

U. S. 149; *Railroad Company v. Hopkins*, 130 U. S. 210; *Filhis v. Maurice*, 185 U. S. 108; *Louisville and Nashville Railroad Company v. Louisville*, 166 U. S. 709; *Harrison v. Morton*, 171 U. S. 38. Mr. Frederic D. McKenney, Mr. Wayne MacVeagh and Mr. J. S. Flannery for plaintiff in error. Mr. George H. Lamar for defendants in error.

No. 588. EDWARD W. SHOESMITH, APPELLANT, *v.* H. MEYER BOOT AND SHOE MANUFACTURING COMPANY ET AL. Appeal from the District Court of the United States for the Northern District of Illinois. Motion to dismiss submitted May 15, 1905. Decided May 29, 1905. *Per Curiam*. Dismissed for want of jurisdiction. *McLish v. Roff*, 141 U. S. 661; *Maynard v. Hecht*, 151 U. S. 324; *United States v. Jahn*, 155 U. S. 109, 113; *Louisville Trust Company v. Knott*, 191 U. S. 225, 232. Mr. William R. Payne for appellant. Mr. Gwynn Garnett for appellees.

No. —, Original. *Ex parte*: IN THE MATTER OF BENJAMIN F. McCAULLY, PETITIONER. Submitted May 29, 1905. Decided May 29, 1905. Motion for leave to file petition for writs of *habeas corpus* and certiorari denied. Mr. Arthur A. Birney and Mr. Henry F. Woodard for petitioner.

*Decisions on Petitions for Writs of Certiorari from
April 11 to May 29, 1905.*

No. 598. PETER CAHILL, OWNER, ETC., PETITIONER, *v.* NORRIS AND CUMINGS DREDGING COMPANY; and No. 599. PETER CAHILL, OWNER, ETC., PETITIONER, *v.* ANNIE OLSEN, ADMINISTRATRIX, ETC. April 17, 1905. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. Mr. James J. Macklin and Mr.

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LaRoy S. Gove for petitioner. *Mr. Albert A. Wray* for respondents.

No. 605. HARRY L. JEWELL, PETITIONER, *v.* CITY OF SUPERIOR. April 17, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Ghester B. Masslich* for petitioner. No appearance for respondent.

No. 602. HERMAN ASTRICH, PETITIONER, *v.* GERMAN-AMERICAN INSURANCE COMPANY OF NEW YORK. April 24, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Charles H. Bergner* for petitioner. *Mr. Wm. M. Hargest* for respondent.

No. 611. ALLAN N. MACNABB, TRUSTEE, ETC., PETITIONER, *v.* THE BANK OF LE ROY. April 24, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Frank M. Loomis* for petitioner. *Mr. Vincent H. Riordan* for respondent.

No. 610. THE UNITED STATES, PETITIONER, *v.* EMIL DIECKERHOFF ET AL. April 24, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *The Attorney General* and *The Solicitor General* for petitioner. *Mr. W. Wickham Smith* for respondents.

No. 624. THE UNITED STATES, PETITIONER, *v.* THE CORNELL STEAMBOAT COMPANY. May 1, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *The Attorney General* and *The*

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Solicitor General for petitioner. *Mr. Robert D. Benedict* for respondent.

NO. 561. THE LEATHER MANUFACTURERS' NATIONAL BANK OF NEW YORK CITY, PETITIONER, *v.* CHARLES H. TREAT, COLLECTOR, ETC. May 1, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Frank W. Hackett* for petitioner. *The Attorney General* and *Mr. Solicitor General Hoyt* for respondent.

NO. 582. NEW YORK TELEPHONE COMPANY, PETITIONER, *v.* CHARLES H. TREAT, COLLECTOR, ETC. May 1, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. C. Walter Artz* and *Mr. Melville Egleston* for petitioner. *The Attorney General* and *The Solicitor General* for respondent.

NO. 586. LOTTIE R. RUSSELL, PETITIONER, *v.* BENJAMIN RUSSELL ET AL. May 1, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. John G. Carlisle* and *Mr. John H. Hazelton* for petitioner. *Mr. Walter H. Bacon* for respondents.

NO. 616. THE DISTRICT OF COLUMBIA, PETITIONER, *v.* JOHN W. LEE. May 1, 1905. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. A. B. Duwall*, *Mr. E. H. Thomas* and *Mr. F. H. Stephens* for petitioner. *Mr. A. E. L. Leckie* for respondent.

NO. 620. FRANK KELLEY ET AL., PETITIONERS, *v.* THE DIAMOND DRILL AND MACHINE COMPANY. May 1, 1905. Petition for a writ of certiorari to the United States Circuit Court of

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Appeals for the Third Circuit denied. *Mr. Horace Pettit* for petitioners. *Mr. William C. Strawbridge* for respondent.

No. 625. CHARLES C. WILSON, PETITIONER, *v.* ATLANTIC COAST LINE RAILROAD COMPANY ET AL. May 1, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Burton Smith* for petitioner. *Mr. F. G. du Bignon* for respondent.

No. 626. HERBERT BARBER ET AL., PETITIONERS, *v.* EDWARD R. LAZARUS. May 1, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. J. Parker Kirlin* for petitioners. *Mr. Anson M. Beard* for respondent.

No. 622. PETER PEARSON ET AL., PETITIONERS, *v.* WILLIAM WILLIAMS, UNITED STATES COMMISSIONER OF IMMIGRATION. May 8, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Eugene Treadwell* for petitioners. *The Attorney General* and *The Solicitor General* for respondent.

No. 632. WILLIAM S. BRYAN, PETITIONER, *v.* JOSEPH C. DUPOYSTER ET AL. May 8, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. C. C. Calhoun* and *Mr. S. T. G. Smith* for petitioner. *Mr. Ira Julian* for respondents.

No. 637. THE CONSUMERS' GAS TRUST COMPANY ET AL., PETITIONERS, *v.* BYRON C. QUINBY. May 8, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Addison C.*

Harris for petitioners. *Mr. Ferdinand Winter* and *Mr. Alexander C. Ayres* for respondent.

No. 641. LOUIS A. DARNAL, PETITIONER, *v.* THE UNITED STATES. May 8, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. W. M. Smith* for petitioner. No brief filed for respondent.

No. 639. STEPHEN A. RALLI ET AL., PETITIONERS, *v.* THE DIRECT NAVIGATION COMPANY; and No. 640. P. C. HEINEKEN ET AL., PETITIONERS, *v.* THE DIRECT NAVIGATION COMPANY. May 15, 1905. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John F. Lewis*, *Mr. Francis S. Laws* and *Mr. James B. Stubbs* for petitioners. *Mr. M. F. Mott* for respondent.

No. 651. BENJAMIN F. McCAULLY, PETITIONER, *v.* THE UNITED STATES. May 15, 1905. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Arthur A. Birney* and *Mr. Henry F. Woodard* for petitioner. *The Attorney General* and *The Solicitor General* for respondent.

No. 638. FRANCIS H. DUEHAY, PETITIONER, *v.* THE DISTRICT OF COLUMBIA. May 29, 1905. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. (Mr. Justice Brewer took no part in the consideration and disposition of this application.) *Mr. Samuel Maddox* for petitioner. *Mr. A. B. Duvall* and *Mr. F. H. Stephens* for respondent.

No. 647. D. G. FRITZLEN ET AL., PETITIONERS, *v.* BOATMEN'S BANK OF ST. LOUIS, MO. May 29, 1905. Petition for

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a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. D. R. Hite* and *Mr. H. J. Bone* for petitioners. *Mr. James S. Botsford* for respondent.

No. 653. THE PITCH PINE LUMBER COMPANY, PETITIONER, *v. WILLIAM S. ROSASCO ET AL.* May 29, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Harrington Putnam* and *Mr. Charles C. Burlingham* for petitioner. *Mr. J. Parker Kirlin* and *Mr. Charles R. Hickox* for respondents.

No. 654. THE BRUNSWICK-BALKE-COLLENDER COMPANY, PETITIONER, *v. JOHN G. KLUMPP ET AL.* May 29, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Joseph C. Clayton* for petitioner. *Mr. Louis C. Raegener* for respondents.

Nos. 656 and 657. WILLIAM H. STAAKE, TRUSTEE, PETITIONER, *v. WATTS, ROBERTSON & ROBERTSON ET AL.* May 29, 1905. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. H. Gordon McCouch* and *Mr. Samuel W. Cooper* for petitioner. *Mr. S. Hamilton Graves* for respondents.

No. 659. MARTHA RAPHAEL, ADMINISTRATRIX, ETC., PETITIONER, *v. THE RIO GRANDE WESTERN RAILWAY COMPANY ET AL.* May 29, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Charles Locke Easton* for petitioner. *Mr. Edward M. Shepard*, *Mr. A. H. Joline* and *Mr. Wm. Mason Smith* for respondents.

No. 663. JOHN B. MCPHERSON, JUDGE, ETC., PETITIONER,

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v. AMERICAN SODA FOUNTAIN COMPANY. May 29, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Wm. G. Henderson* for petitioner. No appearance for respondent.

CASES DISPOSED OF WITHOUT CONSIDERATION BY
THE COURT FROM APRIL 11 TO MAY 29, 1905.

No. 220. *THE ATLANTIC LUMBER COMPANY, PETITIONER, v. THE L. BUCKI & SON LUMBER COMPANY.* On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. April 11, 1905. Dismissed with costs, pursuant to the tenth rule. *Mr. R. H. Liggett* for petitioner. *Mr. H. Bisbee* and *Mr. George C. Bedell* for respondent.

No. 297. *MARY K. WALP, PLAINTIFF IN ERROR, v. C. E. MOAR ET AL., COPARTNERS AS LAMKIN & FOSTER.* In error to the Supreme Court of Errors of the State of Connecticut. April 11, 1905. Dismissed with costs, on authority of counsel for plaintiff in error. *Mr. Henry G. Newton* and *Mr. Bernard E. Lynch* for plaintiff in error. No appearance for defendants in error.

No. 323. *PLYMOUTH CORDAGE COMPANY ET AL., APPELLANTS, v. J. A. SMITH ET AL.* Appeal from the Supreme Court of the Territory of Oklahoma. April 19, 1905. Dismissed with costs on motion of counsel for appellants. *Mr. Edwin A. Krauthoff* for appellants. No appearance for appellees.

No. 241. *JOSE MAULEON Y CASTILLO, APPELLANT, v. JOSE URRUTIA Y CORTON, WARDEN, ETC.* Appeal from the Supreme Court of Porto Rico. April 26, 1905. Dismissed with costs, pursuant to the tenth rule. *Mr. Federico Degetau* for appellant. No appearance for appellee.