

Cases Disposed of Without Consideration by the Court. 239 U. S.

Scott Humphrey for the petitioner. No appearance for the respondent.

No. 770. SAN ANTONIO & ARANSAS PASS RAILWAY COMPANY, PETITIONER, *v.* STREETS WESTERN STABLE CAR COMPANY. January 10, 1916. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. George Thompson* and *Mr. J. H. Barwise, Jr.*, for the petitioner. *Mr. Levy Mayer* and *Mr. Carl Meyer* for the respondent.

No. 792. WELLS, FARGO & COMPANY, PETITIONER, *v.* THE MAYOR AND ALDERMEN OF JERSEY CITY. January 17, 1916. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Charles W. Stockton* for the petitioner. *Mr. John Bentley* for the respondents.

CASES DISPOSED OF WITHOUT CONSIDERATION
BY THE COURT FROM OCTOBER 11, 1915, TO
JANUARY 17, 1916.

No. 2. THOMAS W. McCOMB, PLAINTIFF IN ERROR, *v.* THE COMMONWEALTH OF PENNSYLVANIA. In error to the Supreme Court of the State of Pennsylvania. October 12, 1915. Dismissed, with costs, on motion of counsel for the plaintiff in error. *Mr. John G. Johnson* for the plaintiff in error. *Mr. William M. Hargest* and *Mr. Lyman D. Gilbert* for the defendant in error.

No. 151. UNION PACIFIC RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* BARBORA ZITNIK, ADMINISTRATRIX, ETC.

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In error to the Supreme Court of the State of Nebraska. October 12, 1915. Dismissed, with costs, on motion of counsel for the plaintiff in error. *Mr. N. H. Loomis* for the plaintiff in error. *Mr. C. J. Smyth* and *Mr. Edward P. Smith* for the defendant in error.

No. 195. ILLINOIS CENTRAL RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* ARTHUR SLAUGHTER. In error to the Supreme Court of the State of Minnesota. October 12, 1915. Dismissed per stipulation. *Mr. Pierce Butler*, *Mr. Blewett Lee* and *Mr. W. S. Horton* for the plaintiff in error. *Mr. Samuel A. Anderson* for the defendant in error.

No. 202. RAILWAY TRANSFER COMPANY OF THE CITY OF MINNEAPOLIS, PLAINTIFF IN ERROR, *v.* JOSEPH LA MERE. In error to the Supreme Court of the State of Minnesota. October 12, 1915. Dismissed per stipulation. *Mr. William H. Bremner* and *Mr. F. M. Miner* for the plaintiff in error. *Mr. Samuel A. Anderson* for the defendant in error.

No. 255. SOUTHERN RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* A. B. BRAMLETT. In error to the Supreme Court of the State of South Carolina. October 12, 1915. Dismissed, with costs, on motion of counsel for the plaintiff in error. *Mr. L. E. Jeffries* for the plaintiff in error. No appearance for the defendant in error.

No. 256. THE MCALESTER EDWARDS COAL COMPANY ET AL., PLAINTIFFS IN ERROR, *v.* M. E. TRAPP, STATE AUDITOR, ETC. In error to the Supreme Court of the State

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of Oklahoma. October 12, 1915. Judgment reversed at the costs of the plaintiffs in error, and cause remanded for further proceedings per stipulation of counsel. *Mr. Charles B. Stuart* and *Mr. James H. Gordon* for the plaintiffs in error. *Mr. Robert E. Wood* for the defendants in error.

No. 305. *W. S. ALLEN, SECRETARY OF STATE, ET AL., APPELLANTS, v. WILLIAM R. COMPTON COMPANY ET AL.* October 12, 1915. Dismissed with costs, on motion of counsel for the appellants. *Mr. George Cosson* for the appellants. No appearance for the appellees.

No. 378. *QUINCY, OMAHA & KANSAS CITY RAILROAD COMPANY, PLAINTIFF IN ERROR, v. SHELBY P. NOEL.* In error to the Kansas City Court of Appeals, State of Missouri. October 12, 1915. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Willard P. Hall* for the plaintiff in error. No appearance for the defendant in error.

No. 548. *THE DELAWARE, LACKAWANNA & WESTERN RAILROAD COMPANY, PETITIONER, v. MATT YURKONIS.* On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. October 12, 1915. Dismissed on motion of counsel for the petitioner. *Mr. William S. Jenney* for the petitioner. No appearance for the respondent.

No. 588. *JOHN DEERE PLOW COMPANY, PETITIONER, v. LEON D. MOWRY, TRUSTEE, ETC.* On petition for a writ

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of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. October 12, 1915. Dismissed on motion of counsel for the petitioner. *Mr. Duane E. Fox* for the petitioner. No appearance for the respondent.

No. 11. Original. COMMONWEALTH OF VIRGINIA, COMPLAINANT, *v.* JOHN PIERPONT MORGAN. October 18, 1915. Dismissed with costs, on motion of *Mr. John Garland Pollard* for the complainant. No appearance for the defendant.

No. 7. LEM MOTLOW, PLAINTIFF IN ERROR, *v.* THE STATE OF TENNESSEE. In error to the Supreme Court of the State of Tennessee. October 18, 1915. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. John J. Vertrees* for the plaintiff in error. *Mr. Frank M. Thompson* and *Mr. William L. Granbery* for the defendant in error.

No. 416. J. M. KILLMER ET AL., PLAINTIFFS IN ERROR, *v.* SAMUEL STEWART, AS TREASURER OF WYANDOTTE COUNTY, KANS., ET AL. In error to the Supreme Court of the State of Kansas. October 18, 1915. Dismissed with costs, on motion of counsel for the plaintiffs in error. *Mr. L. W. Kiplinger* for the plaintiffs in error. *Mr. Richard J. Higgins* for the defendants in error.

No. 590. NICK ARRIGO, PLAINTIFF IN ERROR, *v.* GUS A. HYERS, SHERIFF, ETC. In error to the Supreme Court of

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the State of Nebraska. October 21, 1915. Dismissed with costs, per stipulation. *Mr. Marquis Eaton* and *Mr. Thomas S. Allen* for the plaintiff in error. *Mr. Willis E. Reed* for the defendant in error.

NO. 591. MIKE INDOVINA, PLAINTIFF IN ERROR, *v.* GUS A. HYERS, SHERIFF, ETC. In error to the Supreme Court of the State of Nebraska. October 21, 1915. Dismissed with costs, per stipulation. *Mr. Marquis Eaton* and *Mr. Thomas S. Allen* for the plaintiff in error. *Mr. Willis E. Reed* for the defendant in error.

NO. 19. ROSA GUNDALL, INDIVIDUALLY, ETC., ET AL., APPELLANTS, *v.* THE MANHATTAN RAILWAY COMPANY ET AL. Appeal from District Court of the United States for the Southern District of New York. October 21, 1915. Dismissed, per stipulation. *Mr. Edward S. Hatch* and *Mr. Vincent P. Donihee* for the appellants. *Mr. James L. Quackenbush* for the appellees.

NO. 46. AUGUST BOULANGER, PLAINTIFF IN ERROR, *v.* THE STATE OF LOUISIANA. In error to the Supreme Court of the State of Louisiana. October 28, 1915. Dismissed with costs, pursuant to the tenth rule. *Mr. Taliaferro Alexander* for the plaintiff in error. *Mr. R. G. Pleasant* for the defendant in error.

NO. 459. STANDARD FASHION COMPANY, PLAINTIFF IN ERROR, *v.* J. L. GRANT. In error to the Supreme Court of

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the State of North Carolina. November 1, 1915. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. J. S. Manning* and *Mr. Francis Rooney* for the plaintiff in error. *Mr. James R. Price* for the defendant in error.

NO. 75. OZARK OIL COMPANY, APPELLANT, *v.* WILLIAM BERRYHILL. In error to the District Court of the United States for the Eastern District of Oklahoma. November 10, 1915. Dismissed with costs, pursuant to the tenth rule. *Mr. Haskell B. Talley* for the appellant. No appearance for the appellee.

NO. 569. ILLINOIS CENTRAL RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* W. L. PELTON. In error to the Supreme Court of the State of Iowa. November 15, 1915. Dismissed, per stipulation. *Mr. Walter S. Horton* and *Mr. Blewett Lee* for the plaintiff in error. *Mr. William Squire Kenyon* and *Mr. Denis M. Keleher* for the defendant in error.

NO. 92. ST. LOUIS & SAN FRANCISCO RAILROAD COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

NO. 93. ATCHISON, TOPEKA & SANTA FE RAILWAY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

NO. 94. ST. LOUIS SOUTHWESTERN RAILWAY COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

NO. 95. CHICAGO, ROCK ISLAND & PACIFIC RAILWAY COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

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No. 96. ST. LOUIS, KANSAS CITY & COLORADO RAILROAD COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

No. 97. KANSAS CITY SOUTHERN RAILWAY COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

No. 98. MISSOURI PACIFIC RAILWAY COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

No. 99. ST. LOUIS, IRON MOUNTAIN & SOUTHERN RAILWAY COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

No. 100. MISSOURI, KANSAS & TEXAS RAILWAY COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

No. 101. CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.;

No. 102. CHICAGO, MILWAUKEE & ST. PAUL RAILWAY COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL.; and

No. 103. CHICAGO & ALTON RAILROAD COMPANY, APPELLANT, *v.* THE PUBLIC SERVICE COMMISSION OF MISSOURI ET AL. Appeals from the District Court of the United States for the Western District of Missouri. November 29, 1915. Dismissed with costs, on motion of *Mr. Frank Hagerman* for the appellants. *Mr. Frank Hagerman* for the appellants. *Mr. Edward J. White* for the appellant in No. 98. *Mr. John T. Barker* for the appellees. *Mr. William G. Buzbee* for the appellees in No. 98.

No. 215. WILLIAM J. DEUPREE, TRUSTEE, ETC., APPELLANT, *v.* ALICE P. WATSON. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit. December 2, 1915. Dismissed with costs, on motion of

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counsel for the appellant. *Mr. Frederick W. Schmitz* for the appellant. No appearance for the appellee.

NO. 349. THE MISSOURI PACIFIC RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* THE STATE OF MISSOURI AT THE RELATION OF THE CITY OF ST. LOUIS. In error to the Supreme Court of the State of Missouri. December 2, 1915. Dismissed with costs, per stipulation. *Mr. Ernest A. Green* and *Mr. James F. Green* for the plaintiff in error. *Mr. Truman P. Young* for the defendant in error.

NO. 105. RALSA F. MORLEY ET AL., PLAINTIFFS IN ERROR, *v.* WILLIAM M. FEWEL. In error to the Supreme Court of the State of Oklahoma. December 2, 1915. Dismissed with costs, pursuant to the tenth rule. *Mr. A. J. Biddison* for the plaintiffs in error. *Mr. Henry B. Martin* for the defendant in error.

NO. 741. MARIANO RIERA PALMER, ON BEHALF OF HIMSELF AND OTHER NOTARIES, APPELLANT, *v.* SAMUEL D. GROMER, TREASURER; A. R. SAWYER, AUDITOR, AND FOSTER V. BROWN, ATTORNEY GENERAL OF PORTO RICO. Appeal from the Supreme Court of Porto Rico. December 6, 1915. Docketed and dismissed with costs, on motion of *Mr. Samuel T. Ansell* for the appellees. *Mr. Samuel T. Ansell* for the appellees. No one opposing.

NO. 125. CLARENCE H. VENNER, PLAINTIFF IN ERROR, *v.* THE CHICAGO CITY RAILWAY COMPANY ET AL. In error to the Supreme Court of the State of Illinois. December 8, 1915. Dismissed with costs, pursuant to the

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tenth rule. *Mr. Elijah N. Zoline* for the plaintiff in error. No appearance for the defendants in error.

NO. 130. MARIA L. OVERTON ET AL., APPELLANTS, *v.* THE UNITED STATES. Appeal from the Court of Claims. December 9, 1915. Judgment reversed and cause remanded for further proceedings, upon confession of error and motion of *Mr. Solicitor General Davis* for the appellee. *Mr. W. H. Conaway* for the appellants. *The Attorney General* and *The Solicitor General* for the appellee.

NO. 150. ARTHUR RYLE ET AL., AS TRUSTEES, ETC., APPELLANTS, *v.* THE UNITED STATES. Appeal from the Court of Claims. December 17, 1915. Judgment reversed and cause remanded for further proceedings upon confession of error and motion of *Mr. Solicitor General Davis* for the appellee. *Mr. H. T. Newcomb* and *Mr. Morris F. Frey* for the appellants. *The Attorney General* and *The Solicitor General* for the appellee.

NO. 159. THE UNITED STATES, APPELLANT, *v.* JEFFERSON F. MOSER. Appeal from the Court of Claims. December 17, 1915. Dismissed, on motion of *Mr. Solicitor General Davis* for the appellant. *The Attorney General* and *The Solicitor General* for the appellant. *Mr. George A. King* and *Mr. William B. King* for the appellee.

NO. 407. OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY, PLAINTIFF IN ERROR, *v.* HENRY M. PFEIFFER. In error to the Supreme Court of the State of

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Oregon. December 20, 1915. Dismissed with costs on motion of counsel for the plaintiff in error. *Mr. W. F. Cotton* and *Mr. Henry W. Clark* for the plaintiff in error. *Mr. H. M. Pfeiffer pro se.*

NO. 334. NETTIE L. SCOTT, APPELLANT, *v.* MRS. E. N. PHILIPO ET AL. Appeal from the Supreme Court of the Territory of Hawaii. January 6, 1916. Dismissed with costs on motion of counsel for the appellant. *Mr. John W. Cathcart* for the appellant. No appearance for the appellees.

NO. 796. COON RAPIDS NATIONAL BANK ET AL., PLAINTIFFS IN ERROR, *v.* MAGGIE I. LEE, EXECUTRIX, ETC. In error to the Supreme Court of the State of Iowa. Submitted December 20, 1915. Decided January 10, 1916. Docketed and dismissed with costs, pursuant to the ninth rule. *Mr. A. B. Cummins* and *Mr. O. M. Brockett* for the defendant in error. No one opposing.

CASE DISPOSED OF IN VACATION.

NO. 191. THE STATE OF WASHINGTON ON THE RELATION OF AUGUSTUS S. PEABODY, TRUSTEE, PLAINTIFF IN ERROR, *v.* THE CITY OF SEATTLE ET AL. In error to the Supreme Court of the State of Washington. September 7, 1915. Dismissed pursuant to the twenty-eighth rule. *Mr. George Donworth* and *Mr. Elmer E. Todd* for the plaintiff in error. *Mr. Howard A. Hanson* for the defendant in error.