

Supreme Court Cases Originating in the District of Kansas

The following is a list of forty-six cases heard by the Supreme Court of the United States that were litigated by the United States Attorney's Office for the District of Kansas. Cases were pulled from the Washington University Law Supreme Court Database (<http://scdb.wustl.edu/>). Cases are listed in chronological order from their date of publication. Following the list is another list highlighting some interesting and significant cases.

1. *United States v. Stone*, 69 U.S. 525 (1864)
2. *Leavenworth, L. & G.R. Co. v. United States*, 92 U.S. 733 (1875)
3. *Missouri, K & T R Co v. United States*, 92 U.S. 760 (1875)
4. *Osborn v. United States*, 23 L. Ed. 871 (Nov. 27, 1876)
5. *United States v. Kansas Pac. R. Co.*, 99 U.S. 455 (1878)
6. *United States v. Fort Scott*, 99 U.S. 152 (1878)
7. *Civil Rights Cases: United States v. Stanley*, 109 U.S. 3 (1883)
8. *Labette Cty. Comm'rs v. United States*, 112 U.S. 217 (1884)
9. *United States v. Insley*, 130 U.S. 263 (1889)
10. *In re Lane*, 135 U.S. 443 (1890)
11. *United States v. Missouri, K. & T. Ry. Co.*, 141 U.S. 358 (1891)
12. *Mattox v. United States*, 146 U.S. 140 (1892)
13. *Benson v. United States*, 146 U.S. 325 (1892)
14. *Insley v. United States*, 150 U.S. 512 (1893)
15. *Caha v. United States*, 152 U.S. 211 (1894)
16. *Mattox v. United States*, 156 U.S. 237 (1895)
17. *Bucklin v. United States*, 159 U.S. 680 (1895)
18. *Swearingen v. United States*, 161 U.S. 446 (1896)
19. *Wallace v. United States*, 162 U.S. 466 (1896)
20. *United States v. Trans-Missouri Freight Ass'n*, 166 U.S. 290 (1897)
21. *United States v. Union Pac. R. Co.*, 168 U.S. 505 (1897)
22. *Hopkins v. United States*, 171 U.S. 578 (1898)
23. *United States v. Parkhurst-Davis Mercantile Co.*, 176 U.S. 317 (1900)
24. *Missouri Pac. Ry. Co. v. United States*, 189 U.S. 274 (1903)

25. *In re Heff*, 197 U.S. 488 (1905), overruled in part by *United States v. Nice*, 241 U.S. 591 (1916)
26. *Atchison, T. & S.F.R. Co. v. United States*, 225 U.S. 640 (1912)
27. *United States v. Lewis*, 235 U.S. 282 (1914)
28. *United States v. Freeman*, 239 U.S. 117 (1915)
29. *Badders v. United States*, 240 U.S. 391 (1916)
30. *Stroud v. United States*, 251 U.S. 15 (1919)
31. *United States v. Abilene & S. Ry. Co.*, 265 U.S. 274 (1924)
32. *Jackson v. U S*, 281 U.S. 344 (1930)
33. *Shepard v. United States*, 290 U.S. 96 (1933)
34. *Bd. of Comm'rs of Jackson Cty. v. United States*, 308 U.S. 343 (1939)
35. *United States v. Silk*, 331 U.S. 704 (1947)
36. *Hunter v. Martin*, 334 U.S. 302 (1948)
37. *Wade v. Hunter*, 336 U.S. 684 (1949)
38. *Sullivan v. United States*, 348 U.S. 170 (1954)
39. *Relford v. Commandant, U. S. Disciplinary Barracks, Ft. Leavenworth*, 401 U.S. 355 (1971)
40. *Moody v. Daggett*, 429 U.S. 78 (1976)
41. *United States v. Sec. Indus. Bank*, 459 U.S. 70 (1982)
42. *United States v. Broce*, 488 U.S. 563 (1989)
43. *O'Gilvie v. United States*, 519 U.S. 79, 117 S. Ct. 452 (1996)
44. *Nichols v. United States*, 136 S. Ct. 1113 (2016)
45. *Dahda v. United States*, 138 S. Ct. 1491 (2018)

INTERESTING CASES TO NOTE:

Cases are labeled with an identifying number which corresponds to the list above

- (1) *U.S. v. Stone* – initially there was a treaty with the Delaware Indians in 1818 to provide them an area in which to live. A senate resolution later decided that the President will send a surveyor, to be accompanied by a Delaware agent, to establish boundaries and landmarks. This case involves patents reciting the promises of an 1860 treaty which granted land to the chiefs. These patents were declared void by the Secretary of the Interior. The U.S. filed a bill in the Federal court of Kansas against the Indians to declare the patents judicially decreed null. Court granted the decree. Supreme Court affirmed.
- (7) *Civil Rights Cases: U.S. v. Stanley* – *Stanley* was a case where an inn owner in Kansas was charged with refusing to let people of color stay at the inn. It was one of five cases involving violations of the Civil Rights Act of 1875 that were combined by the Court to determine the Act's constitutionality. The Court held that regulating discrimination by private citizens exceeded the power of Congress under the 14th Amendment. This decision led to the development of Jim Crow laws and decisions that led to "separate but equal." (The Court cited this decision in *Plessy v. Ferguson*.)
- (18) *Swearingen v. U.S.* – the Court took this case after the defendant was sentenced to be imprisoned at hard labor for a year, all because he mailed an article containing obscene, lewd, and lascivious character. The Court reversed, stating that although the language is very coarse and vulgar, it is not lewd, lascivious, and obscene. It was libelous, not sexual.
- (19) *Wallace v. U.S.* – this is a thrilling case. Although the main question regards the admittance of evidence, the facts surrounding the murder make this a very interesting read.
- (23) *U.S. v. Parkhurst-Davis Mercantile Company* – this might be something to take a second look at. This case has to do with members of the Prairie band of Pottawatomie Indians. Confusing case.
- (25) *In re Heff* – here, defendant was previously convicted for selling liquor within the state to an Indian allottee. The opinion is a very interested read. In the end, the Court ruled for the petitioner because the District Court of Kansas did not have jurisdiction over the offense charged.
- (28) *U.S. v. Freeman* – case involving unlabeled intoxicating liquor. The issue was whether the offense was cognizable in D. Kan. if where the liquor was transported was also the place of the completion of the offense. The Court held that it was cognizable in D. Kan.

- (32) *Jackson v. U.S.* – not much of an opinion, but it addresses the issue of recovering for permanent total disability on a war risk insurance policy. Overall, the Court affirmed the decision of the Circuit Court of Appeals, which ruled that the plaintiff was not entitled to interest on the accrued installments of the insurance policy.
- (33) *Shepard v. U.S.* – in this case, the Court addresses whether certain evidence in a murder trial was prejudicial to petitioner. The case provides a very interesting read, as the facts imply petitioner poisoned his wife in order to pursue marriage with another woman. Petitioner's deceased wife made a dying declaration that her husband had poisoned her.
- (37) *Wade v. Hunter* – this case involves the issue of double jeopardy. The petitioner is an American soldier who raped a German woman. This occurred after the American troops of the 76th Infantry Division entered Krov, Germany. The Court ruled that petitioner was not entitled to a release, as there was no double jeopardy issue present.
- (42) *U.S. v. Broce* – another double jeopardy case. Defendants were convicted of two conspiracy charges, then tried to argue that they were really the same and only should have been convicted of one. After the case went up and down the courts, the Court ultimately decided their guilty pleas and convictions to two conspiracy charges makes them two separate offenses.