

241 U. S.

Opinions Per Curiam, Etc.

OPINIONS PER CURIAM, FROM JANUARY 17,  
1916, TO JUNE 12, 1916.

NO. 156. LEONARD R. COATES, PLAINTIFF IN ERROR, *v.* THE DISTRICT OF COLUMBIA. In error to the Court of Appeals of the District of Columbia. Argued January 7 and 10, 1916. Decided January 17, 1916. *Per Curiam.* Dismissed for want of jurisdiction upon the authority of *American Security & Trust Co. v. District of Columbia*, 224 U. S. 491; *District of Columbia v. Philadelphia, Baltimore & Washington R. R.*, 232 U. S. 716; *Washington & Mt. Vernon Ry. v. Downey*, 236 U. S. 190. Mr. F. P. B. Sands for the plaintiff in error. Mr. Conrad H. Syme and Mr. Robert L. Williams (by special leave) for the defendant in error.

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NO. 157. WILLIAM B. THOMPSON, PLAINTIFF IN ERROR, *v.* THE CITY OF ST. LOUIS. In error to the Supreme Court of the State of Missouri. Argued January 11, 1916. Decided January 17, 1916. *Per Curiam.* Dismissed for want of jurisdiction upon the authority of *Louisiana Navigation Co. v. Oyster Commission*, 226 U. S. 99; *United States v. Beatty*, 232 U. S. 463; *Pons v. Yazoo & Mississippi Valley R. R.*, 232 U. S. 720. Mr. Ford W. Thompson for the plaintiff in error. Mr. Truman P. Young and Mr. Charles H. Daues for the defendant in error.

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NO. 158. HILMA NELSON, PLAINTIFF IN ERROR, *v.* RICHARD G. WOOD. In error to the United States Circuit Court of Appeals for the Third Circuit. Argued January 11 and 12 for the plaintiff in error, and submitted by defendant in error. Decided January 17, 1916. *Per*

*Curiam.* Dismissed for want of jurisdiction upon the authority of *Bagley v. General Fire Extinguisher Co.*, 212 U. S. 477; *McCormick v. Oklahoma City*, 236 U. S. 657; *St. Anthony Church v. Pennsylvania R. R.*, 237 U. S. 575; *Merriam Co. v. Syndicate Publishing Co.*, 237 U. S. 618. *Mr. A. J. H. Frank* for the plaintiff in error. *Mr. C. E. Morgan*, 3d, and *Mr. R. Stuart Smith* for the defendant in error.

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NO. 172. VANDALIA RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* CHARLES STILWELL. In error to the Supreme Court of the State of Indiana. Argued January 14, 1916. Decided January 17, 1916. *Per Curiam.* Judgment affirmed with costs upon the authority of *Jeffrey Manufacturing Co. v. Blagg*, 235 U. S. 571. *Mr. Samuel O. Pickens*, *Mr. Frederic D. McKenney* and *Mr. John G. Williams* for the plaintiff in error. *Mr. Martin M. Hugg* and *Mr. Wymond J. Beckett* for the defendant in error.

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NO. 672. ROBERT KITCHENS, APPELLANT, *v.* J. C. HAMILTON, SHERIFF, ETC. Appeal from the District Court of the United States for the Southern District of Georgia. Argued January 11, 1916. Decided January 17, 1916. *Per Curiam.* Judgment affirmed with costs upon the authority of *Andrews v. Swartz*, 156 U. S. 272; *Frank v. Mangum*, 237 U. S. 309. *Mr. John R. Cooper* for the appellant. *Mr. Clifford Walker* for the appellee.

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NO. 729. FRANK R. SHATTUCK, TRUSTEE, ETC., ET AL., APPELLANTS, *v.* THE TITLE GUARANTY & SURETY COMPANY. Appeal from the United States Circuit Court of



241 U. S.

Opinions Per Curiam, Etc.

Appeals for the Third Circuit. Submitted January 10, 1916. Decided January 17, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of act of Congress, January 28, 1915, c. 22, 38 Stat. 803. See *Central Trust Co. v. Lueders*, 239 U. S. 11. *Mr. Walter Lee Sheppard* for the appellants. *Mr. Frank Rogers Donahue* for the appellee.

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No. 186. CYRUS BRADLEY, PLAINTIFF IN ERROR, *v.* SPOKANE & INLAND EMPIRE RAILROAD COMPANY. In error to the Supreme Court of the State of Washington. Argued for plaintiff in error and submitted for defendant in error, January 18, 1916. Decided January 24, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *New Orleans Waterworks Co. v. Louisiana*, 185 U. S. 336, 344; *Consolidated Turnpike v. Norfolk &c. Ry.*, 228 U. S. 596, 600; *Parker v. McLain*, 237 U. S. 469, 471; (2) *Ross v. Oregon*, 227 U. S. 150; *Moore-Mansfield Co. v. Electrical Co.*, 234 U. S. 619; *Willoughby v. Chicago*, 235 U. S. 45. *Mr. Fred B. Morrill* and *Mr. William Hudson Smiley* for the plaintiff in error. *Mr. Will G. Graves* for the defendant in error.

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No. 199. J. J. BROUSSARD, PLAINTIFF IN ERROR, *v.* R. R. BAKER, CHIEF OF POLICE OF THE CITY OF BEAUMONT, TEX. In error to the Court of Criminal Appeals of the State of Texas. Submitted January 20, 1916. Decided January 24, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Consolidated Turnpike v. Norfolk &c. Ry.*, 228 U. S. 596, 600; *Manhattan Life Ins. Co. v. Cohen*, 234 U. S. 123, 137; *Easterling Lumber Co. v. Pierce*, 235 U. S. 380, 382; (2) *Fischer v. St. Louis*, 194 U. S. 361; *Davis v. Massa-*

achusetts, 167 U. S. 43; (3) *Iowa Central Ry. v. Iowa*, 160 U. S. 389; *Washington v. Miller*, 235 U. S. 422, 429; *Roby v. South Park Commissioners*, 238 U. S. 610. Mr. Frederick S. Tyler for the plaintiff in error. No appearance for defendant in error.

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NO. 207. THE COUNTY OF SIOUX, NEBRASKA, PLAINTIFF IN ERROR, *v. NEWTON RULE*. In error to the Supreme Court of the State of Nebraska. Submitted January 20, 1916. Decided January 24, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Stewart v. Kansas City*, 239 U. S. 14. Mr. Allen G. Fisher for the plaintiff in error. Mr. Albert W. Crites for the defendant in error.

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NO. 343. JOHN H. STROSNIDER, APPELLANT, *v. EDMUND M. ALLEN, WARDEN, ETC.* Appeal from the District Court of the United States for the Northern District of Illinois. Motion to dismiss or affirm submitted January 17, 1916. Decided January 24, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of *Urquhart v. Brown*, 205 U. S. 179; *Ex parte Spencer*, 228 U. S. 652, 659-661; *Frank v. Mangum*, 237 U. S. 309, 328, 329. Mr. Benjamin C. Bachrach for the appellant. Mr. Patrick J. Lucey and Mr. Lester H. Strawn for the appellee.

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NO. 222. TALLULAH FALLS RAILWAY COMPANY, PLAINTIFF IN ERROR, *v. MACON COUNTY SUPPLY COMPANY*. In error to the Supreme Court of the State of North Carolina. Submitted January 24, 1916. Decided February 21, 1916. *Per Curiam*. Judgment reversed with costs upon the authority of *Southern Railway v. Reid*, 222 U. S. 424;



241 U. S.

Opinions Per Curiam, Etc.

*Yazoo & Mississippi Valley Railroad v. Greenwood Grocery Co.*, 227 U. S. 1; *Charleston & Western Carolina Railway v. Varnville Furniture Co.*, 237 U. S. 597. Mr. Hamilton McWhorter for the plaintiff in error. No appearance for the defendant in error.

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NO. 227. ILLINOIS CENTRAL RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* CHARLES W. COUSINS. In error to the Supreme Court of the State of Minnesota. Argued January 25, 1916. Decided February 21, 1916. *Per Curiam*. Judgment reversed with costs upon the authority of *Delaware, Lackwanna & Western Railroad v. Yurkonis*, 238 U. S. 439; *Shanks v. Delaware, Lackawanna & Western Railroad*, 239 U. S. 556. Mr. W. S. Horton and Mr. Blewett Lee for the plaintiff in error. Mr. Samuel A. Anderson for the defendant in error.

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NO. 794. PAUL DAECHE, APPELLANT, *v.* ALBERT BOLL-SCHWEILER, UNITED STATES MARSHAL, ETC. Appeal from the District Court of the United States for the District of New Jersey. Motion to dismiss or affirm submitted January 31, 1916. Decided February 21, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Fay v. Crozer*, 217 U. S. 455; *Hannis Distilling Co. v. Baltimore*, 216 U. S. 285, 288; *Hendricks v. United States*, 223 U. S. 178, 184; (2) *Benson v. Henkel*, 198 U. S. 1, 10-11; *Pierce v. Creecy*, 210 U. S. 387, 401-402; (3) *Glasgow v. Moyer*, 225 U. S. 420; *Johnson v. Hoy*, 227 U. S. 245; *Henry v. Henkel*, 235 U. S. 219. Mr. Merritt Lane, Mr. John W. Ockford and Mr. Otto F. Seggel for the appellant. The Attorney General and The Solicitor General for the appellee.

Nos. 230, 231, 232 and 233. SOUTHERN RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* W. C. THURSTON. In error to the Supreme Court of the State of North Carolina. Submitted January 25, 1916. Decided February 21, 1916. *Per Curiam*. Judgments reversed with costs upon the authority of *Southern Railway v. Reid*, 222 U. S. 424; *Yazoo & Mississippi Valley Railroad v. Greenwood Grocery Co.*, 227 U. S. 1; *Charleston & Western Carolina Railway v. Varnville Furniture Co.*, 237 U. S. 597. *Mr. John K. Graves* for the plaintiff in error. No appearance for the defendant in error.

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No. 546. THE VALLEY STEAMSHIP COMPANY, PLAINTIFF IN ERROR, *v.* JOHN J. WATTAWA; and

No. 547. THE VALLEY STEAMSHIP COMPANY, PLAINTIFF IN ERROR, *v.* JOSEPH MRAZ. In error to the Supreme Court of the State of Ohio. Motion to dismiss submitted February 21, 1916. Decided February 28, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Western Union Telegraph Co. v. Crovo*, 220 U. S. 364, 366; *Norfolk Turnpike Co. v. Virginia*, 225 U. S. 264, 268-269; *Stratton v. Stratton*, 239 U. S. 55. *Mr. Frank S. Masten* for the plaintiff in error. *Mr. George H. Eichelberger* for the defendants in error.

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No. 740. MARTHA L. STINE, PLAINTIFF IN ERROR, *v.* MISSOURI STATE LIFE INSURANCE COMPANY. In error to the District Court of the United States for the Eastern District of Missouri. Motion to dismiss submitted February 21, 1916. Decided February 28, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Cornell v. Green*, 163 U. S. 75, 79-80; *Arkansas v. Schlierholz*, 179 U. S. 598, 601; *Lampasas v. Bell*, 180



241 U. S.

Opinions Per Curiam, Etc.

U. S. 276, 282; *Itow v. United States*, 233 U. S. 581, 583-584. *Mr. Frederick N. Judson and Mr. John F. Green* for the plaintiff in error. *Mr. James C. Jones* for the defendant in error.

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No. —. Original. *Ex parte*: IN THE MATTER OF DAVID LAMAR, PETITIONER. Submitted February 21, 1916. Decided February 28, 1916. Motion for leave to file petition for writ of mandamus herein and that a rule to show cause issue denied. It is further ordered that a writ of certiorari issue to the United States Circuit Court of Appeals for the Second Circuit to bring up the record in the case of *David Lamar, Plaintiff in Error, v. The United States*. *Mr. A. Leo Everett* for the petitioner.

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No. —. Original. *Ex parte*: IN THE MATTER OF WALTER BRANDT, PETITIONER. Submitted February 21, 1916. Decided February 28, 1916. Motion for leave to file petition for writ of mandamus denied. *Mr. Frans E. Lindquist* for the petitioner.

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No. 819. THE STATE OF SOUTH DAKOTA EX REL., R. O. RICHARDS ET AL., PLAINTIFFS IN ERROR, *v. M. D. WHISMAN*, AS COUNTY AUDITOR OF BEADLE COUNTY, SOUTH DAKOTA. In error to the Supreme Court of the State of South Dakota. Motion to dismiss or affirm submitted February 28, 1916. Decided March 6, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Deming v. Carlisle Packing Co.*, 226 U. S. 102; *Consolidated Turnpike v. Norfolk &c. Ry.*, 228 U. S. 596, 600; *Parker v. McLain*, 237 U. S. 469, 471-472; (2) *Luther v. Borden*, 7 How. 1; *Taylor v. Beckham*, 178 U. S. 548;

*Pacific States Telegraph &c. Co. v. Oregon*, 223 U. S. 118; *O'Neill v. Leamer*, 239 U. S. 244, 248. *Mr. Webster Ballinger* and *Mr. T. H. Null* for the plaintiffs in error. *Mr. Clarence C. Caldwell* and *Mr. Samuel Herrick* for the defendant in error.

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NO. 241. HITCHMAN COAL & COKE COMPANY, APPELLANT AND PETITIONER, *v.* JOHN MITCHELL, INDIVIDUALLY, ET AL. Appeal from and petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Argued March 2 and 3, 1916. Decided March 13, 1916. *Per Curiam*. (1) Appeal dismissed for want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Omaha Electric Light & Power Co. v. Omaha*, 230 U. S. 123; *St. Anthony Church v. Pennsylvania R. R.*, 237 U. S. 575, 576-577.

(2) Considering the petition for certiorari hitherto filed and upon which action was previously postponed until the merits of the case came to be disposed of, it is ordered that the said petition be, and the same is granted, the record on appeal to stand as a return to the writ of certiorari. It is further ordered that the case on the return to the writ of certiorari be placed on the docket for argument before a full bench. *Mr. George R. E. Gilchrist* and *Mr. Hannis Taylor* for the appellant. *Mr. Charles E. Hogg* and *Mr. Charles J. Hogg* for the appellees.

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NO. 484. CHARLES A. THATCHER, APPELLANT AND PLAINTIFF IN ERROR, *v.* THE UNITED STATES OF AMERICA ET AL. Appeal from and in error to the United States Circuit Court of Appeals for the Sixth Circuit. Motion to dismiss or affirm submitted February 28, 1916. Decided March 13, 1916. *Per Curiam*. Dismissed for want of



241 U. S.

Opinions Per Curiam, Etc.

jurisdiction upon the authority of *Ex parte Bradley*, 7 Wall. 364, 376; *Ex parte Robinson*, 19 Wall. 513. Mr. Rhea P. Cary and Mr. Everett V. Abbot for the appellant and plaintiff in error. *The Attorney General* and *The Solicitor General* for the appellees and defendants in error.

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No. 108. FARMERS & MERCHANTS STATE BANK OF WACO, APPELLANT, *v.* M. C. H. PARK, TRUSTEE OF THE SLAYDEN-KIRKSEY WOOLEN MILL, BANKRUPT. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Submitted March 16, 1916. Decided March 20, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of *First National Bank v. Littlefield*, 226 U. S. 110, 112; *Washington Securities Co. v. The United States*, 234 U. S. 76, 78; *Wright Blodgett Co. v. The United States*, 236 U. S. 397, 402; *National Bank of Athens v. Shackelford, Trustee*, 239 U. S. 81, 82, and cause remanded to the District Court of the United States for the Western District of Texas. Mr. O. L. Stribling for the appellant. Mr. James D. Williamson, Mr. John Neethe and Mr. Rhodes S. Baker for the defendant in error.

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No. 295. ROSA FALCO, REPRESENTING HER MINOR CHILD, MANUEL ADOALDO TIBERIO CATINCHI Y FALCO, APPELLANT, *v.* THE SUCCESSION OF SALVADOR SUAU MULET, COMPOSED OF HIS WIDOW, MARIA HERNANDEZ RODRIGUEZ ET AL. Appeal from the Supreme Court of Porto Rico. Argued for the appellees and submitted for the appellant March 16, 1916. Decided March 20, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 244, Judicial Code, *Elzaburu v. Chaves*, 239 U. S. 283, 285; *Gsell v. Insular Collector*, 239 U. S. 93.

*Mr. Jose R. F. Savage* for the appellant. *Mr. Edward S. Paine* for the appellees.

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NO. 721. DAVID H. GLASS, APPELLANT, *v.* ALFRED H. WOODMAN ET AL. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Motion to dismiss or affirm and petition for writ of certiorari submitted March 13, 1916. Decided March 20, 1916. *Per Curiam*: Dismissed for want of jurisdiction upon the authority of (1) *Bagley v. General Fire Extinguisher Co.*, 212 U. S. 477; *Omaha Electric Light & Power Co. v. Omaha*, 230 U. S. 123; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 576-577; (2) *St. Louis &c. R. R. Co. v. Wabash R. R. Co.*, 217 U. S. 247, 250; *Ohio Railroad Commission v. Worthington*, 225 U. S. 101, 104; *Shulthis v. McDougal*, 225 U. S. 561, 568. The petition for writ of certiorari is denied. *Mr. W. F. Guthrie* and *Mr. Emmet H. Gamble* for the appellant. *Mr. John S. Leahy*, *Mr. Walter H. Saunders* and *Mr. Irvin V. Barth* for the appellee.

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NO. 294. F. P. SEEKATZ, PLAINTIFF IN ERROR, *v.* THE MEDINA VALLEY IRRIGATION COMPANY ET AL. In error to the District Court of the United States for the Western District of Texas. Argued for the plaintiff in error and submitted for the defendant in error March 15 and 16, 1916. Decided March 20, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Consolidated Turnpike v. Norfolk &c. Ry.*, 228 U. S. 596, 600; *Manhattan Life Ins. Co. v. Cohen*, 234 U. S. 123, 137; *Easterling Lumber Co. v. Pierce*, 235 U. S. 380; (2) *Mississippi & Red River Boom Co. v. Patterson*, 98 U. S. 403; *Madisonville Traction Co. v. St. Bernard Mining Co.*, 196



241 U. S.

Opinions Per Curiam, Etc.

U. S. 239; *Mason City &c. Railroad v. Boynton*, 204 U. S. 570; (3) *Chicago, Burlington & Quincy R. R. v. Chicago*, 166 U. S. 226, 244-245; *Bauman v. Ross*, 167 U. S. 548, 593; *Backus v. Fort Street Depot Co.*, 169 U. S. 557, 569; (4) *Fallbrook Irrigation District v. Bradley*, 164 U. S. 112; *Hairston v. Danville & Western Ry.*, 208 U. S. 598; *O'Neill v. Leamer*, 239 U. S. 244, 253-254. *Mr. C. L. Bass, Mr. T. T. VanderHoeven and Mr. Joseph W. Bailey* for the plaintiff in error. *Mr. Floyd McGown* for the defendant in error.

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No. —. Original. *Ex parte*: IN THE MATTER OF PAUL BUKVA, PETITIONER. Submitted March 13, 1916. Decided March 20, 1916. Motion for leave to file petition for writ of mandamus denied. *Mr. William Wilhelm* for the petitioner.

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No. —. Original. *Ex parte*: IN THE MATTER OF WILLIAM SAGE, JR., PETITIONER. Submitted March 17, 1916. Decided March 20, 1916. Motion for leave to file petition for writ of mandamus denied. *Mr. Edward A. Alexander* for the petitioner.

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Nos. 365 and 367. UNITED RAILWAYS COMPANY OF ST. LOUIS, PLAINTIFF IN ERROR, *v.* THE CITY OF ST. LOUIS. In error to the Supreme Court of the State of Missouri. Argued April 4 and 5, 1916. Decided April 10, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) *Eustis v. Bolles*, 150 U. S. 361; *Leathe v. Thomas*, 207 U. S. 93; *Holden Land Co. v. Interstate Trading Co.*, 233 U. S. 536, 541; *Mellon Co. v. Mc-*

*Cafferty*, 239 U. S. 134; (2) *Consolidated Turnpike v. Norfolk &c. Ry.*, 228 U. S. 596, 600; *Parker v. McLain*, 237 U. S. 469, 471; *Stewart v. Kansas City*, 239 U. S. 14; (3) *Lindsley v. Natural Carbonic Gas Co.*, 220 U. S. 61, 78; *Chicago Dock Co. v. Fraley*, 228 U. S. 680; *Denver v. New York Trust Co.*, 229 U. S. 123, 143; *St. Louis &c. Ry. Co. v. Arkansas ex rel. Norwood*, 235 U. S. 350, 366.

NO. 366. ST. LOUIS & SUBURBAN RAILWAY COMPANY ET AL., PLAINTIFFS IN ERROR, *v. THE CITY OF ST. LOUIS*;

NO. 368. UNITED RAILWAYS COMPANY OF ST. LOUIS, PLAINTIFFS IN ERROR, *v. THE CITY OF ST. LOUIS*;

NO. 369. UNITED RAILWAYS COMPANY OF ST. LOUIS, PLAINTIFF IN ERROR, *v. THE CITY OF ST. LOUIS*;

NO. 370. UNITED RAILWAYS COMPANY OF ST. LOUIS, PLAINTIFF IN ERROR, *v. THE CITY OF ST. LOUIS*;

NO. 371. UNITED RAILWAYS COMPANY OF ST. LOUIS, PLAINTIFF IN ERROR, *v. THE CITY OF ST. LOUIS*, and

NO. 372. ST. LOUIS TRANSIT COMPANY, PLAINTIFF IN ERROR, *v. THE CITY OF ST. LOUIS*. In error to the Supreme Court of the State of Missouri. Dismissed for the want of jurisdiction. *Mr. Henry S. Priest* for the plaintiffs in error. *Mr. Truman P. Young* and *Mr. Charles H. Davies* for the defendant in error.

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NO. 731. H. E. FILLER, APPELLANT, *v. BEN STEELE*, SHERIFF, ETC. Appeal from the District Court of the United States for the Western District of Pennsylvania. Argued April 5, 1916. Decided April 10, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of: (1) *Ex parte Parks*, 93 U. S. 18, 21; *Tinsley v. Anderson*, 171 U. S. 101, 105; *Frank v. Mangum*, 237 U. S. 309, 326; (2) *Allen v. Georgia*, 166 U. S. 138, 140; *Felts v. Murphy*, 201 U. S. 123, 129; *Twining v. New Jersey*, 211 U. S. 78; *Jordan v. Massachusetts*, 225 U. S. 167; (3) *Consolidated Turnpike v. Norfolk &c. Ry.*, 228 U. S.



241 U. S.

Opinions Per Curiam, Etc.

596, 600; *Overton v. Oklahoma*, 235 U. S. 31; *Stewart v. Kansas City*, 239 U. S. 14. Mr. Ralph D. Hurst and Mr. Thomas H. Greevy for the appellant. Mr. C. Ward Eicher, Mr. George E. Barron and Mr. Cecil E. Heller for the appellee.

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NO. 460. THE MISSOURI PACIFIC RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* THE LARABEE FLOUR MILLS COMPANY. In error to the Supreme Court of the State of Kansas. Motion to dismiss or affirm submitted April 10, 1916. Decided April 17, 1916. *Per Curiam*. Dismissed for want of jurisdiction with 10 per centum damages upon the authority of—

(1) *Roberts v. Cooper*, 20 How. 467, 481; *Supervisors v. Kennicott*, 94 U. S. 498; *Clark v. Keith*, 106 U. S. 464; *Chaffin v. Taylor*, 116 U. S. 567, 572; *Thompson v. Maxwell Land Grant Co.*, 168 U. S. 451, 456; *Illinois v. Illinois Central R. R.*, 184 U. S. 77, 90-93.

(2) *Missouri Pacific Railway v. Larabee Flour Mills Co.*, 211 U. S. 612; *Missouri Pacific Railway v. Larabee Flour Mills Co.*, 234 U. S. 459. Mr. B. P. Waggener, Mr. W. P. Waggener and Mr. A. E. Crane for the plaintiff in error. Mr. Joseph G. Waters and Mr. Charles Blood Smith for the defendant in error.

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NO. 863. ALLISON MANCHESTER, PLAINTIFF IN ERROR, *v.* THE BOARD OF WATER COMMISSIONERS OF THE CITY OF HARTFORD;

NO. 864. ALLISON MANCHESTER ET AL., PLAINTIFFS IN ERROR, *v.* THE BOARD OF WATER COMMISSIONERS OF THE CITY OF HARTFORD; and

NO. 865. EMMA MANCHESTER ET AL., PLAINTIFFS IN ERROR, *v.* THE BOARD OF WATER COMMISSIONERS OF THE

CITY OF HARTFORD. In error to the Supreme Court of Errors of the State of Connecticut. Argued April 12, 1916. Decided April 17, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of *Fallbrook Irrigation District v. Bradley*, 164 U. S. 112, 160; *Clark v. Nash*, 198 U. S. 361, 367-369; *Hairston v. Danville & Western Ry.*, 208 U. S. 598; *Union Lime Co. v. Chicago & N. W. Ry.*, 233 U. S. 211, 218-219; *O'Neill v. Leamer*, 239 U. S. 244, 253; *Mount Vernon Cotton Co. v. Alabama Power Co.*, 240 U. S. 30, 32. Mr. Edward H. Rogers, Mr. Birdsey E. Case and Mr. Edward D. Robbins for the plaintiffs in error. Mr. Edward M. Day and Mr. Alvan Waldo Hyde for the defendants in error.

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No. —. Original. *Ex parte*: IN THE MATTER OF JAMES J. GRIFFIN and GORDON M. PEACOCK, PETITIONERS. Submitted April 10, 1916. Decided April 17, 1916. Motion for leave to file petition for a writ of mandamus denied. Mr. Arthur E. Dowell for the petitioner.

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No. 312. MARY MULCARE ET AL., ADMINISTRATORS, ETC., PLAINTIFFS IN ERROR, *v.* THE CITY OF CHICAGO. In error to the Supreme Court of the State of Illinois. Argued April 20, 1916. Decided April 24, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of *Missouri v. Lewis*, 101 U. S. 22; *Cincinnati Street Railway v. Snell*, 193 U. S. 30, 35-37. Mr. Hiram T. Gilbert and Mr. John W. Walsh for the plaintiffs in error. Mr. Chester E. Cleveland for the defendants in error.

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No. 188. KANSAS CITY, MEXICO & ORIENT RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* THE STATE OF TEXAS.



241 U. S.

Opinions Per Curiam, Etc.

In error to the Supreme Court of the State of Texas. Argued April 17 and 18, 1916. Decided April 24, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of:

(1) *Jones v. Montague*, 194 U. S. 147; *Richardson v. McChesney*, 218 U. S. 487; *Stearns v. Wood*, 236 U. S. 75.

(2) *Kansas City Star Co. v. Julian*, 215 U. S. 589; *Forbes v. State Council of Virginia*, 216 U. S. 396-399; *St. Louis & San Francisco Railway v. Shepherd*, 240 U. S. 240.

(3) *Henkel v. Cincinnati*, 177 U. S. 170; *Fullerton v. Texas*, 196 U. S. 192, 194; *Allen v. Arguimbau*, 198 U. S. 149, 156; *Cleveland & Pittsburgh R. R. v. Cleveland*, 235 U. S. 50, 55.

(4) *Deming v. Carlisle Packing Co.*, 226 U. S. 102; *Consolidated Turnpike v. Norfolk &c. Ry.*, 228 U. S. 596, 600; *Parker v. McLain*, 237 U. S. 469, 471. See *Pinney v. Nelson*, 183 U. S. 144, 147; *Abilene National Bank v. Dolley*, 228 U. S. 1, 5; *Lake Shore & Michigan So. Ry. v. Ohio*, 173 U. S. 285, 289, *et seq.*; *Cincinnati, Indianapolis & W. Ry. v. Connersville*, 218 U. S. 336; *Missouri Pacific Railway v. Kansas*, 216 U. S. 262, 283 *et seq.* Mr. Herbert S. Garrett, Mr. Robert Lynn Batts and Mr. John A. Eaton for the plaintiff in error. Mr. Benjamin F. Looney and Mr. Frank L. Snodgrass for the defendant in error.

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NO. 793. IGNATIUS TIMOTHY TRIBICH LINCOLN, APPELLANT, *v.* JAMES M. POWER, MARSHAL, ETC. Appeal from the District Court of the United States for the Eastern District of New York. Argued April 24, 1916. Decided May 1, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of (1) *In re Luis Oteiza y Cortes*, 136 U. S. 330, 334; *Ornelas v. Ruiz*, 161 U. S. 502, 508;

*Bryant v. The United States*, 167 U. S. 104, 105; *Terlinden v. Ames*, 184 U. S. 270, 278; *Elias v. Ramirez*, 215 U. S. 398, 406-407; *McNamara v. Henkel*, 226 U. S. 520, 523; (2) *David Kauffman & Sons Co. v. Smith*, 216 U. S. 610; *Toop v. Ulysses Land Co.*, 237 U. S. 580; *Manila Investment Co. v. Trammell*, 239 U. S. 31. *Mr. John Neville Boyle* and *Mr. Addison S. Pratt* for the appellant. *The Attorney General* and *Mr. Charles Fox* for the appellees.

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No. 135, October term, 1914. WILSON CYPRESS COMPANY, APPELLANT, *v.* ENRIQUE DEL POZO Y MARCOS ET AL. Submitted April 24, 1916. Decided May 1, 1916. Motion for leave to file in the trial court a supplemental bill in the nature of a bill of review denied. *Mr. William W. Dewhurst*, *Mr. Joseph H. Jones*, and *Mr. John C. Jones* for the petitioners. *Mr. John C. Cooper* in opposition thereto.

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No. 324. DANIEL A. LONG, PLAINTIFF IN ERROR, *v.* JOHN E. SHEPARD. In error to the Supreme Court of the State of Oklahoma. Submitted April 26, 1916. Decided May 8, 1916. *Per Curiam*. Dismissed for the want of jurisdiction upon the authority of *National Foundry & Pipe Co. v. Oconto Water Works Supply Co.*, 183 U. S. 216, 237; *Vandalia R. R. v. Indiana*, 207 U. S. 359, 367; *Brinkmeier v. Missouri Pacific Ry.*, 224 U. S. 268, 270. *Mr. Lewis C. Lawson* and *Mr. C. Dale Wolfe* for the plaintiff in error. No appearance for the defendant in error.

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No. —. Original. *Ex parte*: IN THE MATTER OF ELBERT R. ROBINSON, PETITIONER. Submitted April 28,



241 U. S.

Opinions Per Curiam, Etc.

1916. Decided May 8, 1916. Motion for leave to file petition denied. *Mr. George W. Ellis* for the petitioner.

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NO. 189. ANNA C. DUNHAM ET AL., PLAINTIFFS IN ERROR, *v.* CLARA V. KAUFFMAN ET AL. In error to the Supreme Court of the State of Ohio. Argued May 4, 1916. Decided May 22, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Equitable Life Assurance Society v. Brown*, 187 U. S. 308, 314; *Consolidated Turnpike v. Norfolk &c. Ry.*, 228 U. S. 596, 600; *Manhattan Life Ins. Co. v. Cohen*, 234 U. S. 123, 137. (2) *The Pennsylvania College Cases*, 13 Wall. 190; *Newburyport Water Co. v. Newburyport*, 193 U. S. 561; *Missouri Pacific Ry. v. Kansas*, 216 U. S. 262, 274-275. (3) *Deming v. Carlisle Packing Co.*, 226 U. S. 102, 105; *Ennis Water Works v. Ennis*, 233 U. S. 652, 658; *Parker v. McLain*, 237 U. S. 469, 471. *Mr. D. K. Watson* for the plaintiff in error. *Mr. Charles C. Pavey* for the defendants in error.

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NO. 344. ROBERT D. KINNEY, PLAINTIFF IN ERROR, *v.* PLYMOUTH ROCK SQUAB COMPANY ET AL. In error to the United States Circuit Court of Appeals for the First Circuit. Argued by the plaintiff in error May 1, 1916. Decided May 22, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Bagley v. General Fire Extinguisher Co.*, 212 U. S. 477; *Weir v. Rountree*, 216 U. S. 607; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575. (2) *Provident Savings Society v. Ford*, 114 U. S. 635, 641-642; *Metcalf v. Watertown*, 128 U. S. 586, 588; *Pope v. Louisville, New Albany &c. Ry.*, 173 U. S. 573, 580-581. See *United States ex rel. Kinney v. United States Fidelity & Guaranty Co.*, 222 U. S. 283;

*Kinney v. Plymouth Rock Squab Co.*, 236 U. S. 43. *Mr. Robert D. Kinney pro se.* No appearance for the defendants in error.

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NO. 333. THE FIRST NATIONAL BANK OF DEFIANCE, PLAINTIFF IN ERROR, *v. WILLIAM A. KEHNAST ET AL.* In error to the Supreme Court of the State of Ohio. Argued April 28 and May 1, 1916. Decided May 22, 1916. *Per Curiam.* Dismissed for want of jurisdiction upon the authority of (1) *Eustis v. Bolles*, 150 U. S. 361; *Chemical National Bank v. City Bank of Portage*, 160 U. S. 646; *Leathe v. Thomas*, 207 U. S. 93; *Mellon v. McCafferty*, 239 U. S. 134. (2) *Leather Manufacturers' Bank v. Cooper*, 120 U. S. 778, 781; *Whittemore v. Amoskeag National Bank*, 134 U. S. 527; *Petri v. Commercial National Bank of Chicago*, 142 U. S. 644; *Hermann v. Edwards*, 238 U. S. 107. *Mr. Robert Newbegin and Mr. Henry Newbegin* for the plaintiff in error. *Mr. Tellis T. Shaw, Mr. Harold W. Fraser, Mr. Henry B. Harris and Mr. E. J. Marshall* for the defendants in error.

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NO. 362. ST. LOUIS & SAN FRANCISCO RAILROAD COMPANY, PLAINTIFF IN ERROR, *v. JOHN H. MOUNTS.* In error to the Supreme Court of the State of Oklahoma. Argued for plaintiff in error May 5, 1916. Decided June 5, 1916. *Per Curiam.* Judgment reversed with costs and cause remanded for further proceedings upon the authority of *Adams Express Co. v. Croninger*, 226 U. S. 491; *Missouri &c. Ry. v. Harriman*, 227 U. S. 657; *Atchison, Topeka &c. Ry. v. Robinson*, 233 U. S. 173; *Georgia, Florida &c. Ry. v. Blish Milling Co.*, 241 U. S. 190. *Mr. R. A. Kleinschmidt, Mr. W. F. Evans and Mr. E. H. Foster* for the plaintiff in error. No appearance for the defendant in error.



241 U. S.

Opinions Per Curiam, Etc.

No. —. Original. *Ex parte*: IN THE MATTER OF ELBERT R. ROBINSON, PETITIONER. Submitted May 22, 1916. Decided June 5, 1916. Motion for leave to file an amended petition denied. *Mr. Richard E. Westbrooks* for the petitioner.

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No. 578. ORANGE WILSON WHITE, PLAINTIFF IN ERROR, *v.* THE STATE OF WYOMING. In error to the Supreme Court of the State of Wyoming. Motion to dismiss submitted June 5, 1916. Decided June 12, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Deming v. Carlisle Packing Co.*, 226 U. S. 102, 105; *Consolidated Turnpike v. Norfolk &c. Railway*, 228 U. S. 596, 600; *Overton v. Oklahoma*, 235 U. S. 31; *Parker v. McLain*, 237 U. S. 469, 471-472. *Mr. A. E. L. Leckie* for the plaintiff in error. *Mr. Douglas A. Preston* for the defendant in error.

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No. 687. TIMOTHY HEALY, APPELLANT, *v.* SAMUEL W. BACKUS, COMMISSIONER, ETC. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Motion to dismiss and petition for writ of certiorari submitted June 5, 1916. Decided June 12, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Lau Ow Bew v. United States*, 144 U. S. 47, 58; *Whitney v. Dick*, 202 U. S. 132, 135; *McClellan v. Carland*, 217 U. S. 268, 278. Petition for writ of certiorari herein granted. *Mr. Marshall B. Woodworth* for the appellant. *The Attorney General* and *The Solicitor General* for the appellee.

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No. —. Original. *Ex parte*: IN THE MATTER OF WATTS, WATTS & CO., LTD., PETITIONER. Submitted June 5,

1916. Decided June 12, 1916. Motion for leave to file petition for writ of mandamus denied. *Mr. J. Parker Kirlin, Mr. John M. Woolsey and Mr. Mark W. Maclay, Jr.*, for petitioner.

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No. —. Original. *Ex parte*: IN THE MATTER OF JOHN H. SEARS, AS TRUSTEE, PETITIONER. Submitted June 5, 1916. Decided June 12, 1916. Motion for leave to file petition for writ of mandamus denied. *Mr. Carroll G. Walter* for the petitioner.

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No. 225. MARTIN H. FREE, PLAINTIFF IN ERROR, *v.* THE WESTERN UNION TELEGRAPH COMPANY. Motion submitted May 22, 1916. Decided June 12, 1916. Motion to vacate judgment of dismissal herein of January 24, 1916, and to restore case to the docket granted. *Mr. Frederick S. Tyler and Mr. B. I. Salinger* for the plaintiff in error. *Mr. Rush Taggart and Mr. Francis Raymond Stark* for defendant in error. See page 684, *post*.