

Cases Disposed of Without Consideration by the Court. 195 U. S.

Circuit Court of Appeals for the Third Circuit granted. *Mr. H. L. Cheyney* and *Mr. John F. Lewis* for petitioner. *Mr. J. Parker Kirlin* for respondent.

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NO. 339. BLUE MOUNTAIN IRON AND STEEL COMPANY OF BALTIMORE CITY, PETITIONER, *v.* FRANK PORTNER ET AL. December 12, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Henry C. Terry* and *Mr. Abraham Sharp* for petitioner. *Mr. Bernard Carter*, *Mr. J. Kemp Bartlett*, and *Mr. C. Andrade, Jr.*, for respondents.

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NO. 414. THE WESTERN TRANSIT COMPANY, PETITIONER, *v.* THE MINNESOTA STEAMSHIP COMPANY ET AL. December 12, 1904. 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. F. S. Masten* for petitioner. *Mr. James H. Hoyt*, *Mr. John C. Shaw*, *Mr. Martin Casey*, *Mr. Charles B. Warner* and *Mr. Wm. B. Cady* for respondents.

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NO. 436. EDGAR A. DAVIS ET AL., PETITIONERS, *v.* A. BOOTH & Co. December 12, 1904. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Fred A. Baker* for petitioners. *Mr. Henry M. Duffield* and *Mr. Charles S. Thornton* for respondents.

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CASES DISPOSED OF WITHOUT CONSIDERATION  
BY THE COURT FROM OCTOBER 10, TO DECEMBER  
12, 1904.

NO. 28. THE UNITED STATES, PLAINTIFF IN ERROR, *v.* THE S. P. SHOTTER COMPANY. In error to the Circuit Court of the

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United States for the Southern District of Alabama. October 11, 1904. Dismissed, on motion of *Mr. Solicitor General Hoyt* for the plaintiff in error. *The Attorney General* for plaintiff in error. *Mr. John Ridout* for defendant in error.

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No. 101. GIOVANNI ZARCONE, APPELLANT, *v.* WILLIAM WILLIAMS, COMMISSIONER OF IMMIGRATION, ETC. Appeal from the Circuit Court of the United States for the Southern District of New York. October 11, 1904. Dismissed with costs, on motion of *Mr. Solicitor General Hoyt* on behalf of counsel for appellant. *Mr. Alex. Rosenthal* for appellant. *The Attorney General* for appellee.

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Nos. 11 and 12. WILLIAM L. ELKINS, APPELLANT, *v.* THE CITY OF CHICAGO ET AL. Appeals from the Circuit Court of the United States for the Northern District of Illinois. October 11, 1904. Stricken from the docket, per stipulation. *Mr. Henry Crawford* and *Mr. John S. Miller* for appellant. *Mr. John C. Mathis* for appellees.

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No. 161. BARBARA WARNER, AS ADMINISTRATRIX, ETC., PLAINTIFF IN ERROR, *v.* THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY ET AL. In error to the Circuit Court of the United States for the District of Nebraska. October 11, 1904. Dismissed at costs of defendants in error, per stipulation of counsel. *Mr. William D. McHugh* for plaintiff in error. *Mr. H. C. Brome* for defendants in error.

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No. 163. THE WESTERN UNION TELEGRAPH COMPANY, APPELLANT, *v.* THE CITY OF TOLEDO ET AL. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. October 11, 1904. Dismissed with costs, on authority of ap-

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pellant. *Mr. H. D. Estabrook* and *Mr. John W. Warrington* for appellant. *Mr. U. G. Denman* for appellees.

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NO. 177. WALTER C. PEACOCK, APPELLANT, *v.* THE UNITED STATES. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. October 11, 1904. Dismissed, per stipulation. *Mr. Oliver Dibble* for appellant. *The Attorney General* for appellee.

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NO. 1. HOUGHTON E. JAMES ET AL., APPELLANTS, *v.* THE GERMANIA IRON COMPANY; and NO. 2. JAMES BELDEN, APPELLANT, *v.* THE MIDWAY COMPANY. Appeals from the United States Circuit Court of Appeals for the Eighth Circuit. October 11, 1904. Dismissed with costs, on authority of appellants. *Mr. Frank B. Kellogg* and *Mr. C. A. Severance* for appellants. *Mr. Walter Ayers* for appellees.

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NO. 9. WILLIAM A. PAULSEN, PLAINTIFF IN ERROR, *v.* THE PEOPLE OF THE STATE OF ILLINOIS. In error to the Supreme Court of the State of Illinois. October 12, 1904. Dismissed with costs, pursuant to the tenth rule. *Mr. S. S. Gregory* for plaintiff in error. No appearance for defendants in error.

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NO. 31. THE FARMERS LOAN AND TRUST COMPANY, TRUSTEE, PETITIONER, *v.* THE LAKE STREET ELEVATED RAILROAD COMPANY. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. October 26, 1904. Dismissed with costs, pursuant to the nineteenth rule. *Mr. I. K. Boyesen* for petitioner. *Mr. Charles H. Aldrich* and *Mr. Clarence A. Knight* for respondent.

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NO. 46. THE INTERSTATE COMMERCE COMMISSION, APPELLANT, *v.* THE NASHVILLE, CHATTANOOGA AND ST. LOUIS RAIL-

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WAY COMPANY ET AL. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. October 31, 1904. Dismissed with costs, per stipulation, on motion of *Mr. Solicitor General Hoyt* for the appellant. *The Attorney General* for appellant. *Mr. Ed. Baxter* for appellees.

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NO. 83. THE INTERSTATE COMMERCE COMMISSION, APPELLANT, *v.* THE SOUTHERN RAILWAY COMPANY. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. October 31, 1904. Dismissed with costs, per stipulation, on motion of *Mr. Solicitor General Hoyt* for the appellant. *The Attorney General* for appellant. *Mr. Ed. Baxter* for appellee.

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NO. 35. EDWARD W. ANDERSON ET AL., PLAINTIFFS IN ERROR, *v.* BAXTER MORTON. In error to the Court of Appeals of the District of Columbia. November 1, 1904. Dismissed, with costs, pursuant to the tenth rule. *Mr. West Steever* for plaintiffs in error. *Mr. James S. McDonogh* for defendant in error.

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NO. 91. DOMINGO FELICI ET AL., PLAINTIFFS IN ERROR, *v.* GEORGE W. WHITEHEAD. In error to the Circuit Court of the United States for the Southern District of New York. December 5, 1904. Dismissed, per stipulation, on motion of *Mr. Solicitor General Hoyt* for the defendant in error. *Mr. Henry M. Ward* for plaintiffs in error. *The Attorney General* for respondent.

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NO. 447. THE SALT RIVER VALLEY CANAL COMPANY, APPELLANT, *v.* HENRY E. SLOSSER; NO. 448. THE MARICOPA CANAL COMPANY, APPELLANT, *v.* MARTIN GOULD; and NO. 449. THE GRAND CANAL COMPANY, APPELLANT, *v.* TOM BROCKMAN.

Case Dismissed in Vacation.

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Appeals from the Supreme Court of the Territory of Arizona. December 5, 1904. Docketed and dismissed with costs, on motion of *Mr. C. J. Kappler* for the appellees. No one opposing.

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*Case Dismissed in Vacation.*

NO. 295. ISAAC HUNSAKER, SR., ET AL., PLAINTIFFS IN ERROR, *v.* TOLTEC RANCH COMPANY. In error to the Circuit Court of the United States for the District of Utah. June 9, 1904. Docketed and dismissed on motion of *Mr. Wm. T. S. Curtis* for defendant in error. No counsel opposing.