

## TABLE OF CONTENTS.

### TABLE OF CASES REPORTED.

	PAGE
Abrahams, United Land Association <i>v.</i> . . . .	614
Adair <i>v.</i> United States . . . . .	161
Adelbert College of The Western Reserve University, Wabash Railroad Company <i>v.</i> . . . .	38, 609
A. Graf Distilling Company, United States <i>v.</i> . . . .	198
Aguirre <i>v.</i> Ezquiaga . . . . .	618
Ahearn <i>v.</i> United States . . . . .	615
Albright, First National Bank of Albuquerque <i>v.</i> . . . .	548
Alexander <i>v.</i> Lane . . . . .	617
Armstrong, as Liquidator of Boysen & Company, <i>v.</i> Fernandez . . . . .	324
Armstrong, Warden of the Michigan State Prison, Ugh- banks <i>v.</i> . . . .	481
Ashburn, Graves <i>v.</i> . . . .	615
Atlantic Trust Company <i>v.</i> Chapman, Receiver of the Woodbridge Canal and Irrigation Company . . . .	360
 Baltimore and Ohio Railroad Company, Winslow <i>v.</i> . . . .	 59
Bank (City Nat. of Kansas City), Cherry, Receiver, <i>v.</i> See Rankin, Receiver, <i>v.</i> City National Bank . . . .	541
Bank (City Nat. of Kansas City), Rankin, Receiver, <i>v.</i> . . . .	541
Bank (Disconto Gesellschaft) <i>v.</i> Umbreit . . . . .	570
Bank (First Nat. of Albuquerque) <i>v.</i> Albright . . . . .	548
Bank (Montpelier Sav.), County of Hamilton <i>v.</i> . . . .	617
Bank (Nat. Bk. of Commerce), Waggoner <i>v.</i> . . . .	616
Bank (Nat. Bk. of N. Am.), Stevick <i>v.</i> . . . .	619
Barrett, Phillips <i>v.</i> . . . .	618
Bassing <i>v.</i> Cady . . . . .	386

## Table of Cases Reported.

	PAGE
Bennett <i>v.</i> Bennett . . . . .	505
Bernays <i>v.</i> United States . . . . .	614
Bien <i>v.</i> Robinson, Receiver of Haight & Freese Company	423
Bitty, United States <i>v.</i> . . . .	393
Blacklock, Executor of Rinaldo P. Smith, <i>v.</i> United States . . . . .	75
Bluthenthal <i>v.</i> Jones . . . . .	64
Book Typewriter Company <i>v.</i> Hillard . . . . .	617
Boysen & Company's Liquidator <i>v.</i> Fernandez . . . . .	324
Braxton County Court <i>v.</i> The State of West Virginia <i>ex rel.</i> The State Tax Commissioners . . . . .	192
Bridge Company (Duluth & Superior), <i>v.</i> Steamer "Troy," etc. . . . .	321
Brown, Notley <i>v.</i> . . . .	429
Burke (New York <i>ex rel.</i> ) <i>v.</i> Wells <i>et al.</i> , Commissioners of Taxes and Assessments of the City of New York	14
Cady, Bassing <i>v.</i> . . . .	386
Calvo <i>v.</i> De Gutierrez . . . . .	443
Campbell, Starr <i>v.</i> . . . .	527
Capitol National Bank's Receiver <i>v.</i> City National Bank	541
Carrington <i>v.</i> United States . . . . .	1
Chapman, Receiver of the Woodbridge Canal and Irrigation Company, Atlantic Trust Company <i>v.</i> . . . .	360
Cherry, Receiver, <i>v.</i> City National Bank. See Rankin, Receiver, <i>v.</i> City National Bank . . . . .	541
Chicago and Alton Railway Company <i>v.</i> United States	616
Chicago, Burlington & Quincy Railway Company <i>v.</i> United States . . . . .	616
Chicago Railways Company, Thomasson <i>v.</i> . . . .	613
Chin Yow <i>v.</i> United States . . . . .	8
City National Bank, Cherry, Receiver, <i>v.</i> See Rankin, Receiver, <i>v.</i> City National Bank . . . . .	541
City National Bank of Kansas City, Missouri, Rankin, Receiver of the Capitol National Bank of Guthrie, Oklahoma, <i>v.</i> . . . .	541

## TABLE OF CONTENTS.

vii

## Table of Cases Reported.

	PAGE
City of Duluth (Minnesota <i>ex rel.</i> ), Northern Pacific Railway Company <i>v.</i> . . . . .	583
City of Memphis, I. M. Darnell & Son Company <i>v.</i> . . . .	113
City of Mobile, Phillips <i>v.</i> . . . . .	472
City of Mobile, Richard <i>v.</i> . . . . .	480
City of St. Charles <i>v.</i> Stookey . . . . .	617
Cleveland Steamship Company, Cleveland Terminal and Valley Railroad Company <i>v.</i> . . . .	316
Cleveland Terminal and Valley Railroad Company <i>v.</i> Cleveland Steamship Company . . . . .	316
Commission Company <i>v.</i> Edmisson . . . . .	534
Commissioners of Taxes and Assessments of the City of New York, New York <i>ex rel.</i> Burke <i>v.</i> . . . .	14
Commonwealth of Virginia, Cosmopolitan Club <i>v.</i> . . . .	378
Corcoran <i>v.</i> O'Brien . . . . .	613
Cortelyou, Houghton <i>v.</i> See Houghton <i>v.</i> Meyer . . . .	149
Cosmopolitan Club <i>v.</i> Commonwealth of Virginia . . . .	378
County of Hamilton <i>v.</i> Montpelier Savings Bank and Trust Company . . . . .	617
Crary <i>v.</i> Dye . . . . .	515
Creecy, Pierce <i>v.</i> . . . . .	616
Danville and Western Railway Company, Hairston <i>v.</i> . . .	598
Darnell & Son Company <i>v.</i> City of Memphis . . . . .	113
De Gutierrez, Calvo <i>v.</i> . . . . .	443
Dick <i>v.</i> United States . . . . .	340
Dictionary Company <i>v.</i> G. & C. Merriam Company . . . .	260
Disconto Gesellschaft <i>v.</i> Umbreit . . . . .	570
Donnell <i>v.</i> Herring-Hall-Marvin Safe Company . . . . .	267
Doughty, Minneapolis, St. Paul & Sault Ste. Marie Railway Company <i>v.</i> . . . . .	251
Drumm-Flato Commission Company <i>v.</i> Edmisson . . . . .	534
Duluth, City of, Northern Pacific Railway Company <i>v.</i> . .	583
Duluth & Superior Bridge Company <i>v.</i> Steamer "Troy," her Boilers, Engines, etc. . . . .	321
Durein <i>v.</i> State of Kansas . . . . .	613

## Table of Cases Reported.

	PAGE
Dye, Crary <i>v.</i> . . . . .	515
Edmisson, Drumm-Flato Commission Company <i>v.</i> . . . .	534
Elder <i>v.</i> Wood . . . . .	226
Emerson, Yosemite Gold Mining and Milling Company <i>v.</i>	25
<i>Ex parte</i> Simon . . . . .	144
Ezquiaga, Aguirre <i>v.</i> . . . .	618
Faithorn <i>v.</i> United States . . . . .	616
Fernandez, Armstrong, as Liquidator of Boysen & Com- pany, <i>v.</i> . . . .	324
Finn, Prosser <i>v.</i> . . . .	67
First National Bank of Albuquerque <i>v.</i> Albright . . .	548
Fisher Book Typewriter Company <i>v.</i> Hillard . . . .	617
G. & C. Merriam Company, United Dictionary Com- pany <i>v.</i> . . . .	260
Graf Distilling Company, United States <i>v.</i> . . . .	198
Graves <i>v.</i> Ashburn . . . . .	615
Great Northern Railway Company <i>v.</i> United States . .	452
Hairston <i>v.</i> Danville and Western Railway Company . .	598
Haight & Freese Company's Receiver, Bien <i>v.</i> . . . .	423
Hall's Safe Company, Herring-Hall-Marvin Safe Com- pany <i>v.</i> . . . .	554
Hammond Lumber Company, Sailors' Union of the Pacific <i>v.</i> . . . .	615
Henningsen <i>v.</i> United States Fidelity and Guaranty Com- pany of Baltimore, Maryland . . . . .	404
Herrera, Receiver of the International Bank in Nogales, Lewis <i>v.</i> . . . .	309
Herring-Hall-Marvin Safe Company, Donnell <i>v.</i> . . . .	267
Herring-Hall-Marvin Safe Company <i>v.</i> Hall's Safe Com- pany . . . . .	554
Hillard, Fisher Book Typewriter Company <i>v.</i> . . . .	617
Hillhouse, United States <i>v.</i> . . . .	615

## TABLE OF CONTENTS.

ix

## Table of Cases Reported.

	PAGE
Houghton <i>v.</i> Cortelyou, see Houghton <i>v.</i> Meyer. . . .	149
Houghton <i>v.</i> Meyer, Postmaster General . . . .	149
I. M. Darnell & Son Company <i>v.</i> City of Memphis . . .	113
<i>In re</i> Application of Administrator of Planovsky . . .	90
<i>In re</i> Konrad . . . . .	90
<i>In re</i> Metropolitan Railway Receivership . . . .	90
<i>In re</i> Reisenberg and Gallagher . . . . .	90
Insurance Company (Met. Life) <i>v.</i> Talbott . . . .	614
International Bank, Lewis <i>v.</i> . . . . .	309
Jetton, Revenue Agent of the State of Tennessee, <i>v.</i> University of the South . . . . .	489
Jones, Bluthenthal <i>v.</i> . . . . .	64
Kansas, Durein <i>v.</i> . . . . .	613
Kansas, Ross <i>v.</i> . . . . .	613
Kansas, Simmons <i>v.</i> . . . . .	613
Konrad, <i>In re</i> Application of . . . . .	90
Land Company (Mo. Valley) <i>v.</i> Wiese . . . . .	234
Land Company (Mo. Valley) <i>v.</i> Wrich . . . . .	250
Lane, Alexander <i>v.</i> . . . . .	617
Larkin, United States <i>v.</i> . . . . .	333
Lawlor, Loewe <i>v.</i> . . . . .	274
Lewis <i>v.</i> Herrera, Receiver of the International Bank in Nogales . . . . .	309
Liquidator of Boysen & Company <i>v.</i> Fernandez . . .	324
Loewe <i>v.</i> Lawlor . . . . .	274
Lumber Company (Hammond), Sailors' Union of the Pacific <i>v.</i> . . . . .	615
Lumber Company (Southern Pine) <i>v.</i> Ward . . . .	126
Marquez <i>v.</i> Maxwell Land Grant Company . . . .	619
Maxwell Land Grant Company, Marquez <i>v.</i> . . . .	619
May, Norfolk & Western Railway Company <i>v.</i> . . .	614

## TABLE OF CONTENTS.

## Table of Cases Reported.

	PAGE
Memphis, City of, I. M. Darnell & Son Company <i>v.</i>	113
Merriam Company, United Dictionary Company <i>v.</i>	260
Metropolitan Life Insurance Company <i>v.</i> Talbott	614
Metropolitan Railway Receivership, <i>Re</i>	90
Meyer, Postmaster General, Houghton <i>v.</i>	149
Miller, United States <i>v.</i>	32
Mining and Milling Company (Yosemite) <i>v.</i> Emerson	25
Minnesota <i>ex rel.</i> City of Duluth, Northern Pacific Railway Company <i>v.</i>	583
Minneapolis, St. Paul and Sault Ste. Marie Railway Company <i>v.</i> Doughty	251
Missouri Valley Land Company <i>v.</i> Wiese	234
Missouri Valley Land Company <i>v.</i> Wrich	250
Mobile, Phillips <i>v.</i>	472
Mobile, Richard <i>v.</i>	480
Modasto Munitiz Aguirre <i>v.</i> Sobrinos de Ezquiaga	618
Modesto Munitiz Aguirre <i>v.</i> Sobrinos de Ezquiaga	618
Montpelier Savings Bank and Trust Company, County of Hamilton <i>v.</i>	617
Muller <i>v.</i> The State of Oregon	412
National Bank (City), Cherry, Receiver, <i>v.</i> See Rankin, Receiver, <i>v.</i> City National Bank	541
National Bank (City), Rankin, Receiver of Capitol National Bank <i>v.</i>	541
National Bank (First) <i>v.</i> Albright	548
National Bank of Commerce of Kansas City, Mo., Waggoner <i>v.</i>	616
National Bank of North America, Stevick <i>v.</i>	619
New York City Commissioners of Taxes and Assessments, New York <i>ex rel.</i> Burke <i>v.</i>	14
New York <i>ex rel.</i> Burke <i>v.</i> Wells <i>et al.</i> , Commissioners of Taxes and Assessments of the City of New York	14
Norfolk & Western Railway Company <i>v.</i> May	614
Northern Pacific Railway Company <i>v.</i> State of Minnesota <i>ex rel.</i> The City of Duluth	583

## TABLE OF CONTENTS.

xi

## Table of Cases Reported.

	PAGE
Notley <i>v.</i> Brown . . . . .	429
O'Brien, Corcoran <i>v.</i> . . . .	613
Oregon, Muller <i>v.</i> . . . .	412
Paolucci <i>v.</i> United States . . . . .	617
Penn Refining Company, Limited, <i>v.</i> Western New York and Pennsylvania Railroad Company . . . . .	208
Phillips <i>v.</i> Barrett . . . . .	618
Phillips <i>v.</i> City of Mobile . . . . .	472
Pierce <i>v.</i> Creecy . . . . .	616
Planovsky's Administrator, <i>In re</i> Application of . . . . .	90
Postmaster General, Houghton <i>v.</i> . . . .	149
Prosser <i>v.</i> Finn . . . . .	67
Railroad Company (B. & O.), Winslow <i>v.</i> . . . .	59
Railroad Company (Cleveland Term & Val.) <i>v.</i> Cleve- land Steamship Company . . . . .	316
Railroad Company (Wabash) <i>v.</i> Adelbert College . . . . .	38, 609
Railroad Company (West. N. Y. & Penna.), Penn Refin- ing Co. <i>v.</i> . . . . .	208
Railway Company (C. & A.) <i>v.</i> United States . . . . .	616
Railway Company (C., B. & Q.) <i>v.</i> United States . . . . .	616
Railway Company (Danville & W.), Hairston <i>v.</i> . . . .	598
Railway Company (Gr. Nor.) <i>v.</i> United States . . . . .	452
Railway Company (Minn., St. P. & Sault Ste. Marie) <i>v.</i> Doughty . . . . .	251
Railway Company (Nor. Pac.) <i>v.</i> State of Minnesota <i>ex rel.</i> The City of Duluth . . . . .	583
Railway Company (N. & W.) <i>v.</i> May . . . . .	614
Railways Company (Chicago), Thomasson <i>v.</i> . . . .	613
Rankin, Receiver of the Capitol National Bank of Guthrie, Oklahoma, <i>v.</i> City National Bank of Kan- sas City, Missouri . . . . .	541
Receiver of the Capitol National Bank of Guthrie <i>v.</i> City National Bank of Kansas City . . . . .	541
Receiver of Haight & Freese Company, Bien <i>v.</i> . . . .	423

## Table of Cases Reported.

	PAGE
Receiver of the International Bank in Nogales, Lewis v.	309
Receiver of the Woodbridge Canal and Irrigation Company, Atlantic Trust Company v. . . . .	360
Reisenberg and Gallagher, <i>In re</i> . . . . .	90
Richard v. City of Mobile . . . . .	480
Robinson, Receiver of Haight & Freese Company, Bien v.	423
Ross v. State of Kansas . . . . .	613
Safe Company, Donnell v. . . . .	267
Sailors' Union of The Pacific v. Hammond Lumber Company . . . . .	615
St. Charles v. Stookey . . . . .	617
Savings Bank (Montpelier), County of Hamilton v. . . . .	617
Simmons v. State of Kansas . . . . .	613
Simon, <i>Ex parte</i> . . . . .	144
Sisseton and Wahpeton Bands of Sioux Indians v. United States . . . . .	561
Sisseton and Wahpeton Bands of Sioux Indians, United States v. . . . .	561
Smith's Executor v. United States . . . . .	75
Smith v. United States . . . . .	618
Sobrinosa de Ezquiaga, Modasto Munitiz Aguirre v. . . . .	618
Sobrinosa de Ezquiaga, Modesto Munitiz Aguirre v. . . . .	618
Southern Pine Lumber Company v. Ward . . . . .	126
Starr v. Campbell . . . . .	527
State of Kansas, Durein v. . . . .	613
State of Kansas, Ross v. . . . .	613
State of Kansas, Simmons v. . . . .	613
State of Minnesota <i>ex rel.</i> City of Duluth, Northern Pacific Railway Company v. . . . .	583
State of Oregon, Muller v. . . . .	412
State of West Virginia <i>ex rel.</i> State Tax Commissioners, Braxton County Court v. . . . .	192
State Tax Commissioners, Braxton County Court v. . . . .	192
Steamer "Troy," her Boilers, Engines, etc., Duluth & Superior Bridge Company v. . . . .	321

## TABLE OF CONTENTS.

xiii

## Table of Cases Reported.

	PAGE
Steamship Company (Cleveland), Cleveland Terminal and Valley Railroad Company <i>v.</i> . . . . .	316
Stevick <i>v.</i> National Bank of North America . . . . .	619
Stookey, City of St. Charles <i>v.</i> . . . . .	617
Talbott, Metropolitan Life Insurance Company <i>v.</i> . . . .	614
Thomasson <i>v.</i> Chicago Railways Company . . . . .	613
Troy, The . . . . .	321
Trust Company (Atlantic) <i>v.</i> Chapman, Receiver of The Woodbridge Canal and Irrigation Company . . . . .	360
Typewriter Company <i>v.</i> Hillard . . . . .	617
Ughbanks <i>v.</i> Armstrong, Warden of The Michigan State Prison . . . . .	481
Umbreit, Disconto Gesellschaft <i>v.</i> . . . . .	570
United Dictionary Company <i>v.</i> G. & C. Merriam Company	260
United States, Adair <i>v.</i> . . . . .	161
United States <i>v.</i> A. Graf Distilling Company . . . . .	198
United States, Ahearn <i>v.</i> . . . . .	615
United States, Bernays <i>v.</i> . . . . .	614
United States <i>v.</i> Bitty . . . . .	393
United States, Blacklock, Executor of Rinaldo P. Smith, <i>v.</i>	75
United States, Carrington <i>v.</i> . . . . .	1
United States, Chicago and Alton Railway Company <i>v.</i>	616
United States, Chicago, Burlington & Quincy Railway Company <i>v.</i> . . . . .	616
United States, Chin Yow <i>v.</i> . . . . .	8
United States, Dick <i>v.</i> . . . . .	340
United States, Faithorn <i>v.</i> . . . . .	616
United States, Great Northern Railway Company <i>v.</i> . . . .	452
United States <i>v.</i> Hillhouse . . . . .	615
United States <i>v.</i> Larkin . . . . .	333
United States <i>v.</i> Miller . . . . .	32
United States, Paolucci <i>v.</i> . . . . .	617
United States <i>v.</i> Sisseton and Wahpeton Bands of Sioux Indians . . . . .	561

## Table of Cases Reported.

	PAGE
United States, Sisseton and Wahpeton Bands of Sioux Indians <i>v.</i> . . . . .	561
United States, Smith <i>v.</i> . . . . .	618
United States, Wann <i>v.</i> . . . . .	616
United States Fidelity and Guaranty Company of Balti- more, Maryland, Henningsen <i>v.</i> . . . . .	404
United Land Association <i>v.</i> Abrahams . . . . .	614
University of The South, Jetton, Revenue Agent of The State of Tennessee, <i>v.</i> . . . . .	489
Virginia, Cosmopolitan Club <i>v.</i> . . . . .	378
Wabash Railroad Company <i>v.</i> Adelbert College of The Western Reserve University . . . . .	38, 609
Waggoner <i>v.</i> National Bank of Commerce of Kansas City, Mo. . . . .	616
Wann <i>v.</i> United States . . . . .	616
Ward, Southern Pine Lumber Company <i>v.</i> . . . .	126
Warden of The Michigan State Prison, Ughbanks <i>v.</i> . . . .	481
Wells <i>et al.</i> , Commissioners of Taxes and Assessments of The City of New York, New York <i>ex rel.</i> Burke <i>v.</i> . . . .	14
Western New York and Pennsylvania Railroad Com- pany, Penn Refining Company <i>v.</i> . . . . .	208
West Virginia <i>ex rel.</i> State Tax Commissioners, Braxton County Court <i>v.</i> . . . . .	192
Wiese, Missouri Valley Land Company <i>v.</i> . . . .	234
Winslow <i>v.</i> Baltimore and Ohio Railroad Company . . . . .	59
Wood, Elder <i>v.</i> . . . . .	226
Woodbridge Canal and Irrigation Company's Receiver, Atlantic Trust Company <i>v.</i> . . . . .	360
Wrich, Missouri Valley Land Company <i>v.</i> . . . .	250
Yosemite Gold Mining and Milling Company <i>v.</i> Emerson . . . . .	25