

DECISIONS PER CURIAM, FROM OCTOBER 9, 1916,  
TO FEBRUARY 5, 1917, NOT INCLUDING AC-  
TION ON PETITIONS FOR WRITS OF CERTI-  
ORARI.

NO. 67. THE HART STEEL COMPANY ET AL., PETITIONERS, *v.* THE RAILROAD SUPPLY COMPANY; and

NO. 95. THE RAILROAD SUPPLY COMPANY, PETITIONER, *v.* ELYRIA IRON & STEEL COMPANY. Motion to pass submitted October 9, 1916. Decided October 16, 1916. *Per Curiam.* No ground is stated to support the motion to pass these cases other than the fact that the continuance asked for is assented to by the counsel for both parties. But as the cases were called last term and this is therefore the second term at which they are subject to call, under Rule 19 the mere consent of counsel without otherwise adequate showing is insufficient to justify the granting of the motion to pass and it is therefore denied, without prejudice, however, to the right to renew the same upon the making of a proper showing. *Mr. Frank F. Reed, Mr. Francis M. Phelps, Mr. Edward S. Rogers and Mr. Frederick P. Fish* for The Hart Steel Company *et al.* *Mr. Taylor E. Brown, Mr. C. C. Linthicum and Mr. Clarence E. Mehlhope* for The Railroad Supply Company.

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NO. —. Original. *Ex parte:* IN THE MATTER OF CLAIR D. VALLETTE and ALFRED B. QUINTON, PETITIONERS. Submitted October 9, 1916. Decided October 16, 1916. Petition for a hearing on motion for leave to file bill of complaint in the name of The United States *v.* The State of Florida denied. *Mr. Alfred B. Quinton and Mr. Clair D. Vallette* for the petitioners.

NO. 316. THOMAS PATRICK KEYES, PLAINTIFF IN ERROR, *v.* THE PEOPLE OF THE STATE OF ILLINOIS. In error to the Supreme Court of the State of Illinois. Motion to dismiss or affirm submitted October 16, 1916. Decided October 23, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Bergmann v. Backer*, 157 U. S. 655, 656; *Caldwell v. Texas*, 137 U. S. 692; *Howard v. Fleming*, 191 U. S. 126, 135; (2) *Deming v. Carlisle Packing Co.*, 226 U. S. 102, 105; *Consolidated Turnpike v. Norfolk &c. Ry. Co.*, 228 U. S. 596, 600; *Overton v. Oklahoma*, 235 U. S. 31. *Mr. Chas. H. Soelke* for the plaintiff in error. *Mr. Patrick J. Lucey* and *Mr. Lester H. Strawn* for the defendant in error.

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NO. 346. JOSEPH W. BULL, APPELLANT, *v.* HUGH CAMPBELL, JR. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Motion to dismiss or affirm submitted October 16, 1916. Decided October 23, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Bagley v. General Fire Extinguisher Co.*, 212 U. S. 477; *Shulthis v. McDougal*, 225 U. S. 561; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575; (2) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Hull v. Burr*, 234 U. S. 712, 720; *Merriam Co. v. Syndicate Publishing Co.*, 237 U. S. 618, 621. *Mr. John R. Van Derlip* for the appellant. *Mr. S. E. Ellsworth* for the appellee.

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NO. 453. LOUISVILLE & NASHVILLE RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* C. L. CROAN ET AL. In error to the Court of Appeals of the State of Kentucky. Submitted pursuant to 20th rule October 12, 1916. Decided October 23, 1916. *Per Curiam*. Judgment reversed with costs upon the authority of *Northern Pacific Railway*

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v. *Wall*, 241 U. S. 87; *Cincinnati & Pacific Railway v. Rankin*, 241 U. S. 319. Mr. Chas. H. Moorman and Mr. Benjamin D. Warfield for the plaintiff in error. Mr. William W. Crawford for the defendants in error.

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NO. 484. THE MISSOURI, KANSAS & TEXAS RAILWAY COMPANY OF TEXAS ET AL., PLAINTIFFS IN ERROR, v. MRS. EMMA A. CASSADY, ADMINISTRATRIX, &C. In error to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas. Motion to dismiss or affirm submitted October 10, 1916. Decided October 23, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of *Chicago Junction Railway Co. v. King*, 222 U. S. 222; *Seaboard Air Line v. Padgett*, 236 U. S. 668, 673-674; *Great Northern Railway Co. v. Knapp*, 240 U. S. 464. Mr. Joseph M. Bryson, Mr. Alexander Britton, and Mr. Evans Browne for the plaintiffs in error. Mr. H. L. Stuart for the defendant in error.

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NO. 507. JOHN G. CHRISTOPHER ET AL., PLAINTIFFS IN ERROR, v. JANE MUNGEN AND HENRY MUNGEN, HER HUSBAND. In error to the Supreme Court of the State of Florida. Motion to dismiss or affirm submitted October 9, 1916. Decided October 23, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Eustis v. Bolles*, 150 U. S. 361; *Gaar, Scott & Co. v. Shannon*, 223 U. S. 468, 470; *Mellon v. McCafferty*, 239 U. S. 134; (2) *Deming v. Carlisle Packing Co.*, 226 U. S. 102, 105; *Consolidated Turnpike v. Norfolk &c. Ry. Co.*, 228 U. S. 596, 600; *Parker v. McLain*, 237 U. S. 469. Mr. George C. Bedell for the plaintiffs in error. Mr. Nathan P. Bryan and Mr. J. T. G. Crawford for the defendants in error.

NO. 3. MARY HELEN BROWN, PLAINTIFF IN ERROR, v. THE CITY OF NEW YORK. In error to the District Court of the United States for the Southern District of New York. Argued October 20, 1916. Decided October 30, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Deming v. Carlisle Packing Co.*, 226 U. S. 102, 105; *Consol. Turnpike v. Norfolk &c. Ry. Co.*, 228 U. S. 596, 600; *Ennis Water Works v. Ennis*, 233 U. S. 652, 658; *Parker v. McLain*, 237 U. S. 469, 471-472; (2) *Shoemaker v. United States*, 147 U. S. 282, 321; *Prosser v. Northern Pacific R. R.*, 152 U. S. 59; *Bauman v. Ross*, 167 U. S. 548, 596; *Ramapo Water Co. v. City of New York*, 236 U. S. 579. *Mr. Omri F. Hibbard, Mr. N. T. M. Melliss and Mr. Nathan I. Sachs* for the plaintiff in error. *Mr. Terence Farley* for the defendant in error.

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NO. 28. RIGHT REVEREND LIBERT HUBERT BOEY-NAEMS, BISHOP OF ZEUGMA, VICAR APOSTOLIC OF HAWAII, TRUSTEE, PLAINTIFF IN ERROR, v. L. AH LEONG. In error to the Supreme Court of the Territory of Hawaii. Submitted October 23, 1916. Decided October 30, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of *Lewis & Cooke v. Atcherley*, 222 U. S. 285, 294; *John Ii Estate v. Brown*, 235 U. S. 342, 349; *Kapiolani Estate v. Atcherley*, 238 U. S. 119, 136; *Cardona v. Quinones*, 240 U. S. 83, 88. *Mr. Lorrin Andrews* for the plaintiff in error. *Mr. David L. Withington* for the defendant in error.

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NO. 31. SOUTHERN RAILWAY, CAROLINA DIVISION, PLAINTIFF IN ERROR, v. FANNIE G. DRIGGS AND HER HUSBAND, H. D. DRIGGS; and

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NO. 32. SOUTHERN RAILWAY, CAROLINA DIVISION, PLAINTIFF IN ERROR, *v.* HUBERT DRIGGS, BY HIS GUARDIAN AD LITEM, H. D. DRIGGS. In error to the Supreme Court of the State of South Carolina. Submitted October 25, 1916. Decided October 30, 1916. *Per Curiam*. Judgments reversed with costs upon the authority of *Kansas City Southern Ry. v. Carl*, 227 U. S. 639, 653; *Boston & Maine R. Co. v. Hooker*, 233 U. S. 97, 110-113; *Louisville & Nashville R. R. Co. v. Maxwell*, 237 U. S. 94, 97-98. *Mr. Benjamin Lindsay Abney* and *Mr. John K. Graves* for the plaintiff in error. *Mr. Stanwix G. Mayfield* for the defendants in error.

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NO. 36. MARTIN H. FREE, PLAINTIFF IN ERROR, *v.* THE WESTERN UNION TELEGRAPH COMPANY. In error to the Supreme Court of the State of Wisconsin. Argued October 25 and 26, 1916. Decided October 30, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Deming v. Carlisle Packing Co.*, 226 U. S. 102, 105; *Consol. Turnpike v. Norfolk &c. Ry. Co.*, 228 U. S. 596, 600; *Ennis Water Works v. Ennis*, 233 U. S. 652, 658; *Parker v. McLain*, 237 U. S. 469, 471-472; (2) *John v. Paullin*, 231 U. S. 583, 585-586; *McDonald v. Oregon R. & Nav. Co.*, 233 U. S. 665, 669-670; (3) *Simon v. Craft*, 182 U. S. 427, 437; *Louisville & Nashville R. R. Co. v. Schmidt*, 177 U. S. 230. *Mr. B. I. Salinger* and *Mr. Frederick S. Tyler* for the plaintiff in error. *Mr. Rush Taggart*, *Mr. George H. Fearons* and *Mr. Francis Raymond Stark* for the defendant in error.

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NO. 41. THE CITY OF MONTGOMERY, PLAINTIFF IN ERROR, *v.* R. H. GREENE ET AL.; and

NO. 42. THE CITY OF MONTGOMERY, PLAINTIFF IN ERROR, *v.* W. R. McDADE ET AL. In error to the Supreme Court of the State of Alabama. Argued for plaintiff in error October 27, 1916. Decided October 30, 1916. *Per Curiam.* Dismissed for want of jurisdiction upon the authority of (1) *Deming v. Carlisle Packing Co.*, 226 U. S. 102, 105; *Consol. Turnpike v. Norfolk &c. Ry. Co.*, 228 U. S. 596, 600; *Ennis Water Works v. Ennis*, 233 U. S. 652, 658; *Parker v. McLain*, 237 U. S. 469, 471-472; (2) *Stewart v. Kansas City*, 239 U. S. 14, 16; *County of Sioux v. Newton Rule*, 241 U. S. 640. *Mr. W. A. Gunter* for the plaintiff in error. No appearance for the defendants in error.

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NO. 82. ILLINOIS SURETY COMPANY, APPELLANT, *v.* FRANK MILLER ET AL. Appeal from the District Court of the United States for the Eastern District of New York. Argued for appellees and submitted for appellant November 9, 1916. Decided November 13, 1916. *Per Curiam.* Dismissed for want of jurisdiction, with five per cent damages, upon the authority of *Aspen Mining & Smelting Co. v. Billings*, 150 U. S. 331; *Brown v. Alton Water Co.*, 222 U. S. 325; *Metropolitan Water Co. v. Kaw Valley District*, 223 U. S. 519; *Union Trust Co. v. Westhus*, 228 U. S. 379; *Shapiro v. United States*, 235 U. S. 412. *Mr. L. Laflin Kellogg* and *Mr. Nelson L. Keach* for the appellant. *Mr. H. W. Goodrich*, *Mr. Arthur M. Allen*, *Mr. George R. Coughlan*, *Mr. George W. Bristol*, *Mr. Henry E. Mattison* and *Mr. Frederick P. King* for the appellees.

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NO. 86. VANDALIA RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* NATHANIEL G. STRINGER. In error to the Supreme Court of the State of Indiana. Argued for the

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plaintiff in error November 9, 1916. Decided November 13, 1916. *Per Curiam*. Dismissed for want of jurisdiction, with five per cent damages, upon the authority of *Iowa Central Ry. Co. v. Iowa*, 160 U. S. 389; *Texas & New Orleans R. R. v. Miller*, 221 U. S. 408, 416; *Washington v. Miller*, 235 U. S. 422, 429; *Wabash Railroad Co. v. Hayes*, 234 U. S. 86. *Mr. Samuel O. Pickens, Mr. F. D. McKenney, Mr. Charles W. Moores and Mr. R. F. Davidson* for the plaintiff in error. *Mr. Wyman J. Beckett* for the defendant in error.

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NO. 90. MARTIN HANSON, PLAINTIFF IN ERROR, *v.* GREAT NORTHERN RAILWAY COMPANY. In error to the Supreme Court of the State of Minnesota. Argued for the plaintiff in error and submitted for the defendant in error November 13, 1916. Decided December 4, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of *Chicago Junction Railway Co. v. King*, 222 U. S. 222; *Seaboard Air Line v. Padgett*, 236 U. S. 668, 673; *Great Northern Ry. Co. v. Knapp*, 240 U. S. 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, this day decided, *ante*, 169. *Mr. Charles Loring, Mr. Samuel Herrick and Mr. William E. Rowe* for the plaintiff in error. *Mr. E. C. Lindley and Mr. A. L. Janes* for the defendant in error.

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NO. 113. WILLIAM BRIGGS, PLAINTIFF IN ERROR, *v.* THE STATE OF KANSAS. In error to the Supreme Court of the State of Kansas. Submitted November 15, 1916. Decided December 4, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Dreyer v. Illinois*, 187 U. S. 71, 83-84; *Prentis v. Atlantic Coast Line*, 211 U. S. 210, 225; (2) *Baldwin v. Kansas*, 129 U. S. 52;

*Spies v. Illinois*, 123 U. S. 131; *Jacobi v. Alabama*, 187 U. S. 133; (3) *Equitable Life Assurance Society v. Brown*, 187 U. S. 308, 311; *Consolidated Turnpike v. Norfolk &c. Ry. Co.*, 228 U. S. 596, 600; *Manhattan Life Insurance Co. v. Cohen*, 234 U. S. 123, 137; (4) *Moore v. Missouri*, 159 U. S. 673; *McDonald v. Massachusetts*, 180 U. S. 311; *Graham v. West Virginia*, 224 U. S. 616; *Carlesi v. New York*, 233 U. S. 51. Mr. A. M. Harvey for the plaintiff in error. Mr. James P. Coleman for the defendant in error.

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NO. 127. GIDEON DIXON ET AL., APPELLANTS, v. GEORGE W. GOETHALS ET AL. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Motion to dismiss or affirm submitted November 20, 1916. Decided December 4, 1916. *Per Curiam*. Judgment affirmed with costs upon the authority of *McCollum v. Eager*, 2 How. 61; *Thomas v. Wooldridge*, 23 Wall. 283; *Buffington v. Harvey*, 95 U. S. 99; *Rexford v. Brunswick-Balke-Collander Co.*, 228 U. S. 339, 346. Mr. Benjamin T. Waldo and Mr. Challen B. Ellis for the appellants. The Attorney General and The Solicitor General for the appellees.

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NO. 474. CHICAGO, MILWAUKEE & ST. PAUL RAILWAY COMPANY, PLAINTIFF IN ERROR, v. JOHN M. BOLCH. In error to the Supreme Court of the State of Washington. Motion to dismiss submitted November 13, 1916. Decided December 4, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Haseltine v. Central National Bank*, 183 U. S. 130; *Schlosser v. Hemp-hill*, 198 U. S. 173; *Louisiana Navigation Co. v. Oyster Commission of Louisiana*, 226 U. S. 99; *Thompson v. St.*

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*Louis*, 241 U. S. 637. *Mr. Heman H. Field* for the plaintiff in error. *Mr. Merritt J. Gordon* for the defendant in error.

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No. —. Original. THE NEW YORK ELECTRIC LINES COMPANY, PETITIONER, *v.* WILLIAM J. GAYNOR ET AL., BOARD OF ESTIMATE AND APPORTIONMENT OF THE CITY OF NEW YORK ET AL. On application for a writ of error to the Supreme Court of the State of New York for the County of New York. Submitted November 20, 1916. Decided December 11, 1916. *Per Curiam*. The writ of error prayed for is denied 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. McCafferty*, 239 U. S. 134; (2) *Yazoo & Mississippi Valley Ry. Co. v. Adams*, 180 U. S. 26; *Beals v. Cone*, 188 U. S. 184; *Wood v. Chesborough*, 228 U. S. 672; (3) *Equitable Life Assurance Society v. Brown*, 187 U. S. 308, 314; *Consolidated Turnpike v. Norfolk &c. Ry. Co.*, 228 U. S. 596, 600; *Easterling Lumber Co. v. Pierce*, 235 U. S. 380, 382. See *New York Electric Lines Co. v. Empire City Subway Co.*, 235 U. S. 179. *Mr. Alexander S. Bacon* for the petitioner.

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No. 586. EIGHTEEN PACKAGES OF DENTAL INSTRUMENTS, ETC., APPELLANT AND PLAINTIFF IN ERROR, *v.* THE UNITED STATES. Appeal from and in error to the United States Circuit Court of Appeals for the Third Circuit. Motion to dismiss submitted December 4, 1916. Decided December 11, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *The United States v. Krall*, 174 U. S. 385, 391; *Macfarland v. Brown*,

187 U. S. 239; *United States v. Beatty*, 232 U. S. 463, 466. Mr. John A. Kratz for the appellant and plaintiff in error. The Attorney General and The Solicitor General for the appellee and defendant in error.

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No. 699. JOHN T. BEECROFT, PLAINTIFF IN ERROR, *v.* THE GREAT NORTHERN RAILWAY COMPANY. In error to the District Court of Lyon County, State of Minnesota. Argued December 6, 1916. Decided December 11, 1916. *Per Curiam*. Judgment affirmed with costs on the authority of *Chicago Junction Ry. Co. v. King*, 222 U. S. 222; *Seaboard Air Line v. Padgett*, 236 U. S. 668, 673; *Great Northern Ry. Co. v. Knapp*, 240 U. S. 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, *ante*, 169. Mr. Tom Davis and Mr. Ernest A. Michel for the plaintiff in error. Mr. E. C. Lindley, Mr. A. L. Janes and Mr. M. L. Countryman for the defendant in error.

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No. 120. CHARLES SCHWEINLER PRESS, PLAINTIFF IN ERROR, *v.* THE PEOPLE OF THE STATE OF NEW YORK. In error to the Court of Special Sessions, First District, New York City, State of New York. Argument commenced November 16, 1915. Decided December 18, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Haseltine v. Central Bank of Springfield*, 183 U. S. 130; *Schlosser v. Hemphill*, 198 U. S. 173; *Missouri & Kansas Interurban Ry. Co. v. Olathe*, 222 U. S. 185; *Louisiana Navigation Company v. Oyster Commission of Louisiana*, 226 U. S. 99; *Thompson v. St. Louis*, 241 U. S. 637. Mr. Alfred E. Ommen for the plaintiff in error. Mr. Robert S. Johnstone and Mr. Leonard J. Oberman for the defendant in error.

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NO. 535. THE WICHITA FALLS & NORTHWESTERN RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* J. H. PUCKETT. In error to the Supreme Court of the State of Oklahoma. Motion to dismiss submitted December 11, 1916. Decided December 18, 1916. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Dower v. Richards*, 151 U. S. 658, 668 *et seq.*; *Thayer v. Spratt*, 189 U. S. 346, 353; *Waters-Pierce Oil Co. v. Texas*, 212 U. S. 86, 97; *Kerfoot v. Farmers' & Merchants' Bank*, 218 U. S. 281, 288; (2) *Deming v. Carlisle Packing Co.*, 226 U. S. 102, 105; *Consolidated Turnpike v. Norfolk &c. Ry. Co.*, 228 U. S. 596, 600; *Ennis Water Works v. Ennis*, 233 U. S. 652, 658; *Parker v. McLain*, 237 U. S. 469, 471-472. *Mr. Joseph M. Bryson, Mr. Alexander Britton and Mr. Evans Browne* for the plaintiff in error. *Mr. C. B. Stuart, Mr. A. C. Cruce, Mr. M. K. Cruce and Mr. Weldon M. Bailey* for the defendant in error.

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NO. 130. U. S. JOINES, PLAINTIFF IN ERROR, *v.* W. S. COMBS ET AL. In error to the Supreme Court of the State of Oklahoma. Submitted December 19, 1916. Decided January 8, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *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. McCafferty*, 239 U. S. 134. *Mr. C. B. Stuart, Mr. A. C. Cruce, Mr. M. K. Cruce, Mr. W. I. Cruce and Mr. W. R. Bleakmore* for the plaintiff in error. *Mr. J. H. Everest and Mr. R. M. Campbell* for the defendants in error.

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NO. 421. THE MINNEAPOLIS & ST. LOUIS RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* EMMA F. NASH, AS

ADMINISTRATRIX OF THE ESTATE OF JOHN EVERETT NASH, DECEASED. In error to the Supreme Court of the State of Minnesota. Argued December 5, 1916. Decided January 8, 1917. *Per Curiam*. Judgment reversed with costs upon the authority of *Delaware, Lackawanna & Western Railroad Co. v. Yurkonis*, 238 U. S. 439; *Shanks v. Delaware, Lackawanna & Western R. R. Co.*, 239 U. S. 556; *Chicago, Burlington & Quincy R. R. Co. v. Harrington*, 241 U. S. 177, 180. See *Illinois Central R. R. Co. v. Cousins*, 241 U. S. 641. Mr. William H. Bremner and Mr. Frederick M. Miner for the plaintiff in error. Mr. Humphrey Barton for the defendant in error.

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No. 564. ATLANTIC COAST LINE RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* ELIZABETH A. MULLIGAN, AS ADMINISTRATRIX OF THE ESTATE OF W. E. MULLIGAN, DECEASED. In error to the Supreme Court of the State of South Carolina. Motion to dismiss or affirm or place on summary docket submitted January 8, 1917. Decided January 15, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *Chicago Junction Railway Co. v. King*, 222 U. S. 222; *Seaboard Air Line v. Padgett*, 236 U. S. 668; *Great Northern Railway Co. v. Knapp*, 240 U. S. 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, ante, 169. Mr. P. A. Willcox, Mr. Frederic D. McKenney and Mr. Douglas McKay for the plaintiff in error. Mr. Benjamin E. Pierce for the defendant in error.

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No. 218. J. FRED KATZMAIER, TRUSTEE IN BANKRUPTCY OF HARMON BROS., APPELLANT, *v.* MUNSEY TRUST COMPANY, RECEIVER; ILLINOIS SURETY COMPANY, AND WILLIAM G. McADOO, SECRETARY OF THE TREASURY.

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Appeal from the Supreme Court of the District of Columbia. Motion to dismiss or affirm submitted January 8, 1917. Decided January 15, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Coder v. Arts*, 213 U. S. 223, 234-235; *Tefft, Weller & Co. v. Munsuri*, 222 U. S. 114, 118 *et seq.*; *James v. Stone & Company*, 227 U. S. 410; *Swift & Co. v. Hoover*, *ante*, 107. *Mr. Mortimer C. Rhone* for the appellant. *The Attorney General, Mr. Assistant Attorney General Warren* and *Mr. Bynum E. Hinton* for the appellees.

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NO. 651. THE ARIZONA EASTERN RAILROAD COMPANY AND EPES RANDOLPH AND L. H. MANNING, ITS SURETIES, PLAINTIFFS IN ERROR, *v. W. N. BRYAN*. In error to the Supreme Court of the State of Arizona. Motion to dismiss or affirm or place on the summary docket submitted January 9, 1917. Decided January 15, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of (1) *Chicago Junction Railway Co. v. King*, 222 U. S. 222; *Seaboard Air Line v. Padgett*, 236 U. S. 668; *Great Northern Ry. Co. v. Knapp*, 240 U. S. 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, *ante*, 169; (2) *Norfolk & Western Railway Co. v. Earnest*, 229 U. S. 114, 121-122. *Mr. Eugene S. Ives* for the plaintiffs in error. *Mr. Thomas Armstrong, Jr., Mr. Ernest W. Lewis* and *Mr. G. P. Bullard* for the defendant in error.

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NO. 30. THE CHICAGO & ALTON RAILROAD COMPANY, APPELLANT, *v. THE UNITED STATES*; and

NO. 58. THE YAZOO & MISSISSIPPI VALLEY RAILROAD COMPANY, APPELLANT, *v. THE UNITED STATES*. Appeals from the Court of Claims. Argued April 9 and 12, 1915. Restored to docket for reargument June 1, 1915. Re-

argued December 14 and 15, 1916. Decided January 15, 1917. *Per Curiam*. Judgments affirmed by an equally divided court. *Mr. Benjamin Carter, Mr. Jacob M. Dickinson, Mr. Alexander Britton, Mr. John G. Johnson, Mr. R. Walton Moore and Mr. John S. Barbour* for the appellant in No. 30. *Mr. R. Walton Moore, Mr. John S. Barbour, Mr. Alexander Britton, Mr. Evans Browne, Mr. F. W. Clements and Mr. F. D. McKenney* for the appellant in No. 58. *The Attorney General, The Solicitor General and Mr. Assistant Attorney General Thompson* for the appellee. *Mr. R. S. Knapp, Mr. F. Carter Pope, Mr. L. T. Michener and Mr. H. M. Friend* filed briefs as *amici curiæ*.

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No. —. Original. *Ex parte*: IN THE MATTER OF ST. LOUIS, KANSAS CITY & COLORADO RAILROAD COMPANY. Submitted January 15, 1917. Decided January 22, 1917. Motions for leave to file petitions for writs of prohibition and mandamus denied, without prejudice in any respect to relief on appeal or otherwise on the merits. *Mr. Thomas P. Littlepage, Mr. Paul E. Walker, Mr. James C. Jones, Mr. Lon O. Hocker, Mr. Frank H. Sullivan and Mr. Marcus L. Bell* for the petitioner.

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No. 27. THE SUN LIFE ASSURANCE COMPANY OF CANADA, PLAINTIFF IN ERROR, *v.* LUISA RIVERA. In error to the District Court of the United States for the District of Porto Rico. Motion to dismiss submitted January 15, 1917. Decided January 29, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of rule 6, paragraph 5; *Nadal v. May*, 233 U. S. 447, 454; *Cardona v. Quinones*, 240 U. S. 83, 88. *Mr. Cay Coll Cuchi* for the plaintiff in error. *Mr. Willis Sweet* for the defendant in error.

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NO. 378. OLD DOMINION IRON & NAIL WORKS COMPANY, PLAINTIFF IN ERROR, *v.* CHESAPEAKE & OHIO RAILWAY COMPANY AND CITY OF RICHMOND. In error to the Supreme Court of Appeals of the State of Virginia. Motion to dismiss submitted January 15, 1917. Decided January 29, 1917. *Per Curiam*. Dismissed for the want of jurisdiction upon the authority of (1) *Eustis v. Bolles*, 150 U. S. 361; *Leathe v. Thomas*, 207 U. S. 93; *Mellon Company v. McCafferty*, 239 U. S. 134; (2) *Pierce v. Southern Railway*, 171 U. S. 641; *Preston v. Chicago*, 226 U. S. 447, 450; *Wood v. Chesbrough*, 228 U. S. 672, 677; (3) *Moran v. Horsky*, 178 U. S. 205. *Mr. Eppa Hunton, Jr., Mr. E. Randolph Williams and Mr. Henry W. Anderson* for the plaintiff in error. *Mr. H. R. Pollard and Mr. Henry Taylor, Jr.*, for the defendants in error.

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NO. 565. THE MINNEAPOLIS & ST. LOUIS RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* BERTHA L. THOMPSON, AS ADMINISTRATRIX OF THE ESTATE OF CHARLES E. THOMPSON, DECEASED. In error to the Supreme Court of the State of Minnesota. Argued January 26, 1917. Decided January 29, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *Chicago Junction Railway Co. v. King*, 222 U. S. 222; *Seaboard Air Line Railway v. Padgett*, 236 U. S. 668; *Great Northern Railway Co. v. Knapp*, 240 U. S. 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, *ante*, 169. *Mr. William H. Bremner and Mr. Frederick M. Miner* for the plaintiff in error. *Mr. Humphrey Barton* for the defendant in error.

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NO. 631. THE BALTIMORE & OHIO RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* DAVID BRANSON. In error to the

Court of Appeals of the State of Maryland. Argued January 26, 1917. Decided January 29, 1917. *Per Curiam*. Judgment reversed with costs upon the authority of *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439; *Shanks v. Delaware, Lackawanna & Western R. R. Co.*, 239 U. S. 556; *Chicago, Burlington & Quincy R. R. Co. v. Harrington*, 241 U. S. 177, 180; *Minneapolis & St. Louis R. R. Co. v. Winters*, ante, 353. *Mr. George A. Pearre, Mr. Duncan K. Brent and Mr. A. Taylor Smith* for the plaintiff in error. *Mr. Albert A. Doub, Mr. F. Brooke Whiting and Mr. George Lewis Eppler* for the defendant in error.

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NO. 695. GREAT NORTHERN RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* ANNA ROACH, AS ADMINISTRATRIX, ETC. In error to the Supreme Court of the State of Minnesota. Argued January 29, 1917. Decided February 5, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *Chicago Junction Railway Co. v. King*, 222 U. S. 222; *Seaboard Air Line Railway v. Padgett*, 236 U. S. 668; *Great Northern Railway Co. v. Knapp*, 240 U. S. 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, ante, 169. *Mr. A. L. Janes, Mr. E. C. Lindley and Mr. M. L. Countryman* for the plaintiff in error. *Mr. Ernest W. Michel and Mr. Tom Davis* for the defendant in error.

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NO. ——. Original. *Ex parte*: IN THE MATTER OF JOSEPH MARSHALL, PETITIONER. Submitted January 25, 1917. Decided February 5, 1917. Motion for leave to file petition for writ of habeas corpus and that petitioner be admitted to bail denied. *Mr. W. C. Bowers, 2d*, for the petitioner.

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

No. —. Original. *Ex parte*: IN THE MATTER OF JOHN P. WHITE, AS PRESIDENT, AND WILLIAM GREEN, AS SECRETARY TREASURER, OF UNITED MINE WORKERS OF AMERICA, ET AL., PETITIONERS. Submitted January 29, 1917. Decided February 5, 1917. Motion for leave to file petition for writ of prohibition denied. *Mr. Henry Warrum* and *Mr. George L. Grant* for the petitioners.

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DECISIONS ON PETITIONS FOR WRITS OF  
CERTIORARI, FROM OCTOBER 9, 1916, TO  
FEBRUARY 5, 1917.

No. 511. UNITED DRUG COMPANY, PETITIONER, *v.* THEODORE RECTANUS COMPANY. October 16, 1916. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Frederick L. Emery* for the petitioner. No appearance for the respondent.

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No. 570. THE T. H. SYMINGTON COMPANY, PETITIONER, *v.* THE NATIONAL MALLEABLE CASTINGS COMPANY ET AL. October 16, 1916. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted. *Mr. Melville Church* and *Mr. Gilbert P. Ridder* for the petitioner. No appearance for the respondents.

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No. 622. MEMPHIS STREET RAILWAY COMPANY, PETITIONER, *v.* J. W. BOBO, ADMINISTRATOR, ETC. October 16, 1916. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.