown, 129 Fed. Rep. 728	503
United States v. Jones, 109 U. S. 513	254	Western Union Tel. Co. v. Pennsylvania R. R. Co. <i>et al.</i> , 195 U. S. 540	252
United States v. Lacher, 134 U. S. 624	18, 19	Wetmore v. Markoe, 196 U. S. 68	21
United States v. Lochren, 164 U. S. 701	441	Wetmore v. Wetmore, 72 App. Div. N. Y. 620; S. C., 171 N. Y. 690	69
United States v. McLaughlin, 127 U. S. 428	578	Wheeler & Wilson Mfg. Co. v. Howard, 28 Fed. Rep. 741	50
United States v. Morton, 112 U. S. 1	174	White v. United States, 191 U. S. 545	332
United States v. Northwestern Express Co., 164 U. S. 686	362	Whitelaw, <i>In re</i> , 71 Fed. Rep. 733	245
United States v. Otis, 120 U. S. 115	238	Whitman v. Oxford Nat. Bk., 176 U. S. 559	477
United States v. Railroad Co., 17 Wall. 322	549	Whitsell v. United States, 34 C. Cl. 5	238
United States v. Reese, 92 U. S. 214	455	Wilcox v. Jackson, 13 Pet. 498	109, 111
United States v. Richmond Mining Co., 40 Fed. Rep. 415	214, 215	Wilson v. City Bank, 17 Wall. 473	509
United States v. Sing Tuck, 194 U. S. 161	636	Wilson v. Nelson, 183 U. S. 191	527

	PAGE		PAGE
Winkler <i>v.</i> Philadelphia & Reading Ry. Co., 53 Atl. Rep. 90; S. C., 4 Penn. (Del.) 387	16	Worcester <i>v.</i> Worcester Consolidated St. Ry. Co., 182 Mass. 49	539, 552
Wirgman <i>v.</i> Persons, 126 Fed. Rep. 449	637	Wright <i>v.</i> Denn d. Page, 10 Wheat. 204	569
Wiss <i>v.</i> Stewart, 16 Wash. 376	95	Yeatman <i>v.</i> Savings Institution, 95 U. S. 764	526
Wolf <i>v.</i> District of Columbia, 21 D. C. App. 464	153	Zadig <i>v.</i> Baldwin, 166 U. S. 485	84
Wolfey <i>v.</i> Lebanon Mining Co., 4 Colo. 112	125		