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Opinions Per Curiam, Etc.

OPINIONS PER CURIAM, ETC., FROM JANUARY 7,
TO FEBRUARY 24, 1908.

No. 7. FRITZ DUREIN, PLAINTIFF IN ERROR, *v.* THE STATE OF KANSAS; No. 8. FRED ROSS ET AL., PLAINTIFFS IN ERROR, *v.* THE STATE OF KANSAS; and No. 9. FRED. SIMMONS ET AL., PLAINTIFFS IN ERROR, *v.* THE STATE OF KANSAS. In error to the Supreme Court of the State of Kansas. Submitted January 6, 1908. Decided January 13, 1908. *Per Curiam*. Judgments affirmed with costs. *Rippey v. Texas*, 193 U. S. 504; case below, 70 Kansas, 1, and cases cited. *Mr. C. A. Magaw* for plaintiffs in error. *Mr. C. C. Coleman* for defendant in error.

No. 16, Original. NELSON THOMASSON, JR., ET AL., PETITIONERS, *v.* THE CHICAGO RAILWAYS COMPANY ET AL. Argued January 22, 1908. Decided January 23, 1908. Petition for appeal denied for the want of jurisdiction. *Mr. Henry Crawford*, *Mr. Henry S. McAuley* and *Mr. Charles H. Aldrich* for petitioners. *Mr. George W. Wickersham*, *Mr. William W. Gurley*, *Mr. William Burry* and *Mr. A. H. Van Brunt* for respondents.

No. 125. EDWARD CORCORAN ET AL., APPELLANTS, *v.* TERENCE O'BRIEN, ADMINISTRATOR, ETC., ET AL. Appeal from the Circuit Court of the United States for the Western District of Washington. Submitted January 22, 1908. Decided January 27, 1908. Decree affirmed with costs. *Mr. Samuel H. Piles*, *Mr. James B. Howe*, *Mr. George Donworth* and *Mr. Corwin S. Shank* for appellants. No appearance for appellees.

Nos. 5 and 4. UNITED LAND ASSOCIATION ET AL., PLAINTIFFS IN ERROR, *v.* LEWIS ABRAHAMS ET AL. In error to the Supreme Court of the State of California. Argued January 29, 1908. Decided February 24, 1908. *Per Curiam*. Judgments affirmed with costs. *Knight v. United Land Association*, 142 U. S. 161; *San Francisco City and County v. Le Roy*, 138 U. S. 656; case below, 139 California, 370. *Mr. Charles A. Keigwin and Mr. John G. Johnson* for plaintiffs in error. *Mr. W. B. Treadwell, Mr. Charles H. Lovell and Mr. P. F. Dunne* for defendants in error.

No. 137. ELY BERNAYS, APPELLANT, *v.* THE UNITED STATES. Appeal from the Court of Claims. Argued January 30, 1908. Decided February 24, 1908. *Per Curiam*. Judgment affirmed. *Chesebrough v. United States*, 192 U. S. 253; *United States v. New York and Cuba Mail Steamship Company*, 200 U. S. 488. *Mr. Sigmund Zeisler and Mr. W. H. Robeson* for appellant. *The Attorney General, Mr. Assistant Attorney General Thompson and Mr. A. C. Campbell* for appellee.

*Decisions on Petitions for Writs of Certiorari from
January 7 to February 24, 1908.*

No. 524. NORFOLK & WESTERN RAILWAY COMPANY, PETITIONER, *v.* LOUELLA MAY, ADMINISTRATRIX, ETC. January 13, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Theodore W. Reath and Mr. Joseph I. Doran* for petitioner. *Mr. Clement Manly* for respondent.

No. 540. METROPOLITAN LIFE INSURANCE COMPANY, PETITIONER, *v.* CAMILLA B. TALBOTT, ADMINISTRATRIX, ETC. Jan-

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uary 13, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Maurice E. Locke* for petitioner. *Mr. Meriwether L. Crawford* for respondent.

NO. 546. SAILORS' UNION OF THE PACIFIC ET AL., PETITIONERS, *v.* HAMMOND LUMBER COMPANY. January 13, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Jackson H. Ralston* for petitioners. *Mr. S. S. Burdett* and *Mr. J. B. Thompson* for respondent.

NO. 551. OWEN AHEARN, PETITIONER, *v.* THE UNITED STATES. January 13, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Frederick S. Tyler* for petitioner. *The Attorney General* and *The Solicitor General* for respondent.

NO. 564. JENNIE L. GRAVES ET AL., PETITIONERS, *v.* ANNA P. ASHBURN, EXECUTRIX, ETC., ET AL. January 20, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Marion Erwin* and *Mr. W. J. Wallace* for petitioners. No appearance for respondents.

NO. 555. THE UNITED STATES, PETITIONER, *v.* J. T. B. HILLHOUSE. January 20, 1908. 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* for petitioner. *Mr. Howard T. Walden* for respondent.

NO. 552. THE CHICAGO, BURLINGTON & QUINCY RAILWAY COMPANY, PETITIONER, *v.* THE UNITED STATES. January 27, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted. *Mr. O. M. Spencer* and *Mr. O. H. Dean* for petitioner. *The Attorney General, The Solicitor General* and *Mr. Assistant to the Attorney General Purdy* for respondent.

NO. 557. THE CHICAGO AND ALTON RAILWAY COMPANY, PETITIONER, *v.* THE UNITED STATES; NO. 558. JOHN N. FAITHORN, PETITIONER, *v.* THE UNITED STATES; and NO. 559. FRED A. WANN, PETITIONER, *v.* THE UNITED STATES. January 27, 1908. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted. *Mr. F. S. Winston, Mr. Robert Mather, Mr. John Barton Payne, Mr. S. H. Strawn* and *Mr. Blackburn Esterline* for petitioners. *The Attorney General, The Solicitor General* and *Mr. Assistant to the Attorney General Purdy* for respondent.

NO. 568. WILLIAM T. WAGGONER ET AL., PETITIONERS, *v.* NATIONAL BANK OF COMMERCE OF KANSAS CITY, MO. January 27, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. W. O. Davis* for petitioners. No appearance for respondent.

NO. 588. HENRY CLAY PIERCE, PETITIONER, *v.* EDMUND P. CREECY, CHIEF OF POLICE, ETC. February 3, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Joseph H. Choate* and *Mr. Joseph H. Choate, Jr.*, for petitioner. *Mr. Shepard Barclay* and *Mr. Thomas T. Fauntleroy* for respondent.

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No. 578. JOSEPH PAOLUCCI, PETITIONER, *v.* THE UNITED STATES. February 24, 1908. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Wilton J. Lambert* for petitioner. *The Attorney General* and *The Solicitor General* for respondent.

No. 586. CITY OF ST. CHARLES, PETITIONER, *v.* CHARLES A. STOOKEY. February 24, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Shepard Barclay* and *Mr. Thomas T. Fauntleroy* for petitioner. *Mr. Charles Nagel* for respondent.

No. 589. FISHER BOOK TYPEWRITER COMPANY ET AL., PETITIONER, *v.* FREDERIC W. HILLARD. February 24, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. William A. Redding* for petitioners. *Mr. Thomas B. Kerr* and *Mr. John C. Kerr* for respondent.

No. 592. MAX ALEXANDER, PETITIONER, *v.* MILLS B. LANE ET AL. February 24, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. William Garrard*, *Mr. P. W. Meldrim* and *Mr. Garrard Glenn* for petitioner. *Mr. Robert M. Hitch* for respondents.

No. 594. COUNTY OF HAMILTON, ILL., PETITIONER, *v.* MONTPELIER SAVINGS BANK AND TRUST COMPANY. February 24,

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1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Samuel Alschuler* and *Mr. Charles R. Holden* for petitioner. *Mr. John F. Dillon*, *Mr. Harry Hubbard* and *Mr. C. B. Masslich* for respondent.

NO. 597. CHARLES M. SMITH, SR., ET AL., PETITIONERS, *v.* THE UNITED STATES. February 24, 1908. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. A. S. Worthington* and *Mr. R. B. Oliver* for petitioners. *The Attorney General*, *The Solicitor General* and *Mr. Assistant Attorney General Russell* for respondent.

CASES DISPOSED OF WITHOUT CONSIDERATION BY
THE COURT FROM JANUARY 7 TO FEBRUARY 24,
1908.

NO. 108. JOHN H. PHILLIPS ET AL., PLAINTIFFS IN ERROR, *v.* W. E. BARRETT ET AL. In error to the Supreme Court of Appeals of the State of Virginia. January 10, 1908. Dismissed with costs, pursuant to the tenth rule. *Mr. R. M. Hudson* for plaintiffs in error. *Mr. Jno. W. Friend* for defendants in error.

NO. 126. MODASTO MUNITIZ AGUIRRE, APPELLANT, *v.* SOBRINOS DE EZQUIAGA. Appeal from the Supreme Court of Porto Rico. January 15, 1908. Dismissed with costs, pursuant to the tenth rule. *Mr. Charles Hartzell* for appellant. *Mr. John Maynard Harlan* for appellee.

NO. 127. MODESTO MUNITIZ AGUIRRE, APPELLANT, *v.* SOBRINOS DE EZQUIAGA. Appeal from the Supreme Court of