

# TABLE OF CONTENTS.

## TABLE OF CASES REPORTED.

	PAGE
Adkins <i>v.</i> Arnold	417
Albertucci, Monagas <i>v.</i>	81
Alexander Bryant Company <i>v.</i> New York Steam Fitting Company	327
American Publishers Association, Straus <i>v.</i>	716
American Water Softener Company <i>v.</i> Lankford and others, Composing the State Banking Board of the State of Oklahoma	496
Anderson <i>v.</i> Swedish Evangelical Mission Covenant of America	692
Anderson, Petitioner, <i>v.</i> Chenault	700
Anderson, Petitioner, <i>v.</i> Forty-two Broadway Com- pany	699
Arctic Lumber Company, Borden <i>v.</i>	704
Arizona & New Mexico Railway Company <i>v.</i> Clark	669
Arkansas, St. Louis Southwestern Railway Company <i>v.</i>	350
Arnold, Adkins <i>v.</i>	417
Atchison, Topeka & Santa Fe Railway Company, McCabe <i>v.</i>	151
Atchison, Topeka & Santa Fe Railway Company <i>v.</i> Ritterbusch	683
Atlantic Coast Lumber Corporation <i>v.</i> Minshew	685
Aton Piano Company, Chicago, Milwaukee & St. Paul Railway Company <i>v.</i>	715
Automobile Supply Manufacturing Company, Lovell-McConnell Manufacturing Company <i>v.</i>	383
Bache, Petitioner, <i>v.</i> United States	702
Backus, Cardonnel <i>v.</i>	715

## Table of Cases Reported.

	PAGE
Backus, Kum <i>v.</i>	714
Bank (Continental & Commercial Trust & Savings), Fallows <i>v.</i>	300
Bank (First National of Albuquerque), Miller <i>v.</i>	689
Bank (German of Carroll County, Iowa) <i>v.</i> Lee	709
Bank (Mechanics & Metals National), Howell <i>v.</i>	702
Bank (National City of Chicago), Rogers <i>v.</i>	698
Bank (National of Commerce of Seattle), Russo- Chinese Bank <i>v.</i>	696
Bank (Russo-Chinese) <i>v.</i> National Bank of Com- merce of Seattle	696
Bankers Surety Company, Petitioner, <i>v.</i> Elkhorn River Drainage District	702
Banking Board of Oklahoma, American Water Softener Company <i>v.</i>	496
Banking Board of Oklahoma <i>v.</i> Farish	498
Banking Board of Oklahoma, Farish <i>v.</i>	498
Banking Board of Oklahoma <i>v.</i> Platte Iron Works Company	461
Baron Du Laurens d'Oiselay, People of Porto Rico <i>v.</i>	251
Bartlett, United States <i>v.</i>	72
Behrman, Mayor of the City of New Orleans, Louis- iana Railway & Navigation Company <i>v.</i>	164
Berwind-White Coal Mining Company <i>v.</i> Chicago & Erie Railroad Company	371
Blagg, Jeffrey Manufacturing Company <i>v.</i>	571
Board of Supervisors of Harrison County, Iowa, Ruffcorn <i>v.</i>	708
Borden, Petitioner, <i>v.</i> Arctic Lumber Company	704
Borland, Petitioner, <i>v.</i> Central Trust Company of Illinois	701
Brady, Sizemore <i>v.</i>	441
Braker's Trustee, Brown, Trustee for Schermer- horn Under Will of Cunningham <i>v.</i>	589
Braker's Trustee, Provident Life & Trust Company as Executor of Wood <i>v.</i>	589

## TABLE OF CONTENTS.

ix

## Table of Cases Reported.

	PAGE
Breuker & Kessler Company, Dejonge & Company <i>v.</i>	33
Britton <i>v.</i> Wheeler	687
Broughton, United States <i>v.</i>	133
Brown, John H Estate, Limited, <i>v.</i>	342
Brown, Petitioner, <i>v.</i> Pacific Coast Coal Company	705
Brown, Trustee for Schermerhorn Under Will of Cunningham, <i>v.</i> Fletcher, Trustee of Braker	589
Brown's Trustee in Bankruptcy, Scotten <i>v.</i>	407
Bryant Company <i>v.</i> New York Steam Fitting Com- pany	327
Bussell, Washington Dredging & Improvement Com- pany <i>v.</i>	688
California, Peralta <i>v.</i>	686
Canal Commissioners of Illinois <i>v.</i> Pittsburgh, Fort Wayne & Chicago Railway Company	689
Canal Company (Twin Falls) <i>v.</i> State of Idaho	690
Canavan <i>v.</i> Romero	709
Cardonnel <i>v.</i> Backus	715
Castleman, Mound City Company <i>v.</i>	689
Ceballos and Fiske <i>v.</i> Wilson	712
Central Trust Company of Illinois, Borland <i>v.</i>	701
Champion Fibre Company, Petitioner, <i>v.</i> Russell	700
Chenault, Anderson <i>v.</i>	700
Chicago, Willoughby <i>v.</i>	45
Chicago, Burlington & Quincy Railroad Company, United States <i>v.</i>	696
Chicago City Railway Company, Venner <i>v.</i>	713
Chicago & Erie Railroad Company, Berwind-White Coal Mining Company <i>v.</i>	371
Chicago, Milwaukee & St. Paul Railway Company <i>v.</i> Hanson	693
Chicago, Milwaukee & St. Paul Railway Company, Twin City Separator Company <i>v.</i>	716
Chicago, Milwaukee & St. Paul Railway Company <i>v.</i> Uber	715



## TABLE OF CONTENTS.

## Table of Cases Reported.

	PAGE
Chicago, Milwaukee & St. Paul Railway Company <i>v.</i> W. H. Aton Piano Company . . . . .	715
Choctaw, Oklahoma & Gulf Railroad Company <i>v.</i> Harrison, Sheriff of Pittsburg County, Oklahoma	292
Citizens Insurance Company of Missouri <i>v.</i> Clay . . . . .	711
Citizens Trust Company <i>v.</i> Tilt . . . . .	710
City of Chicago, Willoughby <i>v.</i> . . . .	45
City of Cleveland, Cleveland & Pittsburgh Railroad Company <i>v.</i> . . . .	50
City of Covington, South Covington & Cincinnati Street Railway Company <i>v.</i> . . . .	537
City of New Orleans, Louisiana Railway & Naviga- tion Company <i>v.</i> . . . .	164
City of Omaha, Missouri Pacific Railway Com- pany <i>v.</i> . . . .	121
City and County of San Francisco, Pacific States Supply Company <i>v.</i> . . . .	709
City of Seattle, Missouri <i>ex rel.</i> St. Joseph Water Company <i>v.</i> . . . .	694
City of Seattle, Washington <i>ex rel.</i> Smith <i>v.</i> . . . .	695
Clark, Arizona & New Mexico Railway Com- pany <i>v.</i> . . . .	669
Clark, Petitioner, <i>v.</i> Schieble Toy & Novelty Com- pany . . . . .	707
Clay, Citizens Insurance Company of Missouri <i>v.</i> . . . .	711
Clendaniel <i>v.</i> Conrad . . . . .	712
Cleveland, Cleveland & Pittsburgh Railroad Com- pany <i>v.</i> . . . .	50
Cleveland & Pittsburgh Railroad Company <i>v.</i> City of Cleveland . . . . .	50
Coal Company (Lehigh Valley) <i>v.</i> Yensavage . . . . .	705
Coal Company (Pacific Coast), Brown <i>v.</i> . . . .	705
Cohen, Petitioner, <i>v.</i> United States . . . . .	696
Coldwell-Gildard Company, Stafford Company <i>v.</i> . . . .	700
Cole, Jarrell <i>v.</i> . . . .	697
Commissioner of Immigration, Cardonnel <i>v.</i> . . . .	715

## TABLE OF CONTENTS.

xi

## Table of Cases Reported.

	PAGE
Commissioner of Immigration, Kum v. . . . .	714
Commonwealth Trust Company v. Trocon . . . . .	685
Comptroller of the State of Florida, Pullman Com- pany v. . . . .	23
Comptroller of the State of New York, People of the State of New York on the Relation of Cornell Steamboat Company v. . . . .	549
Concepcion Veve de Belavel v. Fajardo Sugar Grow- ers Association . . . . .	713
Conrad, Clendaniel v. . . . .	712
Continental & Commercial Trust & Savings Bank, Trustee in Bankruptcy of Tengwall Company, Fallows v. . . . .	300
Coos County's Sheriff v. Thaw . . . . .	432
Cope, Sioux Remedy Company v. . . . .	197
Copperman, Doing Business as Thalia Music Hall, Universal Film Manufacturing Company v. . . . .	704
Cornell Steamboat Company v. Sohmer, as Comp- troller of the State of New York . . . . .	549
Corvallis & Eastern Railroad Company v. West . . . . .	691
Covington, South Covington & Cincinnati Street Railway Company v. . . . .	537
Cowan v. People of the State of Illinois <i>ex rel.</i> Way- man, State's Attorney . . . . .	692
Cox, Rixey v. . . . .	687
Danbury Hatters' Case (Lawlor v. Loewe) . . . . .	522
Daugherty v. L. D. George Lumber Company . . . . .	703
David, Administratrix of Selleck, Gilbert, Adminis- trator of Selleck, v. . . . .	561
Davis, Dean v. . . . .	702
Dean, Petitioner, v. Davis . . . . .	702
Deaver-Jeter Company, Southern Railway Com- pany v. . . . .	710
De Belavel v. Fajardo Sugar Growers Association . . . . .	713
Dejonge & Company v. Breuker & Kessler Company . . . . .	33

## TABLE OF CONTENTS.

## Table of Cases Reported.

	PAGE
Denver Chemical Manufacturing Company, Petitioner <i>v.</i> Lilley . . . . .	706
Detroit & Mackinac Railway Company <i>v.</i> Michigan Railroad Commission . . . . .	402
Dicks, Hull <i>v.</i> . . . . .	584
Dill, Skelton <i>v.</i> . . . . .	206
Donahoo, Moore <i>v.</i> . . . . .	706
Dowagiac Manufacturing Company <i>v.</i> Minnesota Moline Plow Company . . . . .	641
Dowagiac Manufacturing Company <i>v.</i> Smith . . . . .	641
Doyle & Son <i>v.</i> Schmidheiser . . . . .	693
Drew, Petitioner, <i>v.</i> United States . . . . .	697
Drew, Sheriff of Coos County, New Hampshire, <i>v.</i> Thaw . . . . .	432
Drury and Maddox, Trustees, Magruder <i>v.</i> . . . .	106
Dunlevy, New York Life Insurance Company <i>v.</i> . . . .	705
Du Pont De Nemours Powder Company, Petitioner, <i>v.</i> Schlottman . . . . .	705
Easterling Lumber Company <i>v.</i> Pierce . . . . .	380
E. I. Du Pont De Nemours Powder Company, Petitioner, <i>v.</i> Schlottman . . . . .	705
Electric Lines Company (N. Y.) <i>v.</i> Empire City Subway Company . . . . .	179
Elkhorn River Drainage District, Bankers Surety Company <i>v.</i> . . . . .	702
Elliott Company, Lagonda Manufacturing Company <i>v.</i> . . . . .	697
Emerson & Norris Company, Petitioner, <i>v.</i> Simpson Brothers Corporation . . . . .	707
Emmanuel, Baron Du Laurens d'Oiselay, People of Porto Rico <i>v.</i> . . . . .	251
Empire City Subway Company, New York Electric Lines Company <i>v.</i> . . . . .	179
Empire State Surety Company, United States <i>v.</i> . . . .	713
Erie Railroad Company, United States <i>v.</i> . . . .	513



## TABLE OF CONTENTS.

xiii

## Table of Cases Reported.

	PAGE
Ernst, Hotchkiss <i>v.</i>	684
<i>Ex parte</i> : In the Matter of Jared Flagg, Petitioner	683
<i>Ex parte</i> : In the Matter of Leo M. Frank, Petitioner	694
Fajardo Sugar Growers Association, De Belavel <i>v.</i>	713
Fallows <i>v.</i> Continental & Commercial Trust & Savings Bank, Trustee in Bankruptcy of Tengwall Company	300
Fargo, Reid <i>v.</i>	703
Farish <i>v.</i> State Banking Board of the State of Oklahoma	498
Farish, State Banking Board of Oklahoma <i>v.</i>	498
Fay <i>v.</i> United States	707
F. B. Williams Cypress Company, Ltd., <i>v.</i> State of Louisiana	714
Fidelity & Guaranty Company (U. S.) <i>v.</i> Poetker	683
Finn and others as Railroad Commission of Kentucky, Louisville & Nashville Railroad Company <i>v.</i>	601
First National Bank of Albuquerque, Miller <i>v.</i>	689
Fishback, Robison <i>v.</i>	714
Flagg, <i>Ex parte</i>	683
Fletcher <i>et al.</i> , Petitioners, <i>v.</i> United States	706
Fletcher, Trustee of Braker, Brown, Trustee for Schermerhorn Under Will of Cunningham, <i>v.</i>	589
Fletcher, Trustee of Braker, Provident Life & Trust Company as Executor of Wood, <i>v.</i>	589
Florida, Pullman Company <i>v.</i>	23
Folger, Petitioner, <i>v.</i> Putnam	712
Ford, Vicksburg Water Works Company <i>v.</i>	716
Forter-Miller Engineering Company <i>et al.</i> , Petitioners, <i>v.</i> Morgan Construction Company	698
Forty-two Broadway Company, Anderson <i>v.</i>	699
Frank, <i>Ex parte</i>	694

## Table of Cases Reported.

	PAGE
Gard <i>v.</i> People of the State of Illinois . . . . .	691
Garrett, Administrator of Lewis, <i>v.</i> Louisville & Nashville Railroad Company . . . . .	308
George Lumber Company, Inc., Petitioner, <i>v.</i> Daugherty . . . . .	703
Georgia, Wadley Southern Railway Company <i>v.</i> . . . .	651
German Bank of Carroll County, Iowa, <i>v.</i> Lee . . . . .	709
Gifford, Northern Pacific Railway Company <i>v.</i> . . . .	711
Gilbert, Administrator of Selleck, <i>v.</i> David, Adminis- tratrix of Selleck . . . . .	561
Goldman, Philadelphia & Reading Railway Com- pany <i>v.</i> . . . .	715
Grace & Company, Rainey <i>v.</i> . . . .	704
Greenwald & Champenois, Mobile & Ohio Railroad Company <i>v.</i> . . . .	717
Groo, Petitioner, <i>v.</i> Whitney . . . . .	703
Hampe, Sage <i>v.</i> . . . .	99
Hanson, Chicago, Milwaukee & St. Paul Railway Company <i>v.</i> . . . .	693
Harrison, Sheriff of Pittsburg County, Oklahoma, Choctaw, Oklahoma & Gulf Railroad Company <i>v.</i> . . . .	292
Hebard, Hopkins <i>v.</i> . . . .	287
Hendrick <i>v.</i> State of Maryland . . . . .	610
Henkel, United States Marshal, Henry <i>v.</i> . . . .	219
Henry <i>v.</i> Henkel, United States Marshal . . . . .	219
Holbrook, Norfolk & Western Railway Company <i>v.</i> . . . .	625
Holden, Knapp <i>v.</i> . . . .	714
Holland-American Line, United States <i>v.</i> . . . .	686
Homer, Oregon Short Line Railroad Company <i>v.</i> . . . .	693
Hooker, Corser & Mitchell Company, Mohawk Overall Company <i>v.</i> . . . .	685
Hopkins <i>v.</i> Hebard . . . . .	287
Hotchkiss <i>v.</i> Ernst . . . . .	684
Howell, Petitioner, <i>v.</i> Mechanics & Metals National Bank . . . . .	702



## TABLE OF CONTENTS.

xv

## Table of Cases Reported.

	PAGE
Hull <i>v.</i> Dicks . . . . .	584
Hyde, Minerals Separation, Limited, <i>v.</i> . . . .	701
Idaho, Twin Falls Canal Company <i>v.</i> . . . .	690
Ii Estate, Limited, <i>v.</i> Brown . . . . .	342
Illinois <i>ex rel.</i> Wayman, Cowan <i>v.</i> . . . .	692
Illinois, Gard <i>v.</i> . . . .	691
Illinois, Suing by the Canal Commissioners <i>v.</i> Pitts- burgh, Fort Wayne & Chicago Railway Com- pany . . . . .	689
Illinois State Trust Company, Kelly <i>v.</i> . . . .	701
Indemnity Company (Western Life of Illinois) <i>v.</i> Rupp . . . . .	261
Indiana, Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company <i>v.</i> . . . .	710
Insurance Company (Citizens, of Missouri) <i>v.</i> Clay . . . .	711
Insurance Company (N. Y. Life) <i>v.</i> Dunlevy . . . .	705
Interstate Commerce Commission, Pennsylvania Railroad Company <i>v.</i> . . . .	708
Jackson Oil & Refining Company, Wathen <i>v.</i> . . . .	635
Jarrell <i>et al.</i> , Petitioners, <i>v.</i> Cole . . . . .	697
Jeffrey Manufacturing Company <i>v.</i> Blagg . . . . .	571
Jenkins <i>v.</i> Maxwell Land Grant Company . . . . .	691
John Ii Estate, Limited, <i>v.</i> Brown . . . . .	342
Joplin Mercantile Company <i>et al.</i> , Petitioners, <i>v.</i> United States . . . . .	699
Judson, Petitioner, <i>v.</i> Nash . . . . .	703
Kelly, Petitioner, <i>v.</i> Illinois State Trust Company . . . .	701
Kentucky Railroad Commission, Louisville & Nash- ville Railroad Company <i>v.</i> . . . .	601
Knapp <i>v.</i> Holden . . . . .	714
Knott, Comptroller of the State of Florida, Pullman Company <i>v.</i> . . . .	23
Krieg, Lewis <i>v.</i> . . . .	708
Kum <i>v.</i> Backus . . . . .	714

## Table of Cases Reported.

	PAGE
Lagonda Manufacturing Company, Petitioner, <i>v.</i> Elliott Company . . . . .	697
Lamar <i>v.</i> Splain . . . . .	695
Lane <i>v.</i> Watts . . . . .	17
Lankford and others, Composing the State Banking Board of Oklahoma, American Water Softener Company <i>v.</i> . . . .	496
Lankford and others, Composing the State Banking Board of the State of Oklahoma, <i>v.</i> Platte Iron Works Company . . . . .	461
Lawlor <i>v.</i> Loewe . . . . .	522
L. D. George Lumber Company, Inc., Petitioner, <i>v.</i> Daugherty . . . . .	703
Leavenworth, Smith <i>v.</i> . . . .	690
Lee, German Bank of Carroll County, Iowa, <i>v.</i> . . . .	709
Lehigh Valley Coal Company, Petitioner, <i>v.</i> Yen- savage . . . . .	705
Leora, Minneapolis, St. P. & Sault Ste. Marie Rail- way Company <i>v.</i> . . . .	694
L. E. Waterman Company <i>v.</i> Modern Pen Com- pany . . . . .	88
L. E. Waterman Company, Modern Pen Company <i>v.</i> . . . .	88
Lewis <i>v.</i> Krieg . . . . .	708
Lewis' Administrator <i>v.</i> Louisville & Nashville Rail- road Company . . . . .	308
Lewis, United States <i>v.</i> . . . .	282
Life Indemnity Company (Western of Illinois) <i>v.</i> Rupp . . . . .	261
Life Insurance Company (N. Y.) <i>v.</i> Dunlevy . . . . .	705
Life & Trust Company (Provident) as Executor of Wood <i>v.</i> Fletcher, Trustee of Braker . . . . .	589
Lilley, Denver Chemical Manufacturing Company <i>v.</i> . . . .	706
Littlefield, Trustee of Brown, Bankrupt, Scotten <i>v.</i> . . . .	407
Loewe, Lawlor <i>v.</i> . . . .	522
Louisiana, F. B. Williams Cypress Company <i>v.</i> . . . .	714
Louisiana, Rabb <i>v.</i> . . . .	688



## TABLE OF CONTENTS.

xvii

## Table of Cases Reported.

	PAGE
Louisiana Railway & Navigation Company <i>v.</i> Behrman, Mayor of the City of New Orleans	164
Louisville & Nashville Railroad Company <i>v.</i> Finn and others as Railroad Commission of Kentucky	601
Louisville & Nashville Railroad Company, Garrett, Administrator of Lewis, <i>v.</i>	308
Louisville & Nashville Railroad Company, United States <i>v.</i>	314
Lovell-McConnell Manufacturing Company <i>v.</i> Automobile Supply Manufacturing Company	383
Lumber Company (Arctic), Borden <i>v.</i>	704
Lumber Company (Easterling) <i>v.</i> Pierce	380
Lumber Company (L. D. George) <i>v.</i> Dougherty	703
Lumber Corporation (Atlantic Coast) <i>v.</i> Minshew	685
McCabe <i>v.</i> Atchison, Topeka & Santa Fe Railway Company	151
McGovern, Administratrix, <i>v.</i> Philadelphia & Reading Railway Company	389
Macy & Company <i>v.</i> Notaseme Hosiery Company	700
Magruder <i>v.</i> Drury and Maddox, Trustees	106
Major, Western Union Telegraph Company <i>v.</i>	711
Manufacturing Company (Automobile Supply), Lovell-McConnell Manufacturing Company <i>v.</i>	383
Manufacturing Company (Dowagiac) <i>v.</i> Minnesota Moline Plow Company	641
Manufacturing Company (Dowagiac) <i>v.</i> Smith	641
Manufacturing Company (Lovell-McConnell) <i>v.</i> Automobile Supply Manufacturing Company	383
Maryland, Hendrick <i>v.</i>	610
Maryland Steel Company of Baltimore County <i>v.</i> United States	451
Matter of Flag, Petitioner	683
Matter of Frank, Petitioner	694
Maxwell Land Grant Company, Jenkins <i>v.</i>	691
Mayer, United States <i>v.</i>	55



## Table of Cases Reported.

	PAGE
Mayor of the City of New Orleans, Louisiana Rail- way & Navigation Company <i>v.</i>	164
Mechanics & Metals National Bank, Howell <i>v.</i>	702
Meisner <i>v.</i> People of the State of Michigan	709
Mercelis <i>v.</i> Wilson	579
Michigan, Meisner <i>v.</i>	709
Michigan Railroad Commission, Detroit & Mackinac Railway Company <i>v.</i>	402
Miller <i>v.</i> First National Bank of Albuquerque	689
Miller, Washington <i>v.</i>	422
Mills <i>v.</i> Territory of New Mexico	687
Minerals Separation, Limited, <i>et al.</i> , Petitioners, <i>v.</i> Hyde	701
Minidoka & Southwestern Railroad Company <i>v.</i> United States	211
Mining Company (Berwind-White) <i>v.</i> Chicago & Erie Railroad Company	371
Minneapolis, St. Paul & Sault Ste. Marie Railway Company <i>v.</i> Leora	694
Minnesota Moline Plow Company, Dowagiac Manu- facturing Company <i>v.</i>	641
Minshew, Atlantic Coast Lumber Corporation <i>v.</i>	685
Missouri <i>ex rel.</i> St. Joseph Water Company <i>v.</i> City of Seattle	694
Missouri, Kansas & Texas Railway Company <i>v.</i> United States	37
Missouri Pacific Railway Company <i>v.</i> City of Omaha	121
Mobile & Ohio Railroad Company <i>v.</i> Greenwald & Champenois	717
Modern Pen Company <i>v.</i> L. E. Waterman Com- pany	88
Modern Pen Company, L. E. Waterman Company <i>v.</i>	88
Mohawk Overall Company <i>v.</i> Hooker, Corser & Mitchell Company	685
Monagas <i>v.</i> Albertucci	81
Moore <i>et al.</i> , Petitioners, <i>v.</i> Donahoo	706

# TABLE OF CONTENTS.

xix

## Table of Cases Reported.

	PAGE
Moose John, United States <i>v.</i>	276
Morgan Construction Company, Forter-Miller Engineering Company <i>v.</i>	698
Mound City Company <i>v.</i> Castleman	689
Nash, Judson <i>v.</i>	703
National Bank of Commerce of Seattle, Russo- Chinese Bank <i>v.</i>	696
National Bank (First of Albuquerque), Miller <i>v.</i>	689
National Bank (Mechanics & Metals), Howell <i>v.</i>	702
National City Bank of Chicago, Rogers <i>v.</i>	698
National Discount Company <i>v.</i> Sheppard	712
Nelson Land & Cattle Company, Petitioner, <i>v.</i> Smith	699
New Mexico, Mills <i>v.</i>	687
New Orleans, Louisiana Railway & Navigation Com- pany <i>v.</i>	164
New York, Cornell Steamboat Company <i>v.</i>	549
New York on the Relation of Cornell Steamboat Company <i>v.</i> Sohmer, as Comptroller of the State of New York	549
New York Electric Lines Company <i>v.</i> Empire City Subway Company	179
New York Life Insurance Company, Petitioner, <i>v.</i> Dunlevy	705
New York Steam Fitting Company, United States for the use of Alexander Bryant Company <i>v.</i>	327
Nixon <i>et al.</i> , Receivers of the St. Louis & San Fran- cisco Railroad Company, United States <i>v.</i>	231
Norfolk & Western Railway Company <i>v.</i> Holbrook	625
North Carolina <i>v.</i> Tennessee	1
Northern Pacific Railway Company <i>v.</i> Gifford	711
Northern Pacific Railway Company, United States <i>v.</i>	696
Norton, Petitioner, <i>v.</i> United States	699
Notaseme Hosiery Company, Straus <i>et al.</i> , Trading as Macy & Company, <i>v.</i>	700

## TABLE OF CONTENTS.

## Table of Cases Reported.

	PAGE
Oil & Refining Company (Jackson), Wathen <i>v.</i>	635
Oklahoma, Overton <i>v.</i>	31
Oklahoma State Banking Board, American Water Softener Company <i>v.</i>	496
Oklahoma State Banking Board <i>v.</i> Farish	498
Oklahoma State Banking Board, Farish <i>v.</i>	498
Oklahoma State Banking Board <i>v.</i> Platte Iron Works Company	461
Oliver <i>v.</i> State of Texas	710
Omaha, Missouri Pacific Railway Company <i>v.</i>	121
Oregon Short Line Railroad Company <i>v.</i> Homer	693
Overton <i>v.</i> State of Oklahoma	31
 Pacific Coast Coal Company, Brown <i>v.</i>	 705
Pacific States Supply Company <i>v.</i> City and County of San Francisco	709
Parker, Taylor <i>v.</i>	42
Paylor, Petitioner, <i>v.</i> United States	704
Pen Company (Modern) <i>v.</i> L. E. Waterman Com- pany	88
Pen Company (Modern), L. E. Waterman Com- pany <i>v.</i>	88
Pennsylvania Railroad Company <i>v.</i> Interstate Com- merce Commission	708
People of Porto Rico <i>v.</i> Emmanuel, Baron Du Laurens d'Oiselay	251
People of the State of Illinois <i>ex rel.</i> Wayman, Cowan <i>v.</i>	692
People of the State of Illinois, Gard <i>v.</i>	691
People of the State of Illinois, Suing by the Canal Commissioners, <i>v.</i> Pittsburgh, Fort Wayne & Chicago Railway Company	689
People of the State of Michigan, Meisner <i>v.</i>	709
People of the State of New York on the Relation of Cornell Steamboat Company <i>v.</i> Sohmer, as Comptroller of the State of New York	549



## TABLE OF CONTENTS.

xxi

## Table of Cases Reported.

	PAGE
Peralta <i>v.</i> State of California . . . . .	686
Perry <i>et al.</i> , Petitioners, <i>v.</i> Weed Chain Tire Grip Company . . . . .	698
Philadelphia & Reading Railway Company <i>v.</i> Goldman . . . . .	715
Philadelphia & Reading Railway Company, Mc- Govern, Administratrix <i>v.</i> . . . .	389
Pierce, Easterling Lumber Company <i>v.</i> . . . .	380
Pittsburgh, Cincinnati, Chicago & St. Louis Rail- way Company <i>v.</i> State of Indiana . . . . .	710
Pittsburgh, Fort Wayne & Chicago Railway Com- pany, People of the State of Illinois, Suing by the Canal Commissioners <i>v.</i> . . . .	689
Platte Iron Works Company, Lankford and others, Composing the State Banking Board of Okla- homa <i>v.</i> . . . .	461
Plow Company (Minnesota Moline), Dowagiac Manufacturing Company <i>v.</i> . . . .	641
Poetker, United States Fidelity & Guaranty Com- pany <i>v.</i> . . . .	683
Portale, United States <i>v.</i> . . . .	27
Porto Rico <i>v.</i> Emmanuel, Baron Du Laurens d'Oiselay . . . . .	251
Provident Life & Trust Company as Executor of Wood <i>v.</i> Fletcher, Trustee of Braker . . . . .	589
Pullman Company <i>v.</i> Knott, Comptroller of the State of Florida . . . . .	23
Putnam, Folger <i>v.</i> . . . .	712
Rabb <i>v.</i> State of Louisiana . . . . .	688
Railroad Commission of Kentucky, Louisville & Nashville Railroad Company <i>v.</i> . . . .	601
Railroad Commission of Michigan, Detroit & Mackinac Railway Company <i>v.</i> . . . .	402
Railway Company (A., T. & S. F.), McCabe <i>v.</i> . . . .	151
Railway Company (A., T. & S. F.) <i>v.</i> Ritterbusch . . . . .	683

## Table of Cases Reported.

	PAGE
Railway Company (Arizona & New Mex.) <i>v.</i> Clark	669
Railroad Company (C., B. & Q.), United States <i>v.</i>	696
Railway Company (Chicago City), Venner <i>v.</i>	713
Railroad Company (Chicago & Erie), Berwind- White Coal Mining Company <i>v.</i>	371
Railway Company (C., M. & St. P.) <i>v.</i> Hanson	693
Railway Company (C., M. & St. P.), Twin City Separator Company <i>v.</i>	716
Railway Company (C., M. & St. P.) <i>v.</i> Uber	715
Railway Company (C., M. & St. P.) <i>v.</i> W. H. Aton Piano Company	715
Railroad Company (C. & P.) <i>v.</i> City of Cleveland	50
Railroad Company (Choctaw, O. & G.) <i>v.</i> Harrison, Sheriff of Pittsburg County, Oklahoma	292
Railroad Company (Corvallis & Eastern) <i>v.</i> West	691
Railway Company (Detroit & M.) <i>v.</i> Michigan Railroad Commission	402
Railroad Company (Erie), United States <i>v.</i>	513
Railroad Company (L. & N.), Garrett, Administra- tor of Lewis, <i>v.</i>	308
Railroad Company (L. & N.), United States <i>v.</i>	314
Railroad Company (L. & N.) <i>v.</i> Finn and others as Railroad Commission of Kentucky	601
Railway Company (La. Ry. & N.) <i>v.</i> Behrman, Mayor of the City of New Orleans	164
Railroad Company (Minidoka & S. W.) <i>v.</i> United States	211
Railway Company (Minn., St. P. & Sault Ste. Marie) <i>v.</i> Leora	694
Railway Company (Mo., K. & T.) <i>v.</i> United States	37
Railway Company (Mo. Pac.) <i>v.</i> City of Omaha	121
Railroad Company (Mobile & Ohio) <i>v.</i> Greenwald & Champanois	717
Railway Company (N. & W.) <i>v.</i> Holbrook	625
Railway Company (Nor. Pac.) <i>v.</i> Gifford	711
Railway Company (Nor. Pac.), United States <i>v.</i>	696

## TABLE OF CONTENTS.

xxiii

## Table of Cases Reported.

	PAGE
Railroad Company (Oregon Short Line) <i>v.</i> Homer	693
Railroad Company (Penna.) <i>v.</i> Interstate Commerce Commission	708
Railway Company (Philadelphia & Reading) <i>v.</i> Goldman	715
Railway Company (Phila. & Reading), McGovern, Administratrix, <i>v.</i>	389
Railway Company (Pittsburgh, C., C. & St. L.) <i>v.</i> State of Indiana	710
Railway Company (Pittsburgh, Ft. Wayne & Chicago), People of State of Illinois <i>v.</i>	689
Railroad Company (St. Louis & S. F.), United States <i>v.</i>	231
Railway Company (St. L. S. W.) <i>v.</i> State of Arkansas	350
Railway Company (South Covington & Cin.) <i>v.</i> City of Covington	537
Railway Company (Southern) <i>v.</i> Deaver-Jeter Company	710
Railway Company (Tex. & Pac.) <i>v.</i> Rosborough	429
Railway Company (Wadley Southern) <i>v.</i> Georgia	651
Railroad Company (Wasatch & Jordan Valley), Raphael <i>v.</i>	684, 701
Railroad Company (Yazoo & M. V.) <i>v.</i> Wright	376
Rainey, Petitioner, <i>v.</i> W. R. Grace & Company	704
Raphael <i>v.</i> Wasatch & Jordan Valley Railroad Company	684, 701
Reid, Petitioner, <i>v.</i> Fargo	703
Remedy Company (Sioux) <i>v.</i> Cope	197
Renahan <i>v.</i> Retsch	711
Retsch, Renahan <i>v.</i>	711
Reynolds, United States <i>v.</i>	133
Ritterbusch <i>v.</i> Atchison, Topeka & Santa Fe Railway Company	683
Rixey <i>v.</i> Cox	687
Robison <i>v.</i> Fishback	714
Rogers, Petitioner, <i>v.</i> National City Bank of Chicago	698



## Table of Cases Reported.

	PAGE
Romero, Canavan <i>v.</i> . . . . .	709
Rosborough, Texas & Pacific Railway Company <i>v.</i> . . . .	429
Ruffcorn <i>v.</i> Board of Supervisors of Harrison County, Iowa . . . . .	708
Rupp, Western Life Indemnity Company of Illinois <i>v.</i> . . . .	261
Russell, Champion Fibre Company <i>v.</i> . . . .	700
Russo-Chinese Bank, Petitioner, <i>v.</i> National Bank of Commerce of Seattle . . . . .	696
Sage <i>v.</i> Hampe . . . . .	99
St. Joseph Water Company <i>v.</i> City of Seattle . . . . .	694
St. Louis & San Francisco Railroad Company's Receivers, United States <i>v.</i> . . . .	231
St. Louis Southwestern Railway Company <i>v.</i> State of Arkansas . . . . .	350
Salen, United States <i>v.</i> . . . .	237
San Francisco, Pacific States Supply Company <i>v.</i> . . . .	709
Schermerhorn's Trustee Under Will of Cunningham <i>v.</i> Fletcher, Trustee of Braker . . . . .	589
Schieble Toy & Novelty Company, Clark <i>v.</i> . . . .	707
Schlottman, E. I. Du Pont De Nemours Powder Company <i>v.</i> . . . .	705
Schmidheiser, Doyle & Son <i>v.</i> . . . .	693
Scotten <i>v.</i> Littlefield, Trustee of Brown, Bankrupt . . . . .	407
Seattle, Missouri <i>ex rel.</i> St. Joseph Water Company <i>v.</i> . . . .	694
Seattle, Washington <i>ex rel.</i> Smith <i>v.</i> . . . .	695
Secretary of the Interior <i>v.</i> Watts . . . . .	17
Selleck's Administrator <i>v.</i> David, Administratrix of Selleck . . . . .	561
Selleck's Administratrix, Gilbert, Administrator of Selleck, <i>v.</i> . . . .	561
Shapiro <i>v.</i> United States . . . . .	412
Sheppard, National Discount Company <i>v.</i> . . . .	712
Sheriff of Coos County, New Hampshire, <i>v.</i> Thaw . . . . .	432
Simpson Brothers Corporation, Emerson & Norris Company <i>v.</i> . . . .	707

## TABLE OF CONTENTS.

XXV

## Table of Cases Reported.

	PAGE
Sioux Remedy Company <i>v.</i> Cope . . . . .	197
Sizemore <i>v.</i> Brady . . . . .	441
Skelton <i>v.</i> Dill . . . . .	206
Smith <i>v.</i> City of Seattle . . . . .	695
Smith, Dowagiac Manufacturing Company <i>v.</i> . . . .	641
Smith <i>v.</i> Leavenworth . . . . .	690
Smith, Nelson Land & Cattle Company <i>v.</i> . . . .	699
Sohmer, as Comptroller of the State of New York, People of the State of New York on the Relation of Cornell Steamboat Company <i>v.</i> . . . .	549
South Covington & Cincinnati Street Railway Com- pany <i>v.</i> City of Covington . . . . .	537
Southern Railway Company <i>v.</i> Deaver-Jeter Com- pany . . . . .	710
Splain, Lamar <i>v.</i> . . . .	695
Stafford Company, Petitioner, <i>v.</i> Coldwell-Gildard Company . . . . .	700
State Banking Board of Oklahoma, American Water Softener Company <i>v.</i> . . . .	496
State Banking Board of Oklahoma <i>v.</i> Farish . . . .	498
State Banking Board of Oklahoma, Farish <i>v.</i> . . . .	498
State Banking Board of Oklahoma <i>v.</i> Platte Iron Works Company . . . . .	461
State of Arkansas, St. Louis Southwestern Railway Company <i>v.</i> . . . .	350
State of California, Peralta <i>v.</i> . . . .	686
State of Georgia, Wadley Southern Railway Com- pany <i>v.</i> . . . .	651
State of Idaho, Twin Falls Canal Company <i>v.</i> . . . .	690
State of Illinois <i>ex rel.</i> Wayman, Cowan <i>v.</i> . . . .	692
State of Illinois, Gard <i>v.</i> . . . .	691
State of Illinois, suing by the Canal Commissioners, <i>v.</i> Pittsburgh, Fort Wayne & Chicago Railway Company . . . . .	689
State of Indiana, Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company <i>v.</i> . . . .	710

## Table of Cases Reported.

	PAGE
State of Louisiana, F. B. Williams Cypress Company <i>v.</i>	714
State of Louisiana, Rabb <i>v.</i>	688
State of Maryland, Hendrick <i>v.</i>	610
State of Michigan, Meisner <i>v.</i>	709
State of Missouri <i>ex rel.</i> St. Joseph Water Company <i>v.</i> City of Seattle	694
State of New York, Cornell Steamboat Company <i>v.</i>	549
State of New York on the Relation of Cornell Steamboat Company <i>v.</i> Sohmer, as Comptroller of the State of New York	549
State of North Carolina <i>v.</i> State of Tennessee	1
State of Oklahoma, American Water Softener Company <i>v.</i>	496
State of Oklahoma <i>v.</i> Farish	498
State of Oklahoma, Farish <i>v.</i>	498
State of Oklahoma, Overton <i>v.</i>	31
State of Oklahoma <i>v.</i> Platte Iron Works Company	461
State of Tennessee, State of North Carolina <i>v.</i>	1
State of Texas, Oliver <i>v.</i>	710
State of Washington, E. V. Bussell <i>et al.</i> , Washington Dredging & Improvement Company <i>v.</i>	688
State of Washington <i>ex rel.</i> Smith <i>v.</i> City of Seattle	695
Steamboat Company (Cornell) <i>v.</i> Sohmer, as Comptroller of the State of New York	549
Straus <i>v.</i> American Publishers Association	716
Straus <i>et al.</i> , Trading, etc., as Macy & Company <i>v.</i> Notaseme Hosiery Company	700
Street Railway Company (South Covington & Cin.) <i>v.</i> City of Covington	537
Subway Company (Empire City), N. Y. Electric Lines Company <i>v.</i>	179
Swedish Evangelical Mission Covenant of America, Anderson <i>v.</i>	692



## TABLE OF CONTENTS.

xxvii

## Table of Cases Reported.

	PAGE
Taylor <i>v.</i> Parker . . . . .	42
Telegraph Company (W. U.) <i>v.</i> Major . . . . .	711
Tengwall Company's Trustee in Bankruptcy, Fal- lows <i>v.</i> . . . . .	300
Tennessee, North Carolina <i>v.</i> . . . . .	1
Territory of New Mexico, Mills <i>v.</i> . . . . .	687
Texas, Oliver <i>v.</i> . . . . .	710
Texas & Pacific Railway Company <i>v.</i> Rosborough . . . . .	429
Thalia Music Hall, Universal Film Manufacturing Company <i>v.</i> . . . . .	704
Thaw, Drew, Sheriff of Coos County, New Hamp- shire, <i>v.</i> . . . . .	432
Theurer, United States <i>v.</i> . . . . .	706
Tilt, Citizens Trust Company <i>v.</i> . . . . .	710
Trocon, Commonwealth Trust Company <i>v.</i> . . . . .	685
Trust Company (Central of Illinois), Borland <i>v.</i> . . . . .	701
Trust Company (Citizens) <i>v.</i> Tilt . . . . .	710
Trust Company (Commonwealth) <i>v.</i> Trocon . . . . .	685
Trust Company (Illinois State), Kelly <i>v.</i> . . . . .	701
Trust Company (Provident Life &) as Executor of Wood <i>v.</i> Fletcher, Trustee of Braker . . . . .	589
Twin City Separator Company <i>v.</i> Chicago, Milwau- kee & St. Paul Railway Company . . . . .	716
Twin Falls Canal Company <i>v.</i> State of Idaho . . . . .	690
Uber, Chicago, Milwaukee & St. Paul Railway Com- pany <i>v.</i> . . . . .	715
United States, Bache <i>v.</i> . . . . .	702
United States <i>v.</i> Bartlett . . . . .	72
United States <i>v.</i> Broughton . . . . .	133
United States, Petitioner, <i>v.</i> Chicago, Burlington & Quincy Railroad Company . . . . .	696
United States, Cohen <i>v.</i> . . . . .	696
United States, Drew <i>v.</i> . . . . .	697
United States <i>v.</i> Erie Railroad Company . . . . .	513
United States, Fay <i>v.</i> . . . . .	707

## Table of Cases Reported.

	PAGE
United States, Fletcher <i>v.</i>	706
United States <i>v.</i> Holland-American Line	686
United States, Joplin Mercantile Company <i>v.</i>	699
United States <i>v.</i> Lewis	282
United States <i>v.</i> Louisville & Nashville Railroad Co.	314
United States, Maryland Steel Company of Baltimore County <i>v.</i>	451
United States <i>v.</i> Mayer, Judge of the District Court of the United States for the Southern District of New York	55
United States, Minidoka & Southwestern Railroad Company <i>v.</i>	211
United States, Missouri, Kansas & Texas Railway Company <i>v.</i>	37
United States <i>v.</i> Nixon <i>et al.</i> , Receivers of the St. Louis & San Francisco Railroad Company	231
United States, Petitioner, <i>v.</i> Northern Pacific Railway Company	696
United States, Norton <i>v.</i>	699
United States, Paylor <i>v.</i>	704
United States <i>v.</i> Portale	27
United States <i>v.</i> Reynolds	133
United States <i>v.</i> Salen	237
United States, Shapiro <i>v.</i>	412
United States, Petitioner, <i>v.</i> Theurer	706
United States, Weeks <i>v.</i>	697
United States <i>v.</i> Weisberger and Empire State Surety Company	713
United States <i>v.</i> Wigger, alias Moose John	276
United States for the use of Alexander Bryant Company <i>v.</i> New York Steam Fitting Company	327
United States Fidelity & Guaranty Company <i>v.</i> Poetker	683
Universal Film Manufacturing Company, Petitioner, <i>v.</i> Copperman, Doing Business as Thalia Music Hall	704

# TABLE OF CONTENTS.

xxix

## Table of Cases Reported.

	PAGE
Venner <i>v.</i> Chicago City Railway Company . . .	713
Vicksburg Water Works Company <i>v.</i> Ford . . .	716
Wadley Southern Railway Company <i>v.</i> Georgia . . .	651
Wasatch & Jordan Valley Railroad Company, Raphael <i>v.</i> . . . . .	684, 701
Washington <i>v.</i> Miller . . . . .	422
Washington Dredging & Improvement Com- pany <i>v.</i> State of Washington, E. V. Bussell <i>et al.</i> . . . . .	688
Washington, E. V. Bussell <i>et al.</i> , Washington Dredg- ing & Improvement Company <i>v.</i> . . . .	688
Washington <i>ex rel.</i> Smith <i>v.</i> City of Seattle . . . .	695
Waterman Company <i>v.</i> Modern Pen Company . . .	88
Waterman Company, Modern Pen Company <i>v.</i> . . .	88
Wathen <i>v.</i> Jackson Oil & Refining Company . . .	635
Watts, Lane <i>v.</i> . . . . .	17
Wayman, Cowan <i>v.</i> . . . . .	692
Weed Chain Tire Grip Company, Perry <i>v.</i> . . . .	698
Weeks, Petitioner, <i>v.</i> United States . . . . .	697
Weisberger, United States <i>v.</i> . . . . .	713
West, as Governor, <i>v.</i> Corvallis & Eastern Railroad Company . . . . .	691
Western Life Indemnity Company of Illinois <i>v.</i> Rupp . . . . .	261
Western Union Telegraph Company <i>v.</i> Major . . .	711
W. H. Aton Piano Company, Chicago, Milwaukee & St. Paul Railway Company <i>v.</i> . . . .	715
Wheeler, Britton <i>v.</i> . . . . .	687
Whitney, Groo <i>v.</i> . . . . .	703
Wigger, alias Moose John, United States <i>v.</i> . . .	276
Williams Cypress Company <i>v.</i> State of Louisiana . .	714
Willoughby <i>v.</i> City of Chicago . . . . .	45
Wilson, Ceballos and Fiske <i>v.</i> . . . . .	712
Wilson, Mercelis <i>v.</i> . . . . .	579
Wood's Executor <i>v.</i> Fletcher, Trustee of Braker . .	589



## TABLE OF CONTENTS.

## Table of Cases Reported.

	PAGE
W. R. Grace & Company, Rainey <i>v.</i> . . . .	704
Wright, Yazoo & Mississippi Valley Railroad Com- pany <i>v.</i> . . . .	376
Yazoo & Mississippi Valley Railroad Company <i>v.</i> Wright . . . .	376
Yensavage, Lehigh Valley Coal Company <i>v.</i> . .	705