

Mr. Assistant Attorney General John Q. Thompson for plaintiff in error.

Mr. Edward S. Jouett for defendant in error.

Per Curiam. The judgment is affirmed on the authority of *United States v. Welch*, decided April 25, 1910, *ante*, p. 333; but it is ordered that before the Government is required to pay for the land held to have been taken plaintiffs below shall furnish a survey definitely ascertaining the land by metes and bounds.

Affirmed.

*Decisions on Petitions for Writs of Certiorari from
April 11 to May 31, 1910.*

No. 843. GERMAN ALLIANCE INSURANCE COMPANY, PETITIONER, *v.* HOME WATER SUPPLY COMPANY. April 11, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted. *Mr. Hartwell Cabell* for the petitioner. No appearance for the respondent.

No. 838. E. G. COFFIN ET AL., ETC., PETITIONERS, *v.* CHAS. R. FLINT. April 11, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. R. C. Strudwick* and *Mr. E. J. Justice* for the petitioners. *Mr. J. H. Merri-
mon* and *Mr. J. Frank Snyder* for the respondent.

No. 840. THE SOUTHERN PAVING & CONSTRUCTION COMPANY, PETITIONER, *v.* THE CITY OF GREENSBORO.

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

April 11, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Alfred S. Barnard* for the petitioner. *Mr. E. J. Justice* for the respondent.

No. 841. S. GRAEME HARRISON, PETITIONER, *v.* THE PHILADELPHIA CONTRIBUTIONSHIP FOR THE INSURANCE OF HOUSES FROM LOSS BY FIRE. April 11, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. R. Mason Lisle* for the petitioner. No appearance for the respondent.

No. 846. LILLIAN F. SLOCUM, EXECUTRIX, ETC., PETITIONER, *v.* NEW YORK LIFE INSURANCE COMPANY. April 18, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted. *Mr. Daniel B. Henderson* for the petitioner. No appearance for the respondent.

No. 855. GEORGE M. NOWELL ET AL., PETITIONERS, *v.* THE INTERNATIONAL TRUST COMPANY ET AL. April 18, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. George M. Nowell* and *Mr. Joseph B. Church* for the petitioners. *Mr. E. S. Pillsbury* and *Mr. Lewis P. Shackelford* for the respondents.

No. 861. HUBERT HOPKINS, PETITIONER, *v.* HEBER C. PETERS ET AL. April 18, 1910. Petition for a writ of

certiorari to the Court of Appeals of the District of Columbia denied. *Mr. F. R. Cornwall* and *Mr. L. S. Bacon* for the petitioner. No appearance for the respondents.

No. 866. ILLINOIS CENTRAL RAILROAD COMPANY, PETITIONER, *v.* MARY O'NEILL ET AL. April 18, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Hunter C. Leake*, *Mr. Gustave Lemle*, and *Mr. Blewett Lee* for the petitioner. No appearance for the respondents.

No. 878. THE UNITED STATES, PETITIONER, *v.* THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY. April 25, 1910. 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*, *Mr. Edward A. Moseley* and *Mr. Philip J. Doherty* for the petitioner. *Mr. Robert Dunlap* for the respondent.

No. 856. FRANK D. ZELL ET AL., PETITIONERS, *v.* NORFOLK & SOUTHERN RAILWAY COMPANY ET AL. April 25, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Thomas Leaming*, *Mr. John G. Johnson* and *Mr. Tazewell Taylor* for the petitioners. *Mr. Edward R. Baird, Jr.*, *Mr. Thomas L. Chadbourne, Jr.*, and *Mr. Frederick Hoff* for the respondents.

No. 884. THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY, PETITIONER, *v.* MARK B. HAMBLE.

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

April 25, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Robert Dunlap, Mr. T. J. Norton, Mr. Edward W. Camp and Mr. Gardiner Lathrop* for the petitioner. *Mr. Paul Sleman* for the respondent.

No. 873. WHITIN MACHINE WORKS, PETITIONER, *v.* LEWIS T. HOUGHTON. May 2, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. William A. Jenner and Mr. Edmund Wetmore* for the petitioner. *Mr. Louis W. Southgate and Mr. W. K. Richardson* for the respondent.

No. 887. ROY VERMONT ET AL., PETITIONERS, *v.* THE UNITED STATES. May 16, 1910. 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 the petitioners. *The Attorney General, The Solicitor General and Mr. Assistant Attorney General Harr* for the respondent.

No. 902. O. M. CARTER, PETITIONER, *v.* CHARLES A. Goss. May 16, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. F. Charles Hume and Mr. Leigh Robinson* for the petitioner. *Mr. Maurice E. Locke, Mr. Eugene P. Locke, Mr. James H. McIntosh, Mr. John Charles Harris and Mr. Edward F. Harris* for the respondent.

No. 896. THE UNITED STATES EX REL. ANNIE KELLEY, PETITIONER, *v.* J. M. PETERS, SHERIFF, ETC. May 31, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. H. Winship Wheatley* for the petitioner. *Mr. William M. Acton* for the respondent.

No. 898. THE SOUTHERN PACIFIC COMPANY, PETITIONER, *v.* VISCOUNT DE VALLE DA COSTA, ADMINISTRATOR, ETC. May 31, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. Moses Williams* and *Mr. William D. Turner* for the petitioner. No appearance for the respondent.

No. 924. UNITED SURETY COMPANY OF BALTIMORE, PETITIONER, *v.* IOWA MANUFACTURING COMPANY ET AL. May 31, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Joseph H. Zumbalen* for the petitioner. *Mr. Herbert R. Marlatt* for the respondents.

No. 927. WILLIAM W. WILMERTON, PETITIONER, *v.* FRANK WILMERTON ET AL. May 31, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. James M. Spear* for the petitioner. *Mr. S. S. Gregory* and *Mr. C. H. Poppenhusen* for the respondents.

No. 928. F. MORSE ARCHER, SUBSTITUTED RECEIVER, ETC., PETITIONER, *v.* FIDELITY TRUST & SAFE DEPOSIT

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

COMPANY ET AL., EXECUTORS, ETC. May 31, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Reynolds D. Brown, Mr. Malcolm Lloyd, Jr., Mr. Charles H. Burr and Mr. J. Arthur Lynham* for the petitioner. *Mr. Ira Jewell Williams* for the respondents.

No. 929. GLOBE ASPHALT COMPANY, PETITIONER, *v.* UNION CONSTRUCTION & DEVELOPMENT COMPANY ET AL. May 31, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. E. V. Brookshire and Mr. Joseph H. Call* for the petitioner. *Mr. William Grant, Mr. Harry H. Hall and Mr. J. Blanc Monroe* for the respondents.

No. 930. RANSOME CONCRETE MACHINERY COMPANY, PETITIONER, *v.* UNITED CONCRETE MACHINERY COMPANY. May 31, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Charles L. Sturtevant* for the petitioner. *Mr. Stephen J. Cox* for the respondent.

No. 938. THE GENERAL FIREPROOFING COMPANY, PETITIONER, *v.* L. WALLACE & SON; and No. 939. THE TITLE GUARANTY & SURETY COMPANY OF SCRANTON, PA., PETITIONER, *v.* L. WALLACE & SON. May 31, 1910. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. F. H. Atwood, Mr. Frank Hagerman and Mr. Amor H.*

Sargent for the petitioners. *Mr. John N. Hughes* for the respondents.

No. 940. LEHIGH VALLEY TRANSPORTATION COMPANY, CLAIMANT, ETC., PETITIONER, *v.* THOMAS MONK, JR., ET AL. May 31, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Archibald G. Thacher* for the petitioner. *Mr. Herbert Green, Mr. James J. Macklin* and *Mr. de Lagnel Berier* for the respondents.

No. 945. PITTSBURGH MANUFACTURING COMPANY, PETITIONER, *v.* LUDLOW VALVE MANUFACTURING COMPANY. May 31, 1910. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. James I. Kay* for the petitioner. *Mr. Samuel Untermeyer* and *Mr. Louis Marshall* for the respondent.

No. 950. THE WESTERN ASSURANCE COMPANY OF TORONTO, PETITIONER, *v.* THE TWEEDIE TRADING COMPANY; and No. 951. A. FOSTER HIGGINS ET AL., PETITIONERS, *v.* THE TWEEDIE TRADING COMPANY. May 31, 1910. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Charles C. Burlingham* and *Mr. A. Leo Everett* for the petitioners. *Mr. Frederick M. Brown* for the respondent.

No. 949. ELLIS BARTHOLOMEW, PETITIONER, *v.* THE UNITED STATES. May 31, 1910. Petition for a writ of

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

certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. P. H. Kaiser* for the petitioner. *The Attorney General, The Solicitor General* and *Mr. Assistant Attorney General Harr* for the respondent.

CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT FROM APRIL 11, TO MAY 31, 1910.

No. 152. THOMAS D. WILCOXON, PLAINTIFF IN ERROR, *v. MITCHELL H. WILCOXON. MARTHA E. LEMON AND MARY D. PROCTOR.* In error to the Supreme Court of the State of Illinois. April 11, 1910. Dismissed with costs, pursuant to the tenth rule. *Mr. H. T. Wilcoxon* for the plaintiff in error. *Mr. J. A. Crain* for the defendants in error.

No. 163. C. R. SMITH, PLAINTIFF IN ERROR, *v. ARMOUR PACKING COMPANY.* In error to the United States Circuit Court of Appeals for the Eighth Circuit. April 15, 1910. Dismissed with costs pursuant to the tenth rule. *Mr. S. T. Bledsoe* for the plaintiff in error. No appearance for the defendant in error.

No. 885. SECUNDINO MENDEZONA, PLAINTIFF IN ERROR, *v. THE UNITED STATES.* In error to the Supreme Court of the Philippine Islands. April 18, 1910. Docketed and dismissed on motion of *Mr. Solicitor General Bowers* for the defendant in error. *The Attorney General* for the defendant in error. No one opposing.