

J U S T I C E S

OF THE

S U P R E M E C O U R T

DURING THE TIME OF THESE REPORTS.¹

MELVILLE WESTON FULLER,² CHIEF JUSTICE.
JOHN MARSHALL HARLAN,³ ASSOCIATE JUSTICE.
EDWARD DOUGLASS WHITE,⁴ ASSOCIATE JUSTICE.
JOSEPH MCKENNA, ASSOCIATE JUSTICE.
OLIVER WENDELL HOLMES, ASSOCIATE JUSTICE.
WILLIAM R. DAY, ASSOCIATE JUSTICE.
WILLIAM HENRY MOODY,⁵ ASSOCIATE JUSTICE.
HORACE HARMON LURTON, ASSOCIATE JUSTICE.
CHARLES EVANS HUGHES,⁶ ASSOCIATE JUSTICE.

GEORGE WOODWARD WICKERSHAM, ATTORNEY GENERAL.
LLOYD WHEATON BOWERS,⁷ SOLICITOR GENERAL.
JAMES HALL MCKENNEY, CLERK.
JOHN MONTGOMERY WRIGHT, MARSHAL.

¹ For allotment of THE CHIEF JUSTICE and Associate Justices among the several circuits see page v, *post*.

² THE CHIEF JUSTICE died July 4, 1910, at his home in Sorrento, Maine, during vacation. He was buried in Chicago, Illinois. The proceedings on his death will appear in Vol. 219, United States Reports. On December 12, 1910, President Taft appointed Edward Douglass White, Associate Justice of this court, Chief Justice of the United States, to succeed Mr. CHIEF JUSTICE FULLER. He was confirmed by the Senate on the same day and on December 19 took the oath as Chief Justice.

³ MR. ASSOCIATE JUSTICE HARLAN presided from the opening of October Term, 1910, until December 19, 1910.

⁴ Appointed and confirmed Chief Justice of the United States December 12, 1910, and took the oath as such December 19, 1910. On December 12, 1910, President Taft appointed Mr. Joseph Rucker Lamar, of Georgia, Associate Justice to succeed Mr. JUSTICE WHITE as such. He

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was confirmed by the Senate on December 15, 1910, and qualified and took his seat upon the bench on January 3, 1911.

⁵ MR. JUSTICE MOODY was absent from the court on account of illness during the whole of October Term, 1909, and did not participate in any of the decisions reported in this volume. On June 23, 1910, Congress passed the following act (chap. 377), entitled, "An Act to permit William H. Moody, an Associate Justice of the Supreme Court of the United States, to retire. *Be it enacted by the Senate and House of Representatives of the United States in Congress assembled*, That the provisions of section seven hundred and fourteen of the Revised Statutes be and they are hereby, extended and made applicable to WILLIAM H. MOODY, an Associate Justice of the Supreme Court of the United States, in consequence of his physical inability, notwithstanding he has not served the full term of ten years or attained the age of seventy years as required by the aforesaid section: *Provided*, that the said WILLIAM H. MOODY shall resign the said office of Associate Justice of the Supreme Court of the United States within five months after the passage of this act. Approved June 23, 1910." MR. JUSTICE MOODY'S illness continued and he did not take his seat upon the bench during October Term, 1910, or participate in any of the decisions of the court during such term. He retired pursuant to the provisions of said act of Congress on November 20, 1910. See Proceedings, p. xvii, *post*. On December 12 President Taft appointed Willis Van DeVanter, of Wyoming, Circuit Judge of the United States for the Second Circuit, to succeed MR. JUSTICE MOODY. He was confirmed by the Senate on December 15, 1910, and qualified and took his seat upon the bench on January 3, 1911.

⁶ MR. JUSTICE HUGHES of New York, and Governor of that State, was appointed by President Taft on April 25, 1910, to succeed MR. JUSTICE BREWER, deceased. See 217 U. S. iii. He was confirmed by the Senate on May 2, 1910, and qualified and took his seat upon the bench on October 10, 1910. He did not take part in any of the decisions reported in this volume which were argued or submitted prior to that date.

⁷ MR. SOLICITOR GENERAL BOWERS died during vacation of the court, at Boston, Massachusetts, on September 9, 1910. On December 12 President Taft appointed Mr. Frederick William Lehmann of Missouri, Solicitor General to succeed Mr. Bowers. His commission was filed with the court December 19, 1910.