

## Decisions announced without Opinions.

## DECISIONS ANNOUNCED WITHOUT OPINIONS DURING THE TIME COVERED BY THIS VOLUME.

No. 10. *WATSON v. RHODE ISLAND*. Error to the Supreme Court of the State of Rhode Island. Argued for the plaintiff in error October 9, 1900. Decided October 15, 1900. *Per Curiam*. Judgment affirmed, with costs, on the authority of *Murphy v. Massachusetts*, 177 U. S. 155; *Caldwell v. Texas*, 137 U. S. 692. *Mr. David A. Gourick* for plaintiff in error. No counsel appeared for defendant in error.

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No. 41. *GOULD v. HUGHES*. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Argued October 10 and 11, 1900. Decided October 22, 1900. Decree affirmed, with costs, by a divided court, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. *Mr. Henry R. Edmunds* and *Mr. Eugene P. Carver* for petitioners. *Mr. Horace L. Cheyney* and *Mr. John F. Lewis* for respondents.

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No. 55. *ARCHER v. BALTIMORE BUILDING AND LOAN ASSOCIATION*. Appeal from the Circuit Court of the United States for the District of West Virginia. Argued and submitted October 30, 1900. Decided November 5, 1900. *Per Curiam*. Decree affirmed, with costs, on the authority of *Forsythe v. Hammond*, 166 U. S. 517; *Central Trust Company v. Seasongood*, 130 U. S. 491; *Remington Paper Company v. Watson*, 173 U. S. 451; *Maxwell v. Dow*, 176 U. S. 581, and cases cited. *Mr. V. B. Archer* for appellants. *Mr. William Hepburn Russell*, *Mr. William Beverly Winslow* and *Mr. Fielder C. Slingluff* for appellees.

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No. 57. *DAY v. CONLEY & McTAGUE, KEEPERS OF THE STATE PRISON OF THE STATE OF MONTANA*. Appeal from the Circuit

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Court of the United States for the State of Montana. Argued and submitted October 31, 1900. Decided November 5, 1900. *Per Curiam.* Final order affirmed, with costs, on the authority of *Markuson v. Boucher*, 175 U. S. 184; *Brown v. New Jersey*, 175 U. S. 172-175; *Tinsley v. Anderson*, 171 U. S. 101; *In re Eckart*, 166 U. S. 481; *Bergemann v. Backer*, 157 U. S. 655; *In re Wilson*, 140 U. S. 575; and see *State v. Brantley*, 20 Montana, 173; *State v. Clancy*, 20 Montana, 498. *Mr. Chapin Brown* and *Mr. James W. Forbis* for appellant. *Mr. C. B. Nolan* for appellees.

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No. 233. *DAUGHERTY v. Hood.* Error to the Circuit Court of the United States for the District of Nebraska. Motions to dismiss or affirm submitted October 29, 1900. Decided November 5, 1900. *Per Curiam.* Writ of error dismissed for the want of jurisdiction on the authority of *Colvin v. Jacksonville*, 158 U. S. 456; *Robinson v. Caldwell*, 165 U. S. 359. *Mr. C. S. Montgomery* for motions to dismiss or affirm. *Mr. Joel W. West* opposing.

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No. 61. *McGILVRAY v. KNOTT.* Error to the Supreme Court of the State of California. Argued November 1 and 2, 1900. Decided November 12, 1900. *Per Curiam.* Judgment affirmed, with costs, on the authority of *Whitcomb v. Smithson*, 175 U. S. 635. *Mr. Jackson H. Ralston* and *Mr. C. H. Wilson* for the plaintiff in error. No counsel appeared for the defendant in error.

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No. 75. *STEVENS v. STATE OF OHIO.* Appeal from the Circuit Court of the United States for the Northern District of Ohio. Submitted November 7, 1900. Decided November 12, 1900. *Per Curiam.* Final order affirmed, with costs, on the authority of *Pepke v. Cronan*, 155 U. S. 100; *New York v. Eno*, 155 U. S. 89, and cases cited; *Baker v. Grice*, 169 U. S. 284. *Mr. J. Bernard Handlan* for appellant. *Mr. Addison C. Lewis* for appellee.

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No. 124. *HART v. STATE OF UTAH*. Error to the Supreme Court of the State of Utah. Motions to dismiss or affirm. Submitted November 5, 1900. Decided November 12, 1900. *Per Curiam*. Writ of error dismissed for the want of jurisdiction on the authority of *Long v. Converse*, 91 U. S. 105; *Ludeling v. Chaffe*, 143 U. S. 301; *In re Converse*, 137 U. S. 624. *Mr. Alexander C. Bishop* for motions to dismiss or affirm. *Mr. Orlando W. Powers* opposing.

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No. 107. *BALTIMORE, CHESAPEAKE AND ATLANTIC RAILWAY COMPANY v. MAYOR AND CITY COUNCIL OF OCEAN CITY*. Error to the Court of Appeals of the State of Maryland. Argued November 14, 1900. Decided November 19, 1900. *Per Curiam*. Writ of error dismissed for the want of jurisdiction on the authority of *Lehigh Water Company v. Easton*, 121 U. S. 388; *Central Land Company v. Laidley*, 159 U. S. 103; *Oxley Stave Company v. Butler County*, 166 U. S. 648; *Louisville and Nashville Railroad Company v. Louisville*, 166 U. S. 709; *Ansbro v. United States*, 159 U. S. 695; *Powell v. Brunswick County*, 150 U. S. 433. *Mr. Nicholas P. Bond* for the plaintiff in error. *Mr. James E. Ellegood* for the defendants in error.

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No. 111. *SCHUYLER NATIONAL BANK v. GADSDEN*. Error to the Supreme Court of the State of Nebraska. Argued November 15, 1900. Decided November 19, 1900. *Per Curiam*. Writ of error dismissed for the want of jurisdiction on the authority of *Rutherford v. Fisher*, 4 Dall. 22; *Winn v. Jackson*, 12 Wheat. 135; *Bostwick v. Brinkerhoff*, 106 U. S. 3; *Johnson v. Keith*, 117 U. S. 199. *Mr. C. J. Phelps* for the plaintiffs in error. *George and Mattie N. Thrush*, two of the defendants in error, filed a brief *in propria persona*.

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No. 53. *CALIFORNIA REDWOOD COMPANY v. JOHNSON*, and No. 54. *SAME v. MAHAN*. Appeals from the United States Circuit Court of Appeals for the Ninth Circuit. Submitted Octo-

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ber 30, 1900. Decided December 10, 1900. *Per Curiam*. Decrees affirmed, with costs, on the authority of *Hawley v. Diller*, 178 U. S. 476, and causes remanded to the Circuit Court of the United States for the Northern District of California. *Mr. Charles Page* for the appellants. *Mr. Barclay Henley* for the appellees.

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No. 98. *NIVER v. FIELDS*. Error to the Circuit Court of the United States for the District of South Carolina. Submitted November 13, 1900. Decided December 17, 1900. *Per Curiam*. Judgment affirmed, with costs, on the authority of *Malony v. Adsit*, 175 U. S. 281. *Mr. Leroy F. Youmans* and *Mr. W. S. Monteith* for the plaintiff in error. *Mr. Attorney General*, *Mr. Solicitor General* and *Mr. Robert A. Howard* for the defendant in error.

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## Decisions on Petitions for Writs of Certiorari.

No. 293. *REED, ADMINISTRATOR, v. STANLEY, TRUSTEE*. Ninth Circuit. Denied October 15, 1900. (The Chief Justice took no part in the consideration and disposition of this application.) *Mr. A. B. Browne* and *Mr. Alex. Britton* for petitioners. *Mr. Thomas H. Hubbard*, *Mr. E. S. Pillsbury* and *Mr. Wm. A. Maury* opposing.

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No. 188. *SAUNDERS v. PECK*. Seventh Circuit. Denied October 15, 1900. *Mr. W. A. Foster* for petitioner. *Mr. A. M. Pence* opposing.

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No. 285. *WOODWORTH v. NUTE*. First Circuit. Denied October 15, 1900. *Mr. Frederic Dodge* for petitioner. *Mr. Eugene P. Carver* and *Mr. E. E. Blodgett* opposing.

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No. 292. *MASTERS, CLAIMANT, v. SARGENT*. First Circuit. Denied October 15, 1900. *Mr. Frederic Cunningham* and *Mr. Lewis S. Dabney* for petitioner. *Mr. Eugene P. Carver* opposing.