

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

ember 10, 1906. Decided December 17, 1906. *Per Curiam*. Dismissed for the want of jurisdiction. *Haseltine v. Central Bank*, 183 U. S. 130; *Schlosser v. Hemphill*, 198 U. S. 173. *Mr. William E. Gantt* and *Mr. Herbert L. Baker* for plaintiff in error. *Mr. E. F. Colladay*, *Mr. J. W. Woodrough* and *Mr. W. F. Gurley* for defendant in error.

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*Decisions on Petitions for Writs of Certiorari from  
October 8 to December 24, 1906.*

No. 413. THE ATLANTIC TRUST COMPANY, PETITIONER, *v.* EDGAR C. CHAPMAN, RECEIVER, ETC., ET AL. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Edward B. Whitney* and *Mr. Stanley W. Dexter* for petitioner. *Mr. Edgar C. Chapman* for respondents.

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No. 433. HENRY ARNOLD RICHARDSON, AS TRUSTEE, ETC., PETITIONER, *v.* JOHN M. SHAW ET AL. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. John Brooks Leavitt* for petitioner. *Mr. E. S. Theall* for respondents.

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No. 142. THE EAGLE ORE SAMPLING COMPANY, PETITIONER, *v.* DUNCAN CHISHOLM, TRUSTEE. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. H. M. Teller* for petitioner. *Mr. Joel F. Vaile*, *Mr. C. A. Brandenburg* and *Mr. E. C. Brandenburg* for respondent.

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No. 298. M. P. REEVE, PETITIONER, *v.* NORTH CAROLINA LAND AND TIMBER COMPANY ET AL. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. H. H. Ingersoll* for petitioner. *Mr. R. E. L. Mountcastle* for respondents.

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No. 305. ARTHUR WEINREB ET AL., PETITIONERS, *v.* JOSEPH H. FINK. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. F. M. Czaki* for petitioners. *Mr. Adolph Bloch* for respondent.

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No. 322. CARMELO GRECO, PETITIONER, *v.* THE STEAMSHIP SARNIA, ETC. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Wilford H. Smith* for petitioner. *Mr. Percy S. Dudley* for respondent.

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No. 330. THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY, PETITIONER, *v.* WILLIAM W. RUTTER ET AL., EXECUTORS, ETC. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. William D. Guthrie* and *Mr. Henry D. Hotchkiss* for petitioner. *Mr. Augustus Van Wyck* for respondents.

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No. 337. DAVID MCKENZIE, PETITIONER, *v.* JAMES PEASE, SHERIFF, ETC. October 15, 1906. Petition for a writ of

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certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Robert G. Dyrenforth* for petitioner. *Mr. Harris F. Williams* for respondent.

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No. 397. THE SAGINAW MATCH COMPANY, PETITIONER, *v.* THE DIAMOND MATCH COMPANY. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Ralzemond A. Parker* and *Mr. Charles F. Burton* for petitioner. *Mr. John R. Nolan* for respondent.

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No. 436. CUMBERLAND TELEPHONE AND TELEGRAPH COMPANY, PETITIONER, *v.* MAYOR AND CITY COUNCIL OF NASHVILLE, TENN. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. William L. Granbery* for petitioner. No appearance for respondent.

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No. 441. NEW YORK EVENING JOURNAL PUBLISHING COMPANY, PETITIONER, *v.* JOSEPH SIMON. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Edward T. Fenwick* and *Mr. Clarence J. Shearn* for petitioner. *Mr. Edward K. Jones* for respondent.

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No. 442. THE ATLANTIC TRANSPORT COMPANY, CLAIMANT, ETC., PETITIONER, *v.* FRANCES M. BARNES. October 15, 1906. Petition for a writ of certiorari to the United States Circuit

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Court of Appeals for the Second Circuit denied. *Mr. J. Parker Kirlin* for petitioner. *Mr. Louis H. Porter* for respondent.

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No. 443. JAMES P. STEWART ET AL., PETITIONERS, *v.* H. S. WRIGHT. October 15, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. John M. Thurston* and *Mr. W. R. Robertson* for petitioners. *Mr. John W. Halliburton* for respondent.

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No. 350. THE OLD DOMINION STEAMSHIP COMPANY, OWNER, ETC., PETITIONER, *v.* PRIMUS GILMORE, ADMINISTRATOR, ETC. October 22, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Harrington Putnam* for petitioner. *Mr. J. Parker Kirlin* and *Mr. George Whitfield Betts, Jr.*, for respondent.

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No. 165. ELBERT R. ROBINSON, PETITIONER, *v.* THE AMERICAN CAR AND FOUNDRY COMPANY. October 22, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. J. Gray Lucas*, *Mr. Judson W. Lyons* and *Mr. Mason N. Richardson* for petitioner. *Mr. Thomas A. Banning* and *Mr. Ephraim Banning* for respondent.

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No. 318. SOUTHERN RAILWAY COMPANY, PETITIONER, *v.* MATTIE J. STUTTS, ADMINISTRATRIX, ETC. October 22, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Milton Humes* for petitioner. *Mr. Richard W. Walker* for respondent.

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No. 366. ABRAM ROSENBERGER, PETITIONER, *v.* JOSEPH H. HARRIS. October 22, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. J. J. Darlington and Mr. James C. Jones* for petitioner. *The Attorney General, The Solicitor General and Mr. Assistant Attorney General Robb* for respondent.

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No. 414. MORITZ EISNER ET AL., PETITIONERS, *v.* EMILIE SAXLEHNER. October 22, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Leopold Wallach, Mr. Charles G. Coe and Mr. Charles K. Allen* for petitioners. *Mr. Antonio Knauth* for respondent.

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No. 409. JAMES W. DONNELL, PETITIONER, *v.* HERRING-HALL-MARVIN SAFE COMPANY ET AL. October 29, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted. *Mr. George Peck Merrick and Mr. S. S. Gregory* for petitioner. *Mr. Charles H. Aldrich and Mr. Lawrence Maxwell, Jr.*, for respondents.

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No. 462. HERRING-HALL-MARVIN SAFE COMPANY, PETITIONER, *v.* HALL'S SAFE COMPANY ET AL. October 29, 1906. Petition and cross-petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Lawrence Maxwell, Jr., and Mr. Charles H. Aldrich* for petitioner. *Mr. Judson Harmon and Mr. William C. Cochran* for respondent.

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No. 460. ALEXANDER D. SHAW ET AL., PETITIONERS, *v.* THE UNITED STATES. October 29, 1906. Petition for a writ

of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Edward S Hatch* for petitioners. *The Attorney General* and *The Solicitor General* for respondent.

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No. 465. ROSA M. COLE, EXECUTRIX, ETC., PETITIONER, *v.* THE CITY OF INDIANAPOLIS ET AL. October 29, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Ferdinand Winter* and *Mr. Alexander C. Ayres* for petitioner. *Mr. Frederick E. Matson*, *Mr. Henry Warrum* and *Mr. Merrill Moores* for respondents.

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No. 423. GEORGE R. FINCH ET AL., PETITIONERS, *v.* MARYLAND CASUALTY COMPANY. November 5, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. P. J. McLaughlin* for petitioners. *Mr. Emerson Hadley* for respondent.

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No. 453. C. H. SCOTT ET AL., PETITIONERS, *v.* CHARLES P. GUICE, AN INFANT, ETC. November 5, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Holmes Conrad* and *Mr. C. H. Scott* for petitioners. No appearance for respondent.

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No. 483. THE CHESAPEAKE AND OHIO STEAMSHIP COMPANY, LIMITED, PETITIONER, *v.* EDWARD MORRIS. November 19, 1906. Petition for a writ of certiorari to the United States

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Circuit Court of Appeals for the Second Circuit denied. *Mr. J. Parker Kirlin* for petitioner. *Mr. Wm. S. Opdyke* for respondent.

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No. 490. MERCANTILE TRUST COMPANY ET AL., PETITIONERS, *v.* SAMUEL P. WHEELER, RECEIVER, ETC. November 19, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Philip Barton Warren* and *Mr. Bluford Wilson* for petitioners. No appearance for respondent.

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No. 491. GEORGE W. CRICHFIELD, PETITIONER, *v.* JUAN P. JULIA. November 19, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. L. Laflin Kellogg* for petitioner. *Mr. W. Benton Crisp* and *Mr. Henry W. Herbert* for respondent.

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No. 459. MICHIGAN STEAMSHIP COMPANY, PETITIONER, *v.* HUGH MCGILL ET AL. December 3, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. J. Parker Kirlin*, *Mr. C. R. Hickox* and *Mr. A. B. Browne* for petitioner. *Mr. William Denman* for respondent.

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No. 486. THE OHIO TRANSPORTATION COMPANY ET AL., PETITIONERS, *v.* DAVIDSON STEAMSHIP COMPANY. December 3, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

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*Mr. Harvey D. Goulder, Mr. S. H. Holding, Mr. Frank S. Masten and Mr. Wm. E. Church* for petitioner. *Mr. Charles E. Kremer and Mr. F. H. Canfield* for respondent.

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Nos. 502 and 503. WILLIAM McCOACH, COLLECTOR, ETC., PETITIONER, *v.* THE PHILADELPHIA TRUST, SAFE DEPOSIT AND INSURANCE COMPANY, EXECUTORS, ETC., ET AL.; and No. 504. WILLIAM McCOACH, COLLECTOR, ETC., PETITIONER, *v.* GEORGE W. NORRIS ET AL., EXECUTORS, ETC. December 10, 1906. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted. *The Attorney General, The Solicitor General and Mr. Assistant Attorney General McReynolds* for petitioner. *Mr. H. Gordon McCouch* for respondents.

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No. 505. THE UNITED STATES, PETITIONERS, *v.* THE MARION TRUST COMPANY, TRUSTEE, ETC. December 10, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted. *The Attorney General, The Solicitor General and Mr. Assistant Attorney General McReynolds* for petitioner. *Mr. E. W. Bradford* for respondent.

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No. 466. WILLIAM SOBEY, PETITIONER, *v.* WILFORD H. HOLSCLOW. December 10, 1906. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Melville Church, Mr. George P. Fisher, Jr., and Mr. James H. Peirce* for petitioner. *Mr. Edgar M. Kitchin and Mr. Edward T. Fenwick* for respondent. *Mr. Albert G. Davis* for the General Electric Company, filed a brief as *amicus curiæ*.

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NO. 473. THE FIRST NATIONAL BANK OF VANDALIA, ILL., ET AL., PETITIONERS, *v.* EDWARD FLICKINGER. December 10, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. W. C. Herron* and *Mr. John N. VanDeman* for petitioners. *Mr. T. E. Powell* for respondent.

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NO. 489. DE WANE B. SMITH, PETITIONER, *v.* DEXTER G. LOOK ET AL. December 10, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Milton E. Robinson* for petitioner. *Mr. Fred L. Chappell* for respondents.

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NO. 498. EDWARD B. LEIGH, PETITIONER, *v.* KEWANEE MANUFACTURING COMPANY. December 10, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. John P. Ahrens* and *Mr. David S. Geer* for petitioner. *Mr. Joseph H. Defrees* and *Mr. William Brace* for respondent.

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NO. 506. THE UNITED STATES, PETITIONER, *v.* R. HOE & Co. December 17, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *The Attorney General* and *The Solicitor General* and *Mr. W. Wickham Smith* for petitioner. *Mr. Albert H. Washburn* for respondents.

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NO. 507. THE UNITED STATES, PETITIONER, *v.* JAMES C. MORGAN. December 17, 1906. Petition for a writ of cer-

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tiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *The Attorney General* and *The Solicitor General* for petitioner. No appearance for respondent.

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No. 519. EVA A. INGERSOLL, ADMINISTRATRIX, ETC., PETITIONER, *v.* JOSEPH A. CORAM ET AL. December 24, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted. *Mr. E. N. Harwood, Mr. Hannis Taylor, Mr. Hollis R. Bailey* and *Mr. John H. Hazelton* for petitioner. *Mr. Louis D. Brandeis* and *Mr. Wm. H. Dunbar* for respondents.

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No. 487. CLARA CHAISON ET AL., PETITIONERS, *v.* LAWRENCE HYDE ET AL. December 24, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. George C. Greer* for petitioners. *Mr. Wm. Hepburn Russell* and *Mr. Wm. Beverly Winslow* for respondents.

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No. 509. GEORGE F. VIETOR ET AL., PETITIONERS, *v.* BENJAMIN LEVI ET AL. December 24, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Abram I. Elkus* for petitioners. No appearance for respondents.

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No. 511. MYRON W. ANDRUS, PETITIONER, *v.* THE BERKSHIRE POWER COMPANY. December 24, 1906. Petition for a writ of certiorari to the United States Circuit Court of Ap-

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peals for the Second Circuit denied. *Mr. C. Walter Artz* for petitioner. *Mr. Wm. Waldo Hyde* and *Mr. Arthur L. Shipman* for respondent.

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No. 521. CHARLES THORLEY, PETITIONER, *v.* THE PABST BREWING COMPANY. December 24, 1906. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Wm. F. Sheehan* and *Mr. Joseph Fettretch* for petitioner. *Mr. A. S. Gilbert* for respondent.

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CASES DISPOSED OF WITHOUT CONSIDERATION BY  
THE COURT FROM OCTOBER 8 TO DECEMBER 24,  
1906.

No. 61. ROBERT A. MILLER, AS SPECIAL MASTER, ET AL., PLAINTIFFS IN ERROR, *v.* NORTHERN ASSURANCE COMPANY. In error to the District Court of the United States for the District of Porto Rico. October 9, 1906. Dismissed, per stipulation, on motion of *Mr. Frederic D. McKenney* for the defendant in error. *Mr. Fritz von Briesen* for plaintiffs in error. *Mr. Frederic D. McKenney* and *Mr. F. H. Dexter* for defendant in error.

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No. 95. AMERICAN RAILROAD COMPANY OF PORTO RICO, PLAINTIFF IN ERROR, *v.* JUAN MATIAS FERNANDEZ. In error to the District Court of the United States for the District of Porto Rico. October 9, 1906. Dismissed with costs, on motion of *Mr. Frederic D. McKenney* for the plaintiff in error. *Mr. Frederic D. McKenney*, *Mr. J. S. Flannery* and