## OPINIONS PER CURIAM, ETC., FROM DECEMBER 12, 1905, TO FEBRUARY 26, 1906.

No. 107. BEHN, MEYER & CO., APPELLANTS, *v.* CAMPBELL & GO TAUCO. Appeal from the Supreme Court of the Philippine Islands. Argued December 8, 1905. Decided December 18, 1905. *Per Curiam.* Dismissed for the want of jurisdiction. Act July 1, 1902, 32 Stat. 691, c. 1369, § 10; *Deland* v. *Platte County*, 155 U. S. 221; *Comstock* v. *Eagleton*, 196 U. S. 99; *Oklahoma City* v. *McMaster*, 196 U. S. 529; *Walker* v. *Dreville*, 12 Wall. 440. *Mr. C. C. Carlin, Mr. Henry E. Davis* and *Mr. Louis C. Barley* for appellants. *Mr. Aldis B. Browne* and *Mr. Alexander Britton* for appellees.

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No. 111. IN THE MATTER OF THE PETITION OF J. W. ROBINSON AND MARIE CARRAU FOR A WRIT OF HABEAS CORPUS. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Submitted December 11, 1905. Decided December 18, 1905. *Per Curiam.* Certificate dismissed. *United States* v. *Rider*, 163 U. S. 132; *Fire Insurance Association* v. *Wickham*, 128 U. S. 426; *Jewell* v. *Knight*, 123 U. S. 426; *United States* v. *Perrin*, 131 U. S. 55; *Cross* v. *Evans*, 167 U. S. 60. *Mr. Joseph W. Robinson* and *Mr. Milton W. Smith* for petitioners. *Mr. Samuel H. Piles, Mr. George Donworth, Mr. James B. Howe* and *Mr. F. D. McKenney* for respondent.

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No. 339. AH SOU, APPELLANT, *v.* THE UNITED STATES. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Motions to dismiss or affirm submitted December 11, 1905. Decided December 18, 1905. *Per Curiam.* Dismissed for the want of jurisdiction. 132 Fed. Rep.

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878; 138 Fed. Rep. 775; *Barry* v. *Mercein*, 5 How. 103, 120; *Kurtz* v. *Moffitt*, 115 U. S. 487; *Lau Ow Bew* v. *United States*, 144 U. S. 47, 58; *Western Union Telegraph Company* v. *Ann Arbor Railroad Company*, 178 U. S. 239; *Farrell* v. *O'Brien*, 199 U. S. 89; *Fong Yue Ting* v. *United States*, 149 U. S. 698, 730; *Chin Bak Kan* v. *United States*, 186 U. S. 193; *Tom Hong* v. *United States*, 193 U. S. 517; *Turner* v. *Williams*, 194 U. S. 279. *Mr. John M. Thurston* for appellant. *The Attorney General* and *The Solicitor General* for appellee.

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No. 344. MUTUAL RESERVE LIFE INSURANCE COMPANY, PLAINTIFF IN ERROR, *v.* HENRY C. BIRCH. In error to the Supreme Court of the State of New York. Motions to dismiss or affirm submitted November 13, 1905. Decided December 18, 1905. *Per Curiam.* Judgment affirmed with ten per cent damages, in addition to interest and costs. *Mutual Reserve Fund Life Association* v. *Phelps*, 190 U. S. 147; *Connecticut Mutual Life Insurance Company* v. *Spratley*, 172 U. S. 602; *Egan* v. *Hart*, 165 U. S. 188; *Richardson* v. *L. & N. Railroad Company*, 169 U. S. 128; *Young* v. *Valentine*, 177 N. Y. 347; *Woodward* v. *Mutual Reserve Life Insurance Company*, 178 N. Y. 485; *Birch* v. *Mutual Reserve Life Insurance Company*, 181 N. Y. 583; *S. C.*, 91 App. Div. 384. *Mr. Gordon T. Hughes* for plaintiff in error. *Mr. Gilbert E. Roe* for defendant in error.

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No. 117. J. L. CONGDON, PLAINTIFF IN ERROR, *v.* THE PEOPLE OF THE STATE OF MICHIGAN. In error to the Supreme Court of the State of Michigan. Argued December 11, 1905. Decided January 2, 1906. *Per Curiam.* Dismissed for the want of jurisdiction. *Schlosser* v. *Hemphill*, 198 U. S. 173; *Haseltine* v. *Bank*, 183 U. S. 130. *Mr. Thomas J. Cavanaugh, Mr. H. T. Cook* and *Mr. Wm. G. Howard* for plaintiff in error. *Mr. David Anderson, Mr. John E. Bird, Mr. Rus-*

*sell M. Chase, Mr. Charles A. Blair* and *Mr. Henry E. Chase* for defendants in error.

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No. —, Original. *Ex parte:* IN THE MATTER OF THE CHICAGO TITLE AND TRUST COMPANY, PETITIONER. January 2, 1906. Motion for leave to file petition for a writ of mandamus denied. *Mr. Joseph E. Paden* and *Mr. Newton Wyeth* for petitioner. *Mr. Henry S. Robbins, Mr. Wallace Heckman* and *Mr. James G. Elsdon* for respondents.

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No. 175. EMPIRE STATE-IDAHO MINING AND DEVELOPING COMPANY, APPELLANT, *v.* BUNKER HILL AND SULLIVAN MINING AND CONCENTRATING COMPANY. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Motion to dismiss submitted December 18, 1905. Decided January 8, 1906. *Per Curiam.* Dismissed for the want of jurisdiction. *Colorado Central Mining Company* v. *Turck,* 150 U. S. 138; *Press Publishing Company* v. *Monroe,* 164 U. S. 105; *Blackburn* v. *Portland Gold Mining Company,* 175 U. S. 571; *Spencer* v. *Duplan Silk Company,* 191 U. S. 526; *Shoshone Mining Company* v. *Rutter,* 177 U. S. 505. *Mr. George Turner, Mr. W. B. Heyburn* and *Mr. F. T. Post* for appellant. *Mr. Curtis H. Lindley, Mr. Henry Eickhoff* and *Mr. M. A. Folsom* for appellee.

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No. 114. JOHN S. MCCALLA, APPELLANT, *v.* ALMA MAZO ACKER, EXECUTRIX OF CALVIN S. ACKER, DECEASED. Appeal from the Supreme Court of the Territory of Oklahoma. Submitted December 7, 1905. Decided January 8, 1906. *Per Curiam.* Decree affirmed with costs. *Winebrenner* v. *Forney,* 189 U. S. 148. *Mr. S. H. Harris* and *Mr. Fred Beall* for appellant. *Mr. Chester Howe* for appellee.

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No. 307. LOTTIE R. RUSSELL, APPELLANT, *v.* BENJAMIN RUSSELL ET AL. Appeal from the United States Circuit Court

of Appeals for the Third Circuit. Motions to dismiss or affirm submitted January 8, 1906. Decided January 15, 1906. *Per Curiam.* Dismissed for the want of jurisdiction. *Colorado Central Mining Company* v. *Turck,* 150 U. S. 138; *Press Publishing Company* v. *Monroe,* 164 U. S. 105; *Ex parte Jones,* 164 U. S. 691; *Continental National Bank* v. *Buford,* 191 U. S. 119; *Spencer* v. *Duplan Silk Company,* 191 U. S. 526. *Mr. John H. Hazelton* and *Mr. John G. Carlisle* for appellant. *Mr. Walter H. Bacon* and *Mr. Robert H. McCarter* for appellees.

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No. 405. GEORGE H. JONES, PLAINTIFF IN ERROR, *v.* WILLIAM VANE ET AL. In error to the Supreme Court of the State of Idaho. Motions to dismiss or affirm submitted January 15, 1906. Decided January 22, 1906. *Per Curiam.* Dismissed for the want of jurisdiction. *San Francisco* v. *Itsell,* 133 U. S. 65; *Hopkins* v. *McLure,* 133 U. S. 380; *California* v. *Holladay,* 159 U. S. 415; *Eustis* v. *Bolles,* 150 U. S. 361, 367; *Kipley* v. *Illinois,* 170 U. S. 182; *Lynde* v. *Lynde,* 181 U. S. 183; *Western Union Telegraph Company* v. *Ann Arbor Railway Company,* 178 U. S. 239. *Mr. William T. Birdsall* for plaintiff in error. *Mr. S. M. Stockslager* and *Mr. George C. Heard* for defendants in error.

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No. —, Original. *Ex parte:* IN THE MATTER OF GEORGE W. WATT AND JAMES M. DOHAN, PETITIONERS. January 29, 1906. Motion for leave to file petition for a writ of mandamus denied. *Mr. James M. Dohan* and *Mr. W. G. Arnold* for petitioners.

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No. —, Original. *Ex parte:* IN THE MATTER OF LEONARD IMBODEN AND JAMES A. HILL, PETITIONERS. January 29, 1906. Motion for leave to file petition for a writ of *habeas corpus* denied. *Mr. James S. Davis, Mr. James J. Banks* and *Mr. Henry J. Hersey* for petitioners.

No. 407. ANNA SIEGEL, PLAINTIFF IN ERROR, *v.* THE NEW YORK AND HARLEM RAILROAD COMPANY ET AL.; No. 453. HEDEWIG KRIETE, PLAINTIFF IN ERROR, *v.* THE NEW YORK AND HARLEM RAILROAD COMPANY ET AL.; No. 454. DAVID W. O'NEIL ET AL., PLAINTIFFS IN ERROR, *v.* THE NEW YORK AND HARLEM RAILROAD COMPANY ET AL; and No. 493. FRANZISKA SCHALZ, PLAINTIFF IN ERROR, *v.* THE NEW YORK AND HARLEM RAILROAD COMPANY ET AL. In error to the Supreme Court of the State of New York. Argued January 15 and 16, 1906. Decided January 19, 1906. *Per Curiam.* Judgments reversed with costs, and cases remanded for further proceedings not inconsistent with the opinions of this court in *Muhlker* v. *New York and Harlem Railroad Company*, 197 U. S. 544; *Birrell* v. *New York and Harlem Railroad Company*, 198 U. S. 390; *Kierns* v. *New York and Harlem Railroad Company*, 198 U. S. 390. *Mr. L. M. Berkeley* and *Mr. Charles A. Hess* for plaintiffs in error. *Mr. Edward Winslow Paige* and *Mr. Ira A. Place* for defendants in error.

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No. 222. JOSHUA W. DARDEN, PLAINTIFF IN ERROR, *v.* THE STATE OF ARKANSAS. In Error to the Supreme Court of the State of Arkansas. Motions to dismiss or affirm submitted February 19, 1906. Decided February 26, 1906. *Per Curiam.* Dismissed for the want of jurisdiction. *Schlosser* v. *Hemphill*, 198 U. S. 173; *Haseltine* v. *Bank*, 183 U. S. 130; *California National Bank* v. *Stateler*, 171 U. S. 447; Kirby's Digest Statutes of Arkansas, § 1790. *Mr. Joe T. Robinson* for plaintiff in error. *Mr. Thomas B. Martin* for defendant in error.

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No. 242. THE COLUMBIAN CORRESPONDENCE COLLEGE, APPELLANT, *v.* GEORGE B. CORTELYOU, POSTMASTER-GENERAL, ET AL. Appeal from the Court of Appeals of the District of Columbia. Motions to dismiss or affirm submitted February 19, 1906. Decided February 26, 1906. *Per Curiam.*

Dismissed for the want of jurisdiction. *South Carolina* v. *Seymour*, 153 U. S. 353, 357; *United States* v. *Lynch*, 137 U. S. 280, 286; Code District of Columbia, § 233. *Mr. Arthur A. Birney* and *Mr. Charles A. Ray* for appellant. *The Attorney General* and *The Solicitor General* for appellees.

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## *Decisions on Petitions for Writs of Certiorari from December* 12, 1905 *to February* 26, 1906.

No. 512. The Iroquois Transportation Company, etc., Petitioner, *v.* A. Harvey's Sons Manufacturing Company. December 18, 1905. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Charles E. Kremer* for petitioner. *Mr. Henry B. Graves* for respondent.

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No. 516. The United States, Petitioner, *v.* George Riggs & Co. January 2, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *The Attorney General, The Solicitor General* and *Mr. Assistant Attorney General McReynolds* for petitioner. *Mr. Charles Curie* and *Mr. W. Wickham Smith* for respondents.

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No. 452. Nome Beach Lighterage and Transportation Company, Petitioner, *v.* The Standard Marine Insurance Company. January 2, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Aldis B. Browne* and *Mr. Francis J. Heney* for petitioner. *Mr. T. C. VanNess* and *Mr. William Denman* for respondent.

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No. 504. Copper River Mining Company, Petitioner, *v.* R. F. McClellan et al. January 2, 1906. Petition for a