

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

CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT FROM OCTOBER 14, 1912, TO JANUARY 13, 1913.

No. 26. NORTHERN INDIANA GAS & ELECTRIC CO., APPELLANT, *v.* THE MAYOR AND BOARD OF PUBLIC WORKS OF THE CITY OF HAMMOND, IND., ET AL. Appeal from the Circuit Court of the United States for the District of Indiana. October 14, 1912. Dismissed per stipulation, and cause remanded to the District Court of the United States for the District of Indiana. *Mr. Max Pam* for the appellant. *Mr. Edward F. Colladay* for the appellees.

No. 133. ST. LOUIS & SAN FRANCISCO R. R. CO., PLAINTIFF IN ERROR, *v.* WILLIAM HEYSER. In error to the Supreme Court of the State of Arkansas. October 14, 1912. Dismissed with costs on motion of counsel for the plaintiff in error. *Mr. W. F. Evans* for the plaintiff in error. No appearance for the defendant in error.

No. 183. THE ATCHISON, TOPEKA & SANTA FE RY. CO., PLAINTIFF IN ERROR, *v.* I. A. TACK. In error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas. October 14, 1912. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Gardiner Lathrop*, *Mr. J. W. Terry* and *Mr. A. H. Culwell* for the plaintiff in error. *Mr. George E. Wallace* for the defendant in error.

No. 227. NORTH RIVER INSURANCE CO., PLAINTIFF IN ERROR, *v.* W. B. HIGSON. In error to the Supreme Court

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of the State of North Carolina. October 14, 1912. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Charles W. Tillett* for the plaintiff in error. No appearance for the defendant in error.

NO. 228. FIDELITY TRUST CO., APPELLANT, *v.* LON H. GASKELL, RECEIVER. In error to the District Court of the United States for the Western District of Missouri. October 14, 1912. Dismissed with costs, per stipulation. *Mr. Frank Hagerman* and *Mr. Justin D. Bowersock* for the appellant. *Mr. John M. Cleary* for the appellee.

NO. 233. THE UNITED STATES EXPRESS COMPANY, PLAINTIFF IN ERROR, *v.* THE STATE OF NEBRASKA. In error to the Supreme Court of the State of Nebraska. October 14, 1912. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Charles J. Greene* and *Mr. Ralph W. Breckenridge* for the plaintiff in error. *Mr. Grant G. Martin* and *Mr. W. T. Thompson* for the defendant in error.

NO. 317. ST. LOUIS & SAN FRANCISCO R. R. CO., PLAINTIFF IN ERROR, *v.* CASSIE KITCHEN. In error to the Supreme Court of the State of Arkansas. October 14, 1912. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. W. F. Evans* and *Mr. E. T. Miller* for the plaintiff in error. No appearance for the defendant in error.

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NO. 569. THE CENTRAL R. R. CO. OF NEW JERSEY, PLAINTIFF IN ERROR, *v.* MICHAEL COLASURDO. In error to the United States Circuit Court of Appeals for the Second Circuit. October 14, 1912. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Robert Thorne* for the plaintiff in error. No appearance for the defendant in error.

NO. 599. BERNARD HAAS, BY SADIE HAAS, HIS GUARDIAN AD LITEM, ET AL., APPELLANTS, *v.* GREYSTOKE CASTLE S. S. Co. (LTD.), ETC. Appeal from the District Court of the United States for the Northern District of California. October 14, 1912. Dismissed with costs, on motion of counsel for the appellants. *Mr. E. B. McClanahan* and *Mr. Charles T. Tittmann* for the appellants. *Mr. J. Parker Kirlin* for the appellee.

NO. 712. THE GREAT NORTHERN RY. CO., PETITIONER, *v.* WAYLAND SLOAN ET AL., MINORS, ETC. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. October 14, 1912. Dismissed, on motion of counsel for the petitioner. *Mr. E. C. Lindlay* and *Mr. Charles S. Albert* for the petitioner. No appearance for the respondents.

NO. 6. ANTONIO JOAQUIN LUIS SANCHEZ DE LARRAGOITI ET AL., PLAINTIFFS IN ERROR, *v.* SALVADOR CASTELLO ET AL. In error to the District Court of the United States for Porto Rico. October 24, 1912. Dismissed with costs, pursuant to the nineteenth rule. *Mr. James Byrne*, *Mr. Hugo Kohlmann* and *Mr. Francis H. Dexter* for the

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plaintiffs in error. No appearance for the defendants in error.

No. 21. SAMUEL LOEB, PLAINTIFF IN ERROR, *v.* THE STATE OF GEORGIA. In error to the Court of Appeals of the State of Georgia. October 30, 1912. Dismissed with costs, pursuant to the sixteenth rule, on motion of *Mr. Thomas S. Felder* for the defendant in error. No appearance for the plaintiff in error. *Mr. Thos. S. Felder* for the defendant in error.

No. 547. THE ATCHISON, TOPEKA & SANTA FE RAILWAY CO. ET AL., PLAINTIFFS IN ERROR, *v.* VALENTINA CHAVES DE PADILLA. In error to the Supreme Court of the Territory of New Mexico. November 4, 1912. Dismissed with costs, per stipulation, and cause remanded to the Supreme Court of the State of New Mexico. *Mr. Robert Dunlap* for the plaintiffs in error. No appearance for the defendant in error.

No. 4. M. KAHN & BROTHER, PLAINTIFF IN ERROR, *v.* J. F. BLEDSOE, TRUSTEE, ETC. In error to the Supreme Court of the State of Oklahoma. November 4, 1912. Dismissed with costs, pursuant to the sixteenth rule, on motion of *Mr. Evans Browne* in behalf of counsel for the defendant in error. *Mr. William F. Bowman* for the plaintiff in error. *Mr. S. T. Bledsoe* for the defendant in error.

No. 125. THE MINNEAPOLIS & ST. LOUIS RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* CLARENCE C. GRAY.

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In error to the Supreme Court of the State of Minnesota. November 11, 1912. Dismissed with costs on authority of counsel for the plaintiff in error. *Mr. W. H. Bremner* for the plaintiff in error. No appearance for the defendant in error.

No. 747. A. W. MORSE, PLAINTIFF IN ERROR, *v.* THE BALTIMORE & OHIO SOUTHWESTERN RAILWAY COMPANY. In error to the District Court of the United States for the Northern District of Texas. November 13, 1912. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. William H. Atwell* for the plaintiff in error. No appearance for the defendant in error.

No. 780. G. L. CRENSHAW, APPELLANT, *v.* CARROLL ALLEN, AS TRUSTEE IN BANKRUPTCY OF THE ESTATE OF FRED DORR, BANKRUPT. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. November 15, 1912. Dismissed, each party paying his own costs, per stipulation. *Mr. William B. Mathews* for the appellant. *Mr. James H. Shankland* for the appellee.

No. 5, Original. THE UNITED STATES OF AMERICA, COMPLAINANT, *v.* THE PEOPLE OF THE STATE OF NEW YORK ET AL. December 2, 1912. Dismissed without prejudice on motion of *Mr. Solicitor General Bullitt* for the complainant. *The Attorney General* for the complainant. *Mr. James M. Hunt* for the defendants.

No. 793. MARIUS CALMELS, APPELLANT, *v.* SAMUEL W. BACKUS, COMMISSIONER OF IMMIGRATION, ETC.;

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NO. 794. VICTOR VINOL, APPELLANT, *v.* SAMUEL W. BACKUS, COMMISSIONER OF IMMIGRATION, ETC.;

NO. 795. LEOPOLD CALMELS, APPELLANT, *v.* SAMUEL W. BACKUS, COMMISSIONER OF IMMIGRATION, ETC.;

NO. 796. MARIA LOUISE CALMELS, APPELLANT, *v.* SAMUEL W. BACKUS, COMMISSIONER OF IMMIGRATION, ETC.; and

NO. 797. VALERIE CALMELS, APPELLANT, *v.* SAMUEL W. BACKUS, COMMISSIONER OF IMMIGRATION, ETC. Appeal from the District Court of the United States for the Northern District of California. December 2, 1912. Dismissed with costs, on motion of *Mr. Corry M. Stadden* for the appellants. *Mr. Corry M. Stadden* for the appellants. *The Attorney General* for the appellees.

NO. 88. GASPAR CUE ET AL., APPELLANTS, *v.* WILLIAM C. COTTON ET AL., EXECUTORS, ETC., ET AL. Appeal from the Circuit Court of the United States for the Western District of Texas. December 9, 1912. Dismissed with costs, pursuant to the tenth rule, and cause remanded to the District Court of the United States for the Western District of Texas. *Mr. A. Seymour Thurmond* for the appellants. No appearance for the appellees.

NO. 94. ED BROWN ET AL., PLAINTIFFS IN ERROR, *v.* FRANK M. POWERS, JUDGE, ET AL. In error to the Supreme Court of the State of Iowa. December 13, 1912. Dismissed with costs, pursuant to the tenth rule. *Mr. Benjamin I. Salinger* for the plaintiffs in error. No appearance for the defendants in error.

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NO. 95. ED BROWN ET AL., PLAINTIFFS IN ERROR, *v.* FRANK M. POWERS, JUDGE, ET AL. In error to the Supreme Court of the State of Iowa. December 13, 1912. Dismissed with costs, pursuant to the tenth rule. *Mr. Benjamin I. Salinger* for the plaintiffs in error. No appearance for the defendants in error.

NO. 267. FRANK F. LAMB, PLAINTIFF IN ERROR, *v.* SAMUEL B. BAKER. In error to the Supreme Court of the State of Oklahoma. December 18, 1912. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. George S. Ramsay* for the plaintiff in error. No appearance for the defendant in error.

NO. 110. SEABOARD FIRE & MARINE INSURANCE COMPANY, PLAINTIFF IN ERROR, *v.* GUSTAVE MONTELEONE. In error to the Supreme Court of the State of Louisiana. December 19, 1912. Dismissed with costs, per stipulation. *Mr. Edgar H. Farrar* for the plaintiff in error. *Mr. Benjamin Rice Forman* and *Mr. Anthony J. Rossi* for the defendant in error.

NO. 114. CHICAGO, MILWAUKEE & ST. PAUL RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* MICHAEL KILEY. In error to the Supreme Court of the State of Wisconsin. December 19, 1912. Dismissed with costs, pursuant to the tenth rule. *Mr. Burton Hanson* and *Mr. C. H. Van Alstine* for the plaintiff in error. No appearance for the defendant in error.

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NO. 117. JOHN H. HALL, PLAINTIFF IN ERROR, *v.* THE UNITED STATES. In error to the Circuit Court of the United States for the District of Oregon. January 6, 1913. Dismissed, on motion of *Mr. Solicitor General Bullitt* for the defendant in error, and cause remanded to the District Court of the United States for the District of Oregon. *Mr. John H. Hall* for the plaintiff in error. *The Attorney General* for the defendant in error.

NO. 548. THE UNITED STATES, PLAINTIFF IN ERROR, *v.* NORTHERN COMMERCIAL COMPANY. In error to the District Court of the United States for the Fourth Division, Territory of Alaska. January 6, 1913. Dismissed, on motion of *Mr. Solicitor General Bullitt* for the plaintiff in error. *The Attorney General* for the plaintiff in error. *Mr. Edward M. Cleary* and *Mr. John Sidney Webb* for the defendant in error.

NO. 182. AUGUSTUS BURGDORF, SURVIVING TRUSTEE, ET AL., APPELLANTS, *v.* LEMUEL E. MAYHEW. Appeal from the Court of Appeals of the District of Columbia. January 6, 1913. Dismissed with costs, on motion of counsel for the appellant. *Mr. John Ridout* for the appellants. No appearance for the appellee.

NO. 315. GERMAN INSURANCE COMPANY, PLAINTIFF IN ERROR, *v.* COMMONWEALTH OF KENTUCKY, FOR THE USE, ETC., OF THE LOUISVILLE SCHOOL BOARD ET AL. In error to the Court of Appeals of the State of Kentucky. January 6, 1913. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Louis B. Wehle* and *Mr. O.*

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H. Wehle for the plaintiff in error. No appearance for the defendants in error.

No. 210. ST. LOUIS FAIR ASSOCIATION, PLAINTIFF IN ERROR, *v.* GILSONITE ROOFING & PAVING COMPANY. In error to the Supreme Court of the State of Missouri. January 13, 1913. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Henry W. Bond* and *Mr. Thomas Bond* for the plaintiff in error. No appearance for the defendant in error.

CASES DISPOSED OF IN VACATION.

No. 329. LOUIS F. BRAUN, APPELLANT, *v.* LINDSAY RUSSELL, TRUSTEE, ET AL. Appeal from the United States Circuit Court of Appeals for the second circuit. July 12, 1912. Dismissed pursuant to the 28th Rule. *Mr. Dix W. Noel* for the appellant. *Mr. Daniel P. Hays* for the appellees.

No. 330. WALTER BAMFORD, APPELLANT, *v.* LINDSAY RUSSELL, TRUSTEE, ET AL. Appeal from the United States Circuit Court of Appeals for the Second Circuit. July 12, 1912. Dismissed pursuant to the 28th Rule. *Mr. Dix W. Noel* for the appellant. *Mr. Daniel P. Hays* for the appellees.

No. 331. LINDSAY RUSSELL, TRUSTEE, APPELLANT, *v.* WALTER BAMFORD AND LOUIS F. BRAUM. Appeal from the United States Circuit Court of Appeals for the Second Circuit. July 12, 1912. Dismissed pursuant to the 28th