

191 U. S. Decisions on Petitions for Writs of Certiorari.

Decisions on Petitions for Writs of Certiorari, from October 12, 1903, to January 3, 1904.

No. 271. EXCHANGE BANK OF MACON, PETITIONER, *v.* E. L. CLAYTON ET AL., TRUSTEES. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Olin J. Wimberly* and *Mr. A. O. Bacon* for petitioner. *Mr. Frederick C. Foster* for respondents.

No. 291. J. OVERTON DICKINSON ET AL., PETITIONERS, *v.* CONSOLIDATED TRACTION COMPANY ET AL. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. M. I. Southard*, *Mr. Joseph A. Duffy* and *Mr. Charles J. Roe* for petitioners. *Mr. John G. Johnson* and *Mr. Joseph Coulter* for respondents.

No. 297. GAVIN REID ET AL., PETITIONERS, *v.* KEENE FIVE CENT SAVINGS BANK ET AL. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. T. F. Garver* for petitioners. *Mr. W. F. Guthrie* for respondents.

No. 300. H. F. WHITCOMB ET AL., RECEIVERS, ETC., PETITIONERS, *v.* OHIO COAL COMPANY. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. William F. Vilas* for petitioners. *Mr. P. J. McLaughlin* for respondent.

No. 302. HENRY RAEDER ET AL., PETITIONERS, *v.* JOHN W. KAUFFMAN. October 19, 1903. Petition for a writ of cer-

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tiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. William E. Garvin* for petitioners. *Mr. James E. McKeighan, Mr. Shepard Barclay* and *Mr. M. F. Watts* for respondent.

No. 304. ALFRED N. TREECE ET AL., PETITIONERS, *v.* AMERICAN ASSOCIATION ET AL. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Jerome Templeton* for petitioners. *Mr. Jesse L. Rogers* for respondents.

No. 363. SUPREME COUNCIL AMERICAN LEGION OF HONOR, PETITIONER, *v.* JOSEPH C. BLACK, ADMINISTRATOR, ETC.; and No. 364. SUPREME COUNCIL AMERICAN LEGION OF HONOR, PETITIONER, *v.* WILLIAM H. HENDERSON. October 19, 1903. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Frank P. Prichard* and *Mr. Murdock Kendrick* for petitioner. *Mr. George Henderson* and *Mr. Charles H. Sayre* for respondents.

No. 391. JOHN W. WARREN, PETITIONER, *v.* CENTRAL TRUST COMPANY OF NEW YORK ET AL. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. T. J. Walsh* for petitioner. *Mr. Adrian H. Joline* and *Mr. Arthur H. Van Brunt* for respondents.

Nos. 393 and 394. WILCOX & GIBBS SEWING MACHINE COMPANY, PETITIONER, *v.* THOMAS B. SHERBORNE, JR., ET AL. October 19, 1903. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Hubert Howson, Mr. Preston K. Erdman* and *Mr.*

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George Tucker Bispham for petitioner. *Mr. John G. Johnson* and *Mr. Frank P. Prichard* for respondents.

No. 402. *BERWIND-WHITE COAL MINING COMPANY, PETITIONER, v. JOHN C. MARTIN.* October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Frank P. Prichard* for petitioner. *Mr. Rudolph M. Schick* for respondents.

No. 403. *ALEXIS M. SALLIOTTE, PETITIONER, v. KING BRIDGE COMPANY.* October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. George William Moore* and *Mr. George Whitney Moore* for petitioner. *Mr. John C. Donnelly* and *Mr. Michael Brennan* for respondent.

No. 404. *GEORGE WHITNEY MOORE ET AL., PETITIONERS, v. A. B. HAMMOND ET AL.* October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. George William Moore* and *Mr. George Whitney Moore* for petitioners. *Mr. John H. Mitchell* for respondents.

No. 411. *MUTUAL RESERVE LIFE INSURANCE COMPANY, PETITIONER, v. THOMAS FERRENBACH, EXECUTOR, ETC.* October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. James C. Jones* for petitioner. No appearance for respondents.

No. 416. *JULIUS GEORGE HOCKE ET AL., PETITIONERS, v. NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.* October 19, 1903. Petition for a writ of certiorari to the United

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States Circuit Court of Appeals for the Second Circuit denied. *Mr. Arthur von Briesen* for petitioners. *Mr. Robert J. Fisher* for respondent.

No. 420. UNITED STATES EX REL. REGINA MUSIC BOX COMPANY, PETITIONER, *v.* FREDERICK I. ALLEN, COMMISSIONER OF PATENTS. October 19, 1903. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Antonio Knauth* for petitioner. *The Attorney General* and *Mr. Solicitor General Hoyt* for respondent.

No. 425. CAROLINE G. ROTH, EXECUTRIX, ETC., PETITIONER, *v.* MUTUAL RESERVE LIFE INSURANCE COMPANY. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Frederick H. Bacon* and *Mr. J. E. McKeighan* for petitioner. *Mr. James C. Jones* for respondent.

No. 430. READING COMPANY, PETITIONER, *v.* WALTER D. MUNSON. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. Robert M. Morse*, *Mr. Henry M. Rogers* and *Mr. William M. Richardson* for petitioner. *Mr. Eugene P. Carver* and *Mr. E. E. Blodgett* for respondent.

No. 436. JANE BRYSON, ADMINISTRATRIX, ETC., ET AL., PETITIONERS, *v.* OCEAN STEAMSHIP COMPANY. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Henry Galbraith Ward* and *Mr. J. J. Macklin* for petitioners. *Mr. Julien T. Davies* for respondent.

No. 437. JAMES ARTHUR, PETITIONER, *v.* BARON DE HIRSCH

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FUND. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Henry Galbraith Ward* for petitioner. *Mr. Julius J. Frank* and *Mr. George W. Wickersham* for respondent.

No. 417. HARRY DONOVAN ET AL., PETITIONERS, *v.* PENNSYLVANIA COMPANY. October 19, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted. *Mr. James R. Ward* for petitioners. *Mr. Edgar A. Bancroft*, *Mr. F. J. Loesch* and *Mr. C. F. Loesch* for respondent.

No. 426. P. L. FLANIGAN, PETITIONER, *v.* COUNTY OF SIERRA; and No. 427. D. E. WHEELER ET AL., PETITIONERS, *v.* COUNTY OF PLUMAS. October 19, 1903. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted. *Mr. J. C. Campbell* and *Mr. W. H. Metson* for petitioners. No appearance for respondent in No. 426. *Mr. U. S. Webb* and *Mr. C. N. Post* for respondent in No. 427.

No. 398. E. W. H. LAKE, PETITIONER, *v.* S. H. RUSH, TRUSTEE, ETC. October 26, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. George Turner* and *Mr. W. T. Stoll* for petitioner. *Mr. Adolph G. Wolf* for respondent.

No. 413. PATRICK CLARK ET AL., PETITIONERS, *v.* BUFFALO HUMP MINING COMPANY ET AL. October 26, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. W. T. Stoll* for petitioners. *Mr. W. B. Heyburn* for respondents.

No. 431. WILLIAM CHISHOLM ET AL., PETITIONERS, *v.* MARY

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H. HALL ET AL., EXECUTORS, ETC. October 26, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Harvey D. Goulder, Mr. S. H. Holding and Mr. Frank S. Masten* for petitioners. *Mr. T. E. Tarsney* for respondents.

No. 432. BOSTON TOW BOAT COMPANY, PETITIONER, *v.* CHASE MACHINE COMPANY. October 26, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Harvey D. Goulder* for petitioner. *Mr. T. W. Bakewell and Mr. Albert E. Lynch* for respondent.

No. 442. SOUTHERN ELECTRIC RAILWAY COMPANY, PETITIONER, *v.* CORA HAGEMAN. October 26, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. W. F. Boyle, Mr. F. W. Lehmann and Mr. Walter H. Saunders* for petitioner. *Mr. Seneca N. Taylor* for respondent.

No. 443. OCEANIC STEAM NAVIGATION COMPANY, LIMITED, ETC., PETITIONER, *v.* JOHN W. AITKIN ET AL., ETC. October 26, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Everett P. Wheeler* for petitioner. *Mr. Wilhelmus Mynderse and Mr. Edmund L. Baylies* for respondent.

No. 386. AETNA LIFE INSURANCE COMPANY, PETITIONER, *v.* BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, KANSAS. November 16, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Oliver J. Bailey and Mr. Frank P. Lindsay* for petitioner. *Mr. George Getty* for respondent.

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No. 423. NATIONAL SURETY COMPANY OF KANSAS CITY, MISSOURI, PETITIONER, *v.* UNITED STATES. November 16, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Heber J. May* and *Mr. Robert T. Hough* for petitioner. *The Attorney General* and *Mr. Solicitor General Hoyt* for respondent.

No. 429. JAMES HAGGART ET AL., PETITIONERS, *v.* LUCETTA B. BOYNTON ET AL. November 16, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Edward Mayes* for petitioners. *Mr. G. B. Rose* for respondents.

No. 452. HENRY W. WATSON, OWNER, ETC., PETITIONER, *v.* ST. CLAIR STEAMSHIP COMPANY, OWNER, ETC., ET AL. November 16, 1903. Petitions for writ and cross writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. F. H. Canfield* and *Mr. William J. Gray* for petitioner. *Mr. John C. Shaw*, *Mr. Harvey D. Goulder* and *Mr. Harrington Putnam* for respondents.

No. 449. FLORIDA MCGUIRE ET AL., PETITIONERS, *v.* WILLIAM A. BLOUNT ET AL. November 16, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Hilary A. Herbert* and *Mr. Benjamin Micou* for petitioners. *Mr. W. A. Blount* for respondent.

No. 445. HOWE SCALE COMPANY OF 1886 ET AL., PETITIONERS, *v.* WYCKOFF, SEAMANS & BENEDICT. November 30, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Austen G. Fox*, *Mr. James H. Peirce*, *Mr. George P. Fisher, Jr.*,

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and *Mr. William Henry Dennis* for petitioners. *Mr. Edmund Wetmore* and *Mr. Henry D. Donnelly* for respondent.

No. 479. FIRST NATIONAL BANK OF CHICAGO ET AL., PETITIONERS, *v.* CHICAGO TITLE AND TRUST COMPANY, TRUSTEE, ETC. November 30, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Wallace Heckman* and *Mr. Henry S. Robbins* for petitioners. *Mr. Joseph E. Paden* and *Mr. Newton Wyeth* for respondent.

No. 434. VACUUM OIL COMPANY, PETITIONER, *v.* CLIMAX REFINING COMPANY. December 7, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Howard L. Osgood* for petitioner. *Mr. Frederick L. Taft* for respondent.

No. 492. WILLIAM H. SLAUGHTER ET AL., PETITIONERS, *v.* LA COMPAGNIE FRANCAISE DES CABLES TELEGRAPHIQUES. December 7, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. C. Walter Artz* for petitioner. *Mr. Edward K. Jones* for respondent.

No. 482. WINFIELD S. GREGG, PETITIONER, *v.* METROPOLITAN TRUST COMPANY ET AL. December 7, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Harlan Cleveland* for petitioner. *Mr. Herbert Parsons* for respondent.

No. 498. WALTER N. DIMMICK, PETITIONER, *v.* UNITED STATES. December 14, 1903. Petition for a writ of certiorari

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to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. George D. Collins* for the petitioner.

No. 500. EUGENE HUGHES ET AL., PETITIONERS, *v.* A. HARRISON, MASTER, ETC. December 14, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit, denied. *Mr. Anthony Higgins* and *Mr. Henry Galbraith Ward* for petitioners. *Mr. John F. Lewis* for respondents.

No. 502. AMERICAN BONDING AND TRUST COMPANY, PETITIONER, *v.* BALTIMORE AND OHIO SOUTHWESTERN RAILROAD COMPANY. December 14, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Walter L. Granger* and *Mr. Wm. L. Marbury* for petitioner. *Mr. Judson Harmon* for respondent.

No. 477. JACOB E. JACOBSEN ET AL., PETITIONERS, *v.* DALLAS, PORTLAND AND ASTORIA NAVIGATION COMPANY. December 21, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. T. J. Geisler* and *Mr. W. W. Cotton* for petitioners. *Mr. Franklin P. Mays* and *Mr. Rufus Mallory* for respondent.

No. 494. J. D. NORDLINGER, PETITIONER, *v.* UNITED STATES. December 21, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Wheeler H. Peckham* and *Mr. Albert Comstock* for petitioner. *The Attorney General* and *Mr. Solicitor General Hoyt* for respondent.

No. 505. THE CITY OF WOOSTER, PETITIONER, *v.* THE EASTERN TRUST AND BANKING COMPANY. December 21, 1903.

Cases Dismissed in Vacation.

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Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. O. W. Aldrich* and *Mr. Alfred J. Thomas* for petitioner. *Mr. William B. Sanders* for respondent.

No. 506. ISAAC N. KINNEY ET AL., PETITIONERS, *v.* THE EASTERN TRUST AND BANKING COMPANY. December 21, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. O. W. Aldrich* and *Mr. Alfred J. Thomas* for petitioners. *Mr. William B. Sanders* for respondent.

No. 509. JOHN BRISLIN ET AL., PETITIONERS, *v.* CARNEGIE STEEL COMPANY (LIMITED). December 21, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. James I. Kay*, *Mr. James N. Cook* and *Mr. James S. Young* for petitioners. *Mr. John R. Bennett* for respondent.

No. 510. FRANK A. POUPIRT, PETITIONER, *v.* ELDER DEMPSTER SHIPPING (LIMITED). December 21, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Floyd Hughes* for petitioner. *Mr. Robert M. Hughes* for respondent.

CASES DISMISSED IN VACATION.

No. 206. IDA McCCLUNG, PLAINTIFF IN ERROR, *v.* WILLIAM A. PENNY. In error to the Supreme Court of the Territory of Oklahoma. June 27, 1903. Dismissed pursuant to the 28th rule. *Mr. S. H. Harris* for plaintiff in error. *Mr. A. G. C. Bierer* for defendant in error.