

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

tion for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *The Attorney General* and *The Solicitor General* for the petitioner. *Mr. Henry P. Dart* for the respondents.

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No. 750. DAVID P. CLARK, PETITIONER, *v.* THE SCHIEBLE TOY & NOVELTY COMPANY. January 11, 1915. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. H. A. Toulmin* and *Mr. Melville Church* for the petitioner. *Mr. William R. Wood* for the respondent.

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No. 754. EMERSON & NORRIS COMPANY, PETITIONER, *v.* SIMPSON BROTHERS CORPORATION. January 11, 1915. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. R. A. Parker* for the petitioner. *Mr. Frederick L. Emery* for the respondent.

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CASES DISPOSED OF WITHOUT CONSIDERATION  
BY THE COURT FROM OCTOBER 12, 1914, TO  
JANUARY 11, 1915.

No. 210. HENRY H. FAY ET AL., PLAINTIFFS IN ERROR, *v.* THE UNITED STATES. In error to the United States Circuit Court of Appeals for the First Circuit. October 13, 1914. Judgment reversed and cause remanded for further proceedings in conformity to law, per stipulation of counsel, and on motion of *Mr. Solicitor General Davis* for the

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defendant in error. *Mr. John L. Hall* for the plaintiffs in error. *The Attorney General* for the defendant in error.

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No. 21. THE PENNSYLVANIA RAILROAD COMPANY, APPELLANT, *v.* INTERSTATE COMMERCE COMMISSION ET AL. Appeal from the United States Commerce Court. October 13, 1914. Dismissed with costs, on motion of *Mr. Frederic D. McKenney* for the appellant, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. *Mr. Francis I. Gowen* and *Mr. Frederic D. McKenney* for the appellant. *Mr. P. J. Farrell* and *Mr. A. M. Liveright* for the appellees.

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No. 22. JAMES HAMILTON LEWIS AND ROSE LEWIS, HIS WIFE, PLAINTIFFS IN ERROR, *v.* EDITH KRIEG. In error to the Supreme Court of the State of Washington. October 13, 1914. Dismissed with costs, on motion of counsel for the plaintiffs in error. *Mr. James B. Howe* for the plaintiffs in error. No appearance for the defendant in error.

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No. 32. CLARK RUFFCORN ET AL., PLAINTIFFS IN ERROR AND APPELLANTS, *v.* THE BOARD OF SUPERVISORS OF HARRISON COUNTY, IOWA, ET AL. In error to and appeal from the District Court of the United States for the Southern District of Iowa. October 13, 1914. Dismissed with costs, on motion of counsel for the plaintiffs in error and appellants. *Mr. William R. Green* for the plaintiffs in error and appellants. No appearance for the defendants in error and appellees.

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No. 182. BENJAMIN MEISNER ET AL., PLAINTIFFS IN ERROR, *v.* THE PEOPLE OF THE STATE OF MICHIGAN. In error to the Recorder's Court of the city of Detroit, State of Michigan. October 13, 1914. Dismissed per stipulation. *Mr. Fred A. Baker* for the plaintiffs in error. *Mr. Richard I. Lawson* for the defendant in error.

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No. 211. THE PACIFIC STATES SUPPLY COMPANY, APPELLANT, *v.* THE CITY AND COUNTY OF SAN FRANCISCO ET AL. Appeal from the District Court of the United States for the Northern District of California. October 13, 1914. Dismissed with costs, on motion of counsel for the appellant. *Mr. Samuel M. Shortridge* for the appellant. *Mr. Percy V. Long* and *Mr. Jesse H. Steinhart* for the appellees.

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No. 282. GERMAN BANK OF CARROLL COUNTY, IOWA, ET AL., PLAINTIFFS IN ERROR, *v.* WILLIAM R. LEE, RECEIVER, ETC. In error to the District Court of the United States for the Southern District of Iowa. October 13, 1914. Dismissed with costs, on motion of counsel for the plaintiffs in error. *Mr. B. I. Salinger* for the plaintiffs in error. No appearance for the defendant in error.

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No. 299. STEPHEN CANAVAN, APPELLANT, *v.* JESUS ROMERO, SHERIFF, ETC. Appeal from the District Court of the United States for the District of New Mexico. October 13, 1914. Dismissed with costs, on motion of counsel for the appellant. *Mr. Edward A. Mann* for the appellant. No appearance for the appellee.

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No. 314. SOUTHERN RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* DEAVER-JETER COMPANY. In error to the Supreme Court of the State of South Carolina. October 13, 1914. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Benjamin L. Abney* and *Mr. John K. Graves* for the plaintiff in error. No appearance for the defendant in error.

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No. 319. THE CITIZENS TRUST COMPANY ET AL., APPELLANTS, *v.* EDGAR M. TILT, TRUSTEE, ETC. Appeal from the United States Circuit Court of Appeals for the Third Circuit. October 13, 1914. Dismissed with costs, on motion of counsel for the appellants. *Mr. Fred W. Van Blarcom* and *Mr. Wayne Dumont* for the appellants. No appearance for the appellee.

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No. 530. THE PITTSBURGH, CINCINNATI, CHICAGO & ST. LOUIS RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* THE STATE OF INDIANA. In error to the Supreme Court of the State of Indiana. October 13, 1914. Dismissed with costs per stipulation. *Mr. Samuel O. Pickens* for the plaintiff in error. *Mr. Thomas M. Honan* for the defendant in error.

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No. 296. CARL OLIVER, PLAINTIFF IN ERROR, *v.* THE STATE OF TEXAS. In error to the Court of Criminal Appeals of the State of Texas. October 13, 1914. Dismissed with costs, pursuant to the tenth rule. *Mr. Cecil H. Smith*, *Mr. Aldis B. Browne*, *Mr. Alexander Britton* and *Mr. Evans Browne* for the plaintiff in error. *Mr. B. F. Looney* for the defendant in error.

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No. 359. NORTHERN PACIFIC RAILWAY CO., PLAINTIFF IN ERROR, *v.* WILFRED L. GIFFORD. In error to the Supreme Court of the State of Idaho. October 16, 1914. Dismissed with costs on motion of counsel for the plaintiff in error. *Mr. James E. Babb* and *Mr. Charles W. Bunn* for the plaintiff in error. No appearance for the defendant in error.

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No. 38. CITIZENS INSURANCE COMPANY, OF MISSOURI, APPELLANT, *v.* MATT C. CLAY ET AL. Appeal from the District Court of the United States for the Eastern District of Kentucky. October 21, 1914. Dismissed with costs, per stipulation of counsel. *Mr. Seymour Edgerton*, *Mr. John G. Johnson* and *Mr. Thomas Bates* for the appellant. *Mr. James Garnett* for the appellees.

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No. 137. THE WESTERN UNION TELEGRAPH COMPANY, PLAINTIFF IN ERROR, *v.* J. C. MAJOR, JR. In error to the Supreme Court of Appeals of the State of Virginia. October 21, 1914. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Rush Taggart*, *Mr. George H. Fearons*, *Mr. Robert M. Hughes* and *Mr. Francis Raymond Stark* for the plaintiff in error. No appearance for the defendant in error.

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No. 24. ALOIS B. RENEHAN ET AL., APPELLANTS, *v.* TINA HAFFNER RETSCH. Appeal from the Supreme Court of the Territory of New Mexico. October 23, 1914. Dismissed with costs on motion of counsel for the appellants, and cause remanded to the Supreme Court of the

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State of New Mexico. *Mr. A. B. Renahan* for the appellants. *Mr. T. B. Catron* for the appellee.

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No. 114. J. A. FOLGER, PETITIONER, *v.* KATE C. PUTNAM, ADMINISTRATRIX, ETC., ET AL. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. October 26, 1914. Dismissed with costs, on motion of counsel for the petitioner. *Mr. Walter D. Mansfield* for the petitioner. *Mr. Edward M. Cleary* for the respondent.

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No. 2. JUAN M. CEBALLOS AND JOHN M. FISKE *v.* ANDERSON C. WILSON. On a certificate from the United States Circuit Court of Appeals for the Third Circuit. October 26, 1914. Stricken from the docket. *Mr. Richard V. Lindabury* for Ceballos and Fiske. *Mr. William Osgood Morgan* for Wilson.

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No. 42. THE NATIONAL DISCOUNT COMPANY, APPELLANT, *v.* JOHN S. SHEPPARD, JR., TRUSTEE, ETC., ET AL. Appeal from the United States Circuit Court of Appeals for the Second Circuit. October 29, 1914. Dismissed per stipulation. *Mr. Wm. J. Wallace*, *Mr. S. C. Sugarman* and *Mr. Charles H. Fuller* for the appellant. *Mr. Sol. M. Stroock* and *Mr. Daniel P. Hays* for the appellees.

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No. 60. JEHU H. CLENDANIEL, PLAINTIFF IN ERROR, *v.* HONORABLE HENRY C. CONRAD, ASSOCIATE JUDGE OF THE STATE OF DELAWARE, ET AL. In error to the Supreme

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Court of the State of Delaware. November 2, 1914. Dismissed with costs pursuant to the fifteenth rule. *Mr. Jas. L. Wolcott* for the plaintiff in error. *Mr. J. J. Darlington* and *Mr. Robert H. Richards* for the defendants in error.

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No. 65. CLARENCE H. VENNER, APPELLANT, *v.* CHICAGO CITY RAILWAY COMPANY ET AL. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. November 5, 1914. Dismissed per stipulation. *Mr. Elijah N. Zoline* and *Mr. Wm. R. Harr* for the appellant. *Mr. Harry P. Webber*, *Mr. George W. Miller*, *Mr. Wm. H. Sexton*, *Mr. John W. Beckwith* and *Mr. John Maxey Zane* for the appellees.

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No. 695. UNITED STATES OF AMERICA, PLAINTIFF IN ERROR, *v.* THEODORE WEISBERGER, MAUDE WEISBERGER, HIS WIFE, AND THE EMPIRE STATE SURETY COMPANY. In error to the United States Circuit Court of Appeals for the Ninth Circuit. November 16, 1914. Docketed and dismissed on motion of *Mr. George A. King* for the defendants in error. *Mr. Geo. A. King* for the defendants in error. No one opposing.

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No. 128. CONCEPCION VEVE DE BELAVAL ET AL., APPELLANTS, *v.* THE FAJARDO SUGAR GROWERS ASSOCIATION. Appeal from the Supreme Court of Porto Rico. November 30, 1914. Dismissed with costs, on motion of *Mr. Frederick S. Tyler* for the appellants. *Mr. Frederick S. Tyler* and *Mr. Frank Antonsanti* for the appellants. No appearance for the appellee.

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No. 215. THE F. B. WILLIAMS CYPRESS COMPANY, LTD., PLAINTIFF IN ERROR, *v.* THE STATE OF LOUISIANA. In error to the Supreme Court of the State of Louisiana. November 30, 1914. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Carlton R. Beattie* for the plaintiff in error. No appearance for the defendant in error.

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No. 301. WILLIAM KNAPP ET AL., PARTNERS, ETC., PLAINTIFFS IN ERROR, *v.* EVERETT P. HOLDEN. In error to the Supreme Court of the State of Ohio. November 30, 1914. Judgment affirmed with costs, per stipulation of counsel. *Mr. Constant Southworth* for the plaintiffs in error. *Mr. Charles M. Cist* for the defendant in error.

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No. 108. EDWARD J. ROBISON ET AL., PLAINTIFFS IN ERROR, *v.* FRANK S. FISHBACK. In error to the Supreme Court of the State of Indiana. December 4, 1914. Dismissed with costs, pursuant to the tenth rule. *Mr. Merrill Moores* for the plaintiffs in error. No appearance for the defendant in error.

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No. 366. CHAN KUM, APPELLANT, *v.* SAMUEL W. BACKUS, COMMISSIONER OF IMMIGRATION. Appeal from the District Court of the United States for the Northern District of California. December 14, 1914. Dismissed with costs, on motion of counsel for the appellant. *Mr. Corry M. Stadden* for the appellant. *The Attorney General* for the appellee.

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No. 111. MARIE CARDONNEL, 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 18, 1914. Dismissed with costs, pursuant to the tenth rule. *Mr. Marshall B. Woodworth, Mr. Chas. H. Merillat and Mr. Chas. J. Kappler* for the appellant. *The Attorney General* for the appellee.

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No. 178. CHICAGO, MILWAUKEE & ST. PAUL RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* W. H. ATON PIANO COMPANY. In error to the Circuit Court of Sauk County, State of Wisconsin. January 5, 1915. Dismissed, on motion of counsel for the plaintiff in error. *Mr. C. H. Van Alstine* for the plaintiff in error. No appearance for the defendant in error.

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No. 179. CHICAGO, MILWAUKEE & ST. PAUL RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* CHARLES G. UBER ET AL. In error to the Supreme Court of the State of Wisconsin. January 5, 1915. Dismissed, on motion of counsel for the plaintiff in error. *Mr. C. H. Van Alstine* for the plaintiff in error. No appearance for the defendants in error.

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No. 176. PHILADELPHIA & READING RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* J. GOLDMAN. In error to the Court of Law and Chancery of the city of Norfolk, State of Virginia. January 6, 1915. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Theo-*

*dore W. Reath and Mr. Robert M. Hughes, Jr.*, for the plaintiff in error. No appearance for the defendant in error.

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No. 113. VICKSBURG WATER WORKS COMPANY, PLAINTIFF IN ERROR, *v. E. Ford*. In error to the Supreme Court of the State of Mississippi. January 7, 1915. Dismissed with costs, pursuant to the tenth rule. *Mr. J. C. Bryson* for the plaintiff in error. No appearance for the defendant in error.

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No. 123. TWIN CITY SEPARATOR COMPANY ET AL., PLAINTIFFS IN ERROR, *v. CHICAGO, MILWAUKEE & ST. PAUL RAILWAY COMPANY ET AL.* In error to the Supreme Court of the State of Minnesota. January 11, 1915. Dismissed with costs, pursuant to the tenth rule. *Mr. Frank Healy* for the plaintiffs in error. *Mr. Amasa C. Paul* and *Mr. Daniel Fish* for the defendants in error.

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#### CASES DISPOSED OF IN VACATION.

No. 324. ISIDOR STRAUS ET AL., COPARTNERS, ETC., PLAINTIFFS IN ERROR, *v. AMERICAN PUBLISHERS ASSOCIATION ET AL.* In error to the United States Circuit Court of Appeals for the Second Circuit. July 18, 1914. Dismissed pursuant to the twenty-eighth rule. *Mr. Edmond E. Wise* and *Mr. Wallace Macfarlane* for the plaintiffs in error. *Mr. Stephen H. Olin* for the defendants in error.