

United States Vs. Ferger

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Court : US Supreme Court

Decided On : Jun-02-1919

Appeal No. : 250 U.S. 207

Appellant : United States

Respondent : Ferger

Judgement :

United States v. Ferger - 250 U.S. 207 (1919)

U.S. Supreme Court United States v. Ferger , 250 U.S. 207 (1919)

United States v. Ferger (No. 2)

No. 777

Argued April 29, 1919

Decided June 2, 1919

250 U.S. 207

ERROR TO THE DISTRICT COURT OF THE UNITED STATES

FOR THE SOUTHERN DISTRICT OF OHIO

SYLLABUS

Congress has power, under the commerce clause, to forbid and punish a conspiracy to forge and utter bills of lading for fictitious interstate shipments. *United States v. Ferger, ante, [250 U. S. 199](#)* .

256 F. 388 reversed.

The case is stated in the opinion.

MR. CHIEF JUSTICE WHITE delivered the opinion of the Court.

This case is disposed of by the ruling just announced in No. 776, *ante, [250 U. S. 199](#)* . The indictment here was for conspiring to do the various acts charged in the previous case -- that is, the fraudulent fabrication and uttering of the same fictitious bills of lading and the obtaining of money thereon by delivering the same to the Second National Bank of Cincinnati as collateral. The demurrer which was sustained

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by the court below in the previous case was also sustained as to this.

While there is a separate writ of error and a separate record in this case, it is conceded by all parties that the cases are in legal principle the same and that the decision of one concludes the other. It follows, therefore, that, for the reasons stated in the previous case No. 776, the judgment in this must be and it is reversed, and the case remanded for further proceedings in conformity with this opinion.

And it is so ordered.

MR. JUSTICE PITNEY dissents.