

Ex parte PATRICK.

APPEAL FROM THE CIRCUIT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF NEW YORK.

Submitted November 9, 1908.—Decided November 16, 1908.

Appeal from decision of the Circuit Court denying a petition for *habeas corpus* when petitioner was detained under power of a state court dismissed for want of jurisdiction. There was no certificate of probable cause for allowing the appeal in conformity with the act of March 10, 1908, c. 76, 35 Stat. 40.¹

Mr. Albert T. Patrick in *propria persona* and Mr. William L. McDonald for the appellant.

Mr. Robert C. Taylor for the State of New York appeared by leave of the court.

Per Curiam: Appeal dismissed for want of jurisdiction. Act of March 10, 1908, c. 76, 35 Stat. 40; *Bilik v. Strassheim*, sheriff of Cook County, Illinois, decided October 19, 1908, *ante*, p. 551. Application for writ of *habeas corpus* denied.

WATER, LIGHT & GAS COMPANY v. CITY OF HUTCHINSON, KANSAS.

APPEAL FROM THE CIRCUIT COURT OF THE UNITED STATES FOR
THE DISTRICT OF KANSAS.

No. 21. Argued November 13, 1908.—Decided November 16, 1908.

Water, Light & Gas Co. v. Hutchinson, 207 U. S. 385, in which it was held that an exclusive franchise cannot, under the statutes of Kansas, be granted by ordinance by a city of the second class, followed.

¹ For this act in full see *ante*, p. 551.