

242 U. S.

Opinion of the Court.

ALDER *v.* EDENBORN.

CERTIORARI TO THE CIRCUIT COURT OF APPEALS FOR THE  
SECOND CIRCUIT.

No. 9. Argued May 5, 1915; restored to docket for reargument April 3,  
1916; reargued October 23, 1916.—Decided December 4, 1916.

Decided on authority of *Sim v. Edenborn*, *ante*, p. 131.  
206 Fed. Rep. 275, reversed.

*Mr. Theron G. Strong* for petitioner.

*Mr. Joseph W. Bailey*, with whom *Mr. Martin W. Littleton* and *Mr. Owen N. Brown* were on the briefs, for respondent.

MR. JUSTICE McREYNOLDS delivered the opinion of the court.

This cause is similar in all essential respects to *Sim v. Edenborn*, just decided. Accordingly, the Circuit Court of Appeals' action is reversed and the judgment of the trial court is affirmed.

*Reversed.*

MR. JUSTICE McKENNA, MR. JUSTICE DAY and MR. JUSTICE VAN DEVANTER dissent.