

EX PARTE W. G. COYLE & CO., PETITIONERS.

MOTION FOR LEAVE TO FILE PETITION FOR A WRIT OF
MANDAMUS.

No. —, Original. Submitted April 4, 1910.—Decided April 11, 1910.

Motion for leave to file petition for a writ of mandamus to a Circuit Judge to remand a case removed from the state to the Federal court denied.

THIS was a motion for leave to file a petition for a writ of mandamus to require the Circuit Judge to remand a case which had been removed from the state court and which involved the validity of a sale of a vessel by a United States marshal under execution.

Mr. Charles Louque for the petitioners.

Mr. Edwin T. Merrick and *Mr. John D. Grace* for respondent.

Per Curiam. Motion for leave to file petition for a writ of mandamus denied.

VOUGHT, IMPLEADED WITH COLLINS, *v.* STATE
OF WISCONSIN.

ERROR TO THE SUPREME COURT OF THE STATE OF
WISCONSIN.

No. 153. Argued for plaintiff in error April 15, 1910.—Decided April 18, 1910.

A writ of error to review a judgment of the Supreme Court of Wisconsin on the ground that ch. 90, Laws of 1903 and §§ 2524, 2530, 2533, Wisconsin statutes, are unconstitutional, as denying due process of law and equal protection of the law, dismissed for want of juris-

217 U. S.

Syllabus.

dition as the Federal question attempted to be raised is without merit.

Writ of error to review 136 Wisconsin, 6, dismissed for want of jurisdiction.

PLAINTIFF in error, having been convicted and sentenced, asserted that the law under which the jury was drawn was unconstitutional under the Fourteenth Amendment. Ch. 90, Laws of Wisconsin for 1903 and §§ 2524, 2530, 2533, Wisconsin statutes. The trial court sustained the demurrer of the State to this plea. The plea of plaintiffs in error was that it is a denial of equal protection of the law and of due process of law to be put on trial under an indictment found by persons selected by jury commissioners who are required by statute to be free-holders.

Mr. A. W. Sanborn, Mr. Frank B. Lamoreaux, Mr. Allan T. Pray, Mr. Horace B. Walmsley and Mr. W. F. Bailey for plaintiffs in error.

Mr. Frank L. Gilbert, Attorney General of the State of Wisconsin, *Mr. Victor T. Pierrelee, Mr. A. C. Titus and Mr. J. E. Messerschmidt* for defendant in error.

Per Curiam. Writ of error dismissed for want of jurisdiction. The Federal question attempted to be raised is without merit.

NOLLMAN & CO. v. WENTWORTH LUNCH COMPANY.

APPEAL FROM AND CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT.

No. 154. Argued April 15, 1910.—Decided April 18, 1910.

On the authority of *Toxaway Hotel Company v. Smathers & Co.*, 216 U. S. 439, held that a corporation engaged in a general restaurant