

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

U. S. 613; *California Consolidated Mining Company v. Manley*, 203 U. S. 579. Certiorari denied. *Chicago and Northwestern Railway Company v. Osborne*, 146 U. S. 354; *McLish v. Roff*, 141 U. S. 661; *Forsythe v. Hammond*, 166 U. S. 506. Mr. John L. Webster and Mr. Carl C. Wright for appellants. Mr. Lucius H. Beers, Mr. Howard Mansfield and Mr. R. S. Hall for appellee.

*Decisions on Petitions for Writs of Certiorari from
October 14, 1907, to January 6, 1908.*

No. 310. PAUL F. VOGEL, PETITIONER, *v.* WILLIAM WORTH BURSON. October 21, 1907. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. Mr. E. T. Fenwick and Mr. E. M. Kitchin for petitioner. Mr. George W. Rea for respondent.

No. 316. THE CITY OF DEFIANCE, PETITIONER, *v.* WILLIAM J. MCGONIGALE, RECEIVER, ETC. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. Mr. John H. Doyle and Mr. Henry B. Harris for petitioner. Mr. Henry Newbegin and Mr. Robert Newbegin for respondent.

No. 323. WILLIAM GORDON CRAWFORD, PETITIONER, *v.* THE UNITED STATES. October 21, 1907. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted. Mr. A. S. Worthington for petitioner. The Attorney General and The Solicitor General for respondent.

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No. 327. FIDELITY AND CASUALTY COMPANY OF NEW YORK, PETITIONER, *v.* BANK OF TIMMONSVILLE. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. J. P. Kennedy Bryan* for petitioner. *Mr. Henry A. M. Smith* and *Mr. P. A. Willcox* for respondent.

No. 328. EDWARD E. BLODGETT, PETITIONER, *v.* THE PORTLAND CHEMICAL AND PHOSPHATE COMPANY ET AL. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. G. Philip Wardner* for petitioner. *Mr. Horatio Bisbee* and *Mr. George C. Bedell* for respondents.

No. 329. JEROME P. PORTER ET AL., PETITIONERS, *v.* TONOPAH NORTH STAR TUNNEL AND DEVELOPMENT COMPANY. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. John E. Humphries* and *Mr. Frederick DeC. Faust* for petitioners. *Mr. Joseph C. Campbell* and *Mr. Wm. H. Metson* for respondent.

No. 330. CENTRAL RAILROAD COMPANY OF NEW JERSEY, OWNER, ETC., PETITIONER, *v.* ELIZA E. WREN ET AL. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. E. Grenville Benedict* and *Mr. R. W. DeForest* for petitioner. *Mr. J. Parker Kirlin* and *Mr. Eliot Tuckerman* for respondents.

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No. 331. THE FEDERAL CONTRACTING COMPANY, PETITIONER, *v.* BOWERS HYDRAULIC DREDGING COMPANY. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Rowland B. Mahany* and *Mr. Edward W. Norris* for petitioner. *Mr. Horace L. Cheyney* for respondent.

No. 333. R. H. WRIGHT, PETITIONER, *v.* GORMAN-WRIGHT COMPANY ET AL. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. L. L. Lewis* and *Mr. S. S. P. Patteson* for petitioner. *Mr. G. A. Hanson* for respondents.

No. 335. J. I. CASE THRESHING MACHINE COMPANY, PETITIONER, *v.* THE INDIANA MANUFACTURING COMPANY. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted. *Mr. R. S. Taylor*, *Mr. I. K. Boyesen* and *Mr. James H. Peirce* for petitioner. *Mr. W. H. H. Miller*, *Mr. Charles K. Offield*, *Mr. Charles C. Linthicum*, *Mr. Chester Bradford* and *Mr. Harold Taylor* for respondent.

No. 336. PENROSE MCCLAIN, UNITED STATES COLLECTOR, ETC., PETITIONER, *v.* WILLIAM DISSTON ET AL., EXECUTORS, ETC. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *The Attorney General* and *The Solicitor General* for petitioner. No appearance for respondents.

No. 340. N. A. MUNN ET AL., PETITIONERS, *v.* CLINTON REED; No. 341. N. A. MUNN ET AL., PETITIONERS, *v.* THE IBEX MINING COMPANY; No. 342. N. A. MUNN ET AL., PETITIONERS, *v.* THE IBEX MINING COMPANY; and No. 343. N. A. MUNN ET AL., PETITIONERS, *v.* THE IBEX MINING COMPANY. October 21, 1907. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Edwin H. Park* and *Mr. T. J. O'Donnell* for petitioners. *Mr. Charles J. Hughes, Jr.*, and *Mr. Charles Cavender* for respondents.

No. 371. SECURITY MUTUAL LIFE INSURANCE COMPANY, PETITIONER, *v.* FREDERICK L. MICHAELSEN. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Frederic W. Jenkins* for petitioner. *Mr. J. M. Vale* for respondent.

No. 442. GEORGE G. WARE, PETITIONER, *v.* THE UNITED STATES. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. T. J. Mahoney* for petitioner. *The Attorney General* and *The Solicitor General* for respondent.

No. 453. THE BALTIMORE AND OHIO RAILROAD COMPANY, PETITIONER, *v.* JAMES B. McCUNE. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Robert J. Fisher* for petitioner. *Mr. James M. Martin* for respondent.

No. 455. WEEMS STEAMBOAT COMPANY OF BALTIMORE CITY, PETITIONER, *v.* PEOPLE'S STEAMBOAT COMPANY ET AL. Octo-

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ber 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted. *Mr. George Weems Williams, Mr. St. George R. Fitzhugh and Mr. Nicholas P. Bond* for petitioner. *Mr. William D. Carter* for respondents.

No. 456. MILO H. OSBORN, PETITIONER, *v.* THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. A. A. Hoehling, Jr.*, for petitioner. *Mr. Gardiner Lathrop, Mr. Robert Dunlap and Mr. A. B. Browne* for respondent.

No. 460. THE MILWAUKEE RUBBER WORKS COMPANY, PETITIONER, *v.* THE RUBBER TIRE WHEEL COMPANY. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Charles Quarles, Mr. John C. Spooner and Mr. J. L. Bishop* for petitioner. *Mr. Augustine L. Humes* for respondent.

No. 461. CONTRACTORS' SUPPLY AND EQUIPMENT COMPANY ET AL., PETITIONERS, *v.* T. E. HILL COMPANY ET AL. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Lloyd C. Whitman* for petitioners. *Mr. Charles P. Abbey* for respondents.

No. 464. ÆTNA INDEMNITY COMPANY, PETITIONER, *v.* JAMES R. CROWE COAL AND MINING COMPANY. October 21, 1907. Petition for a writ of certiorari to the United States Circuit

Court of Appeals for the Eighth Circuit denied. *Mr. James S. Botsford* and *Mr. William B. Horner* for petitioner. *Mr. L. C. Boyle* and *Mr. W. F. Guthrie* for respondent.

No. 466. HENRY WINEMAN, JR., PETITIONER, *v.* M. M. DRAKE ET AL. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Charles E. Kremer* for petitioner. *Mr. Harvey D. Goulder* and *Mr. F. S. Masten* for respondents.

No. 467. ARMOUR PACKING COMPANY, PETITIONER, *v.* THE UNITED STATES; No. 468. SWIFT & COMPANY, PETITIONER, *v.* THE UNITED STATES; No. 469. MORRIS & COMPANY, PETITIONER, *v.* THE UNITED STATES; and No. 470. CUDAHY PACKING COMPANY, PETITIONER, *v.* THE UNITED STATES. October 21, 1907. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Frank Hagerman*, *Mr. A. R. Urion* and *Mr. John C. Cowin* for petitioners. *The Attorney General*, *The Solicitor General* and *Mr. Assistant to the Attorney General Purdy* for respondent.

No. 476. THE CHARLES NELSON COMPANY, CLAIMANT, ETC., PETITIONER, *v.* THE STANDARD THEATRE COMPANY. October 21, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. A. B. Browne* and *Mr. Alexander Britton* for petitioner. No appearance for respondent.

No. 479. GREAT SOUTHERN GAS AND OIL COMPANY, PETITIONER, *v.* LOGAN NATURAL GAS AND FUEL CO. October 21,

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1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. William B. Sanders* and *Mr. A. R. Sheriff* for petitioner. *Mr. James H. Beal, Mr. C. H. Grosvenor, Mr. John G. Reeves* and *Mr. M. A. Daugherty* for respondent.

No. 380. MOLLIE E. DUPREE ET AL., PETITIONERS, *v.* C. W. MANSUR. October 28, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. *Mr. J. J. Darlington* for petitioners. *Mr. J. M. McCormick* for respondent.

No. 475. EUGENE C. KREIGH, PETITIONER, *v.* WESTINGHOUSE, CHURCH, KERR & COMPANY. October 28, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted. *Mr. James S. Botsford* for petitioner. No appearance for respondent.

No. 480. ELIZABETH PECK, PETITIONER, *v.* THE TRIBUNE COMPANY. October 28, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Rufus S. Simmons* and *Mr. S. C. Irving* for petitioner. *Mr. John Barton Payne* for respondent.

No. 309. ALBERTA J. SHARPE ET AL., PETITIONERS, *v.* EDWARD W. RANNELS. October 28, 1907. Petition for a writ of certiorari to the United States Circuit Court of Ap-

peals for the Eighth Circuit denied. *Mr. W. H. H. Miller, Mr. John B. Jones, Mr. Augustin Boice, Mr. U. M. Rose, Mr. G. B. Rose, Mr. W. E. Hemingway and Mr. Herbert R. Marlatt* for petitioners. *Mr. C. C. Calhoun* for respondent.

No. 332. JOHN BLAKELY, PETITIONER, *v.* FIDELITY MUTUAL LIFE INSURANCE COMPANY. October 28, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. W. B. Linn and Mr. George H. Stein* for petitioner. *Mr. Ira Jewell Williams* for respondent.

No. 412. RUMFORD CHEMICAL WORKS, PETITIONER, *v.* HYGIENIC CHEMICAL COMPANY. October 28, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Philip Mauro* for petitioner. *Mr. Willard Parker Butler* for respondent.

No. 444. C. K. McINTOSH AND JAMES P. BROWN, TRUSTEES, ETC., PETITIONERS, *v.* THE PETALUMA SAVINGS BANK ET AL. October 28, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. William A. Coulter* for petitioners. *Mr. A. B. Browne* for respondents.

No. 462. FREDERICK S. GOSHORN ET AL., PETITIONERS, *v.* ROYAL TRUST COMPANY ET AL. October 28, 1907. Petition for a writ of certiorari to the United States Circuit Court of

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Appeals for the Seventh Circuit denied. *Mr. Henry W. Leman* for petitioners. *Mr. Frank H. Scott* and *Mr. Edgar A. Bancroft* for respondents.

No. 463. SAMUEL PECK ET AL., PETITIONERS, *v.* JAMES HAMILTON LEWIS. November 4, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Levi Davis* for petitioners. *Mr. Holmes Conrad* for respondent.

No. 484. ERIE RAILROAD COMPANY, PETITIONER, *v.* MARY E. KANE, ADMINISTRATRIX, ETC. November 11, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Wm. E. Cushing* for petitioner. *Mr. George F. Arrel* for respondent.

No. 191. ESTILL COUNTY, KENTUCKY, PETITIONER, *v.* TALTON EMBRY. November 18, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Charles W. Friend* for petitioner. *Mr. Harry L. Gordon* for respondent.

No. 443. ARNOLD LOUCHHEIM & CO. ET AL., PETITIONERS, *v.* JAMES WATSON BOYD. November 18, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. A. C. Prendergast* for petitioners. No appearance for respondent.

No. 491. GREAT NORTHERN RAILWAY COMPANY, PETITIONER, *v.* THE UNITED STATES. November 18, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Wm. R. Begg, Mr. Rome G. Brown and Mr. C. S. Albert* for petitioner. *The Attorney General and Mr. Assistant to the Attorney General Purdy* for respondent.

No. 300. THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, PETITIONER, *v.* J. WILCOX BROWN. December 9, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Wm. B. Hornblower and Mr. Allan McCulloh* for petitioner. *Mr. John R. Dos Passos and Mr. Joseph DeF. Junkin* for respondent.

No. 496. GRAND TRUNK WESTERN RAILWAY COMPANY, PETITIONER, *v.* WILLIAM H. GRAY. December 9, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. George W. Kretzinger* for petitioner. *Mr. John A. Brown* for respondent.

No. 506. MACKIE-LOVEJOY MANUFACTURING COMPANY, PETITIONER, *v.* MARION H. CAZIER. December 9, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. L. S. Bacon* for petitioner. No appearance for respondent.

No. 507. HAIGHT & FREESE COMPANY, PETITIONER, *v.* ANNA L. H. WEISS, ADMINISTRATRIX, ETC., ET AL. Decem-

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ber 9, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. Albert I. Sire* for petitioner. No appearance for respondent.

No. 508. DEMETRIUS M. STEWARD ET AL., PETITIONERS, *v.* AMERICAN LAVA COMPANY ET AL; and No. 509. MORITZ KIRCHBERGER ET AL., PETITIONERS, *v.* AMERICAN LAVA COMPANY ET AL. December 16, 1907. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Louis C. Raegen* for petitioners. *Mr. Charles Neave* for respondents.

No. 517. JOHNSON & JOHNSON, PETITIONER, *v.* THE UNITED STATES. December 16, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Edward S. Hatch* for petitioner. *The Attorney General, The Solicitor General* and *Mr. Assistant Attorney General Sanford* for respondent.

No. 520. THE UNITED STATES, PETITIONER, *v.* JAMES A. HAYES & COMPANY. December 16, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *The Attorney General* and *The Solicitor General* for petitioner. *Mr. Albert H. Washburn, Mr. J. Stuart Tompkins* and *Mr. Charles P. Searle* for respondents.

No. 501. OLD NICK WILLIAMS COMPANY, PETITIONER, *v.* THE UNITED STATES. December 23, 1907. Petition for a

writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted. *Mr. Charles A. Moore* for petitioner. *The Attorney General* for respondent.

NO. 409. CORSICANA PETROLEUM COMPANY, PETITIONER, *v.* W. H. STALEY. December 23, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. W. J. McKie* and *Mr. Frederick S. Tyler* for petitioner. *Mr. E. St. Clair Thompson* and *Mr. R. S. Neblett* for respondent.

NO. 504. RICHARD COHEN ET AL., PETITIONERS, *v.* THE UNITED STATES. December 23, 1907. 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*, *The Solicitor General* and *Mr. Assistant Attorney General Cooley* for respondent.

NO. 505. BENJAMIN D. GREENE ET AL., PETITIONERS, *v.* THE UNITED STATES. December 23, 1907. Petitions for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Frederic R. Coudert*, *Mr. B. F. Tracy*, *Mr. Howard Taylor*, *Mr. William W. Osborne*, *Mr. Alexander A. Lawrence*, *Mr. William Garrard* and *Mr. P. W. Meldrim* for petitioners. *The Attorney General*, *The Solicitor General* and *Mr. Marion Erwin* for respondent.

NO. 525. THE MILLS TRANSPORTATION COMPANY, PETITIONER, *v.* THE GREAT LAKES TOWING COMPANY. Decem-

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ber 23, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. F. H. Canfield* for petitioner. *Mr. Harvey D. Goulder*, *Mr. S. H. Holding* and *Mr. Frank S. Masten* for respondent.

No. 527. JAMES C. WHITTAKER, ADMINISTRATOR, ETC., PETITIONER, *v. A. B. BAXTER AND COMPANY*; and No. 528. ADOLPH JOSEPH, PETITIONER, *v. A. B. BAXTER AND COMPANY*. December 23, 1907. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Frederick M. Czaki* for petitioners. *Mr. Edward Jacobs* for respondents.

No. 536. UTAH CONSOLIDATED MINING COMPANY, PETITIONER, *v. JAMES GODFREY ET AL.* December 23, 1907. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Louis Marshall*, *Mr. George Sutherland*, *Mr. Waldemar Van Cott* and *Mr. Samuel Untermeyer* for petitioner. *Mr. J. L. Rawlings* and *Mr. William H. King* for respondents.

No. 535. BRADLEY W. PALMER ET AL., PETITIONERS, *v. THE STATE OF TEXAS ET AL.* January 6, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Moorfield Storey* and *Mr. J. L. Thorndike* for petitioners. *Mr. T. W. Gregory* for respondents.

No. 542. LAWRENCE W. SEXTON, RECEIVER, ETC., PETITIONER, *v. ARMSTRONG CORK COMPANY*. January 6, 1908.

Cases Disposed of Without Consideration by the Court. 207 U. S

Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. William D. Guthrie* for petitioner. *Mr. James R. Sloane* and *Mr. Herbert Noble* for respondent.

CASES DISPOSED OF WITHOUT CONSIDERATION BY
THE COURT FROM OCTOBER 14, 1907, TO JANU-
ARY 6, 1908.

No. 133. *A. R. STUART, PLAINTIFF IN ERROR, v. THE UNITED STATES.* In error to the Supreme Court of the Philippine Islands. October 14, 1907. Dismissed on motion of *Mr. L. T. Michener* for the plaintiff in error. *Mr. W. W. Dudley* and *Mr. L. T. Michener* for plaintiff in error. *The Attorney General* and *The Solicitor General* for defendant in error.

No. 52. *JOHN C. ORRELL ET AL., PLAINTIFFS IN ERROR, v. BAY MANUFACTURING COMPANY.* In error to the Supreme Court of the State of Mississippi. October 14, 1907. Dismissed with costs, on motion of counsel for plaintiffs in error. *Mr. E. M. Barber* for plaintiffs in error. *Mr. E. J. Bowers* for defendant in error.

No. 134. *HELEN ROWLAND, PLAINTIFF IN ERROR, v. FRANK GODFREY, TRUSTEE.* In error to the Supreme Court of the Territory of Hawaii. October 14, 1907. Dismissed, per stipulation. *Mr. E. B. McClanahan* for plaintiff in error. *Mr. A. G. M. Robertson* and *Mr. C. F. Clemons* for defendant in error.