

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

No. 258. CHARLES B. KIMBELL ET AL., APPELLANTS, *v.* CHICAGO HYDRAULIC PRESS BRICK COMPANY ET AL. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Argued April 27, 28, 1904. Decided May 16, 1904. *Per Curiam.* Dismissed for the want of jurisdiction on the authority of *Arbuckle v. Blackburn*, 191 U. S. 405; *Continental National Bank v. Buford*, 191 U. S. 119; *Tennessee v. Bank*, 152 U. S. 454; *Ansbro v. United States*, 159 U. S. 695; *Colorado Company v. Turch*, 150 U. S. 138. *Mr. Edmund Harvey Smalley* for appellants. *Mr. Edward Cunningham, Jr.*, and *Mr. Edward C. Eliot* for appellees.

Decisions on Petitions for Writs of Certiorari from April 5, 1904, to May 31, 1904.

No. 574. LENA S. WALTON ET AL., PETITIONERS, *v.* WILD GOOSE MINING AND TRADING COMPANY. April 11, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Frederic D. McKenney*, *Mr. John M. Thurston*, *Mr. J. W. Hughes* and *Mr. D. W. Burchard* for petitioners. *Mr. Charles Page*, *Mr. E. J. McCutchen* and *Mr. A. B. Browne* for respondent.

No. 614. DEXTER HORTON & CO., PETITIONER, *v.* LONDON AND SAN FRANCISCO BANK (LIMITED). April 11, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. William E. Humphrey* for petitioner. *Mr. Charles E. Shepard* and *Mr. Thomas P. Shepard* for respondent.

No. 626. UNITED STATES TO USE OF J. EDWARD CHAPMAN, PETITIONER, *v.* CITY TRUST, SAFE DEPOSIT AND SECURITY COMPANY OF PHILADELPHIA. April 11, 1904. Petition for

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a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Charles H. Merillat* for petitioner.

No. 629. MORNING JOURNAL ASSOCIATION, PETITIONER, *v.* JAMES H. DUKE. April 11, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Clarence J. Shearn* for petitioner. *Mr. Abram J. Rose* and *Mr. Alfred C. Pette* for respondent.

No. 634. F. AUGUSTUS HEINZE ET AL., PETITIONERS, *v.* BUTTE AND BOSTON CONSOLIDATED MINING COMPANY. April 11, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John J. McHatton* for petitioners. *Mr. James W. Beck* and *Mr. John A. Garver* for respondent.

No. 635. NATIONAL RAILROAD COMPANY OF MEXICO, PETITIONER, *v.* G. A. O'LEARY. April 11, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Thomas W. Dodd* for petitioner.

No. 637. HERMAN R. MURRAY, PETITIONER, *v.* ISAAC C. WILSON, TRUSTEE, ETC. April 11, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Vincent A. Sheehy* for petitioner. *Mr. Thomas D. Rambaut* for respondent.

No. 638. J. RAYMOND SMITH, PETITIONER, *v.* STEAMSHIP ONEIDA, ETC. April 11, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Wilhelmus Mynderse* for petitioner. *Mr. Henry G. Ward* for respondent.

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No. 624. NEDERLAND LIFE INSURANCE COMPANY (LIMITED), PETITIONER, *v.* MARY MEINERT. April 11, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted. *Mr. George W. Wickershaw* for petitioner. *Mr. Albert J. Beveridge* for respondent.

No. 632. GREAT WESTERN MINING AND MANUFACTURING COMPANY, ETC., PETITIONER, *v.* CHARLES A. HARRIS ET AL., EXECUTORS, ETC., ET AL. April 11, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Harlan Cleveland* for petitioner. *Mr. Julien T. Davies* and *Mr. Brainard Tolles* for respondents.

No. 627. HENRY P. BOOTH, SURVIVING PARTNER, ETC., PETITIONER, *v.* NORWEGIAN BARK ELIZA LINES, ETC., ET AL. April 18, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted. *Mr. Lewis S. Dabney* and *Mr. Frederic Cunningham* for petitioner.

No. 641. ATLANTIC LUMBER COMPANY, PETITIONER, *v.* L. BUCKI & SON LUMBER COMPANY. April 18, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. *Mr. R. H. Liggett* for petitioner. *Mr. H. Bisbee* and *Mr. George C. Bedell* for respondent.

No. 642. MANHATTAN LIFE INSURANCE COMPANY, PETITIONER, *v.* FRANK B. ALBRO, EXECUTOR, ETC. April 25, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. Artemas H. Holmes* and *Mr. Edward S. Rapallo* for petitioner. *Mr. John W. Cummings* for respondent.

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No. 648. BOARD OF TRADE OF THE CITY OF CHICAGO, PETITIONER, *v.* CHRISTIE GRAIN AND STOCK COMPANY ET AL. April 25, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Henry S. Robbins* for petitioner. *Mr. James H. Harkless, Mr. Clifford Histed, Mr. W. H. Rossington and Mr. Charles Blood Smith* for respondents.

No. 649. LOUISVILLE AND NASHVILLE RAILROAD COMPANY, PETITIONER, *v.* WEST COAST NAVAL STORES COMPANY. April 25, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. *Mr. W. A. Blount* and *Mr. A. C. Blount, Jr.*, for petitioner. *Mr. John C. Avery* for respondent.

No. 326. GLOBE-WERNICKE COMPANY, PETITIONER, *v.* FRED MACEY ET AL. May 2, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Edward Taggart* and *Mr. Arthur C. Dennison* for petitioner. *Mr. Fred L. Chappell* for respondents.

No. 644. WILLIAM H. HANLEY ET AL., PETITIONERS, *v.* UNITED STATES. May 2, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Joel M. Marx* for petitioners. *The Attorney General* and *Mr. Solicitor General Hoyt* for respondent.

No. 647. JOHN SEBECK, PETITIONER, *v.* PLATTDUETSCHEN VOLKFEST VEREIN. May 2, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Clarence P. Moser* for petitioner. *Mr. Rudolph F. Rabe* for respondents.

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No. 662. JOHN E. KERR ET AL., PETITIONERS, *v.* UNION MARINE INSURANCE COMPANY, LIMITED. May 16, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Wilhelmus Mynderse* for petitioners. *Mr. Albert A. Wray* for respondent.

No. 665. HELEN HACKLEY LITTELL, PETITIONER, *v.* CHARLES H. HACKLEY ET AL. May 16, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Morse Ives* for petitioner. *Mr. Willard Kingsley* for respondents.

No. 666. WILLIAM J. BRAKE, AS ADMINISTRATOR, PETITIONER, *v.* N. A. CALLISON. May 16, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. H. Bisbee, Mr. James E. Padgett* and *Mr. George C. Bedell* for petitioner. *Mr. C. D. Rinehart* for respondent.

No. 661. W. L. WELLS COMPANY, PETITIONER, *v.* GASTONIA COTTON MANUFACTURING COMPANY. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted. *Mr. Charles W. Tillett* and *Mr. Murray F. Smith* for petitioner. *Mr. Charles Price* for respondent.

No. 699. CALIFORNIA REDUCTION COMPANY ET AL., PETITIONERS, *v.* SANITARY REDUCTION WORKS OF SAN FRANCISCO. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Charles Page, Mr. E. J. McCutchen* and *Mr. Garret W. McEnerney* for petitioners.

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No. 663. MEXICAN CENTRAL RAILWAY COMPANY (LIMITED), PETITIONER, *v.* H. A. ROBINSON. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. A. B. Browne, Mr. Alexander Britton and Mr. Eben Richards* for petitioner. *Mr. Millard Patterson* for respondent.

No. 664. WESTINGHOUSE ELECTRIC AND MANUFACTURING COMPANY, PETITIONER, *v.* BULLOCK ELECTRIC MANUFACTURING COMPANY. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Drury W. Cooper, Mr. F. H. Betts and Mr. Thomas B. Kerr* for petitioner. *Mr. John R. Bennett and Mr. Arthur Stein* for respondent.

No. 671. ROY M. ARRIGHI, PETITIONER, *v.* DENVER AND RIO GRANDE RAILROAD COMPANY. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Harvey Riddell* for petitioner. *Mr. Edward O. Wolcott and Mr. Joel F. Vaile* for respondent.

No. 673. ANDREW L. EATON, PETITIONER, *v.* E. J. LEWIS. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. John H. Hazelton and Mr. George C. Hazelton* for petitioner. *Mr. Seabury C. Mastick* for respondent.

No. 680. CITY OF JOHNSON CITY, TENNESSEE, PETITIONER, *v.* MUNICIPAL TRUST COMPANY (LIMITED). May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. H. H. Carr* for petitioner. *Mr. Horace B. Hord* for respondent.

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No. 681. INSURANCE COMPANY OF NORTH AMERICA, PETITIONER, *v.* NORWICH AND NEW YORK TRANSPORTATION COMPANY; No. 682. SECURITY INSURANCE COMPANY OF NEW HAVEN, PETITIONER, *v.* NORWICH AND NEW YORK TRANSPORTATION COMPANY; No. 683. FIREMAN'S FUND INSURANCE COMPANY OF SAN FRANCISCO, PETITIONER, *v.* NORWICH AND NEW YORK TRANSPORTATION COMPANY; and No. 684. PERCY CHUBB ET AL., PETITIONERS, *v.* NORWICH AND NEW YORK TRANSPORTATION COMPANY. May 31, 1904. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Laurence Kneeland* for petitioners. *Mr. Wilhelmus Mynderse* for respondent.

No. 685. FIDELITY MUTUAL LIFE INSURANCE COMPANY, PETITIONER, *v.* PAUL RIGGS ET AL., EXECUTORS, ETC.; No. 686. NORTHWESTERN NATIONAL LIFE INSURANCE COMPANY, PETITIONER, *v.* PAUL RIGGS ET AL., EXECUTORS, ETC.; No. 687. AMERICAN CENTRAL LIFE INSURANCE COMPANY, PETITIONER, *v.* PAUL RIGGS ET AL., EXECUTORS, ETC.; and No. 688. HARTFORD LIFE INSURANCE COMPANY, PETITIONER, *v.* PAUL RIGGS ET AL., EXECUTORS, ETC. May 31, 1904. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Stephen S. Brown*, *Mr. John E. Dolman* and *Mr. Augustin Boice* for petitioners. *Mr. Kendall B. Randolph* for respondents.

No. 692. WORLD MARINE INSURANCE COMPANY (LIMITED) ET AL., PETITIONERS, *v.* LACKAWANNA TRANSPORTATION COMPANY ET AL. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Wilhelmus Mynderse* for petitioners. *Mr. Jno. G. Milburn* and *Mr. Harvey D. Goulder* for respondents.

No. 694. INSURANCE COMPANY OF NORTH AMERICA, PETI-

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TIONER, *v.* STEAMSHIP WESTMINSTER, ETC. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Horace L. Cheyney* and *Mr. Jno. F. Lewis* for petitioner. *Mr. J. Parker Kirlin* for respondent.

No. 697. JOHN C. FETZER ET AL., RECEIVERS, ETC., ET AL., PETITIONERS, *v.* DAVID A. KOHN ET AL.; and No. 698. JOHN C. FETZER ET AL., RECEIVERS, ETC., ET AL., PETITIONERS, *v.* JACOB MILLER ET AL. May 31, 1904. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Jno. S. Miller*, *Mr. Henry Crawford* and *Mr. Charles H. Aldrich* for petitioners. *Mr. Thomas A. Moran* and *Mr. Levy Mayer* for respondents in No. 697. *Mr. Horace K. Tenney* and *Mr. Henry R. Platt* for respondents in No. 698.

No. 700. EDWARD S. CAMPBELL, AS ANCILLARY RECEIVER, ETC., PETITIONER, *v.* NATIONAL BROADWAY BANK. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. George W. Wickersham* and *Mr. Walter D. Davidge* for petitioner. *Mr. W. J. Curtis* for respondent.

No. 701. N. A. CALLISON, PETITIONER, *v.* WILLIAM J. BRAKE, ADMINISTRATOR, ETC. May 31, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. C. D. Rinehart* and *Mr. E. P. Axtell* for petitioner. *Mr. H. Bisbee* and *Mr. George C. Bedell* for respondent.

No. 705. KIMBALL STEAMSHIP COMPANY, PETITIONER, *v.* ELLA M. WEISSHAAR, ADMINISTRATRIX, ETC. May 31, 1904.

194 U. S. Cases Disposed of Without Consideration by the Court.

Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Edward M. Cleary* for petitioner. *Mr. N. A. Acker* for respondent.

CASES DISPOSED OF WITHOUT CONSIDERATION BY
THE COURT FROM APRIL 5, 1904, TO MAY 31, 1904.

No. 248. AMERICAN WATER WORKS AND GUARANTY COMPANY, APPELLANT, *v.* CITY OF LITTLE ROCK ET AL. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas. April 8, 1904. Dismissed with costs, on authority of counsel for the appellant. *Mr. J. M. Moore* for appellant. *Mr. W. L. Terry* and *Mr. Morris M. Cohn* for appellees.

No. 237. JAMES F. CUNNINGHAM, PLAINTIFF IN ERROR, *v.* JOSEPHUS MORRIS. In error to the Supreme Court of the Territory of Oklahoma. April 12, 1904. Dismissed with costs, on the authority of counsel for the plaintiff in error. *Mr. S. H. Harris* for plaintiff in error.

No. 236. NORA ARMSTRONG, PLAINTIFF IN ERROR, *v.* BOARD OF CONTROL OF THE STATE PUBLIC SCHOOLS ET AL. In error to the Supreme Court of the State of Minnesota. April 18, 1904. Dismissed with costs, pursuant to the tenth rule. *Mr. J. A. Sawyer* for plaintiff in error. *Mr. W. A. Sperry* for defendants in error.

No. 241. NEW YORK AND PORTO RICO STEAMSHIP COMPANY, PLAINTIFF IN ERROR, *v.* J. OCHOA Y HERMANO, ETC.; and No. 242. NEW YORK AND PORTO RICO STEAMSHIP COMPANY, PLAINTIFF IN ERROR, *v.* SUCCESSORS OF M. LOMBA & CO., ETC. In error to the District Court of the United States for the