

DECISIONS PER CURIAM, FROM OCTOBER 1, 1917, TO MARCH 4, 1918, NOT INCLUDING ACTION ON PETITIONS FOR WRITS OF CERTIORARI.

NO. 173. RICARDO ASCARATE, PLAINTIFF IN ERROR, *v.* STATE OF NEW MEXICO. In error to the Supreme Court of the State of New Mexico. Motion to dismiss submitted October 1, 1917. Decided October 8, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Twining v. New Jersey*, 211 U. S. 78; *Ensign v. Pennsylvania*, 227 U. S. 592, 597, 598; *Frank v. Mangum*, 237 U. S. 309, 342. *Mr. Edward C. Wade, Jr.*, for plaintiff in error. *Mr. Frank W. Clancy* for defendant in error.

NO. —. Original. *Ex parte*: IN THE MATTER OF JOHN E. READE, PETITIONER. Submitted October 1, 1917. Decided October 8, 1917. Motion for leave to file petition for writ of *habeas corpus* denied. *Mr. O. T. Richey* for petitioner.

NO. 3. TREMONT LUMBER COMPANY, PLAINTIFF IN ERROR, *v.* MRS. NORA REAGAN. In error to the Supreme Court of the State of Louisiana. Submitted October 12, 1917. Decided October 15, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of (1) *Knoxville Iron Co. v. Harbison*, 183 U. S. 13; (2) *Missouri, Kansas & Texas Ry. Co. v. Cade*, 233 U. S. 642; *Missouri, Kansas & Texas Ry. Co. v. Harris*, 234 U. S. 412. *Mr. John C. Theus* for plaintiff in error. *Mr. S. D. Pearce* and *Mr. H. Garland Dupre* for defendant in error.

NO. 236. CITY OF CHELSEA, PLAINTIFF IN ERROR, *v.* CITY OF BOSTON. In error to the Supreme Judicial Court of the State of Massachusetts. Motion to dismiss submitted October 8, 1917. Decided October 15, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Equitable Life Assurance Society v. Brown*, 187 U. S. 308, 314; *Manhattan Life Ins. Co. v. Cohen*, 234 U. S. 123, 137; *Easterling Lumber Co. v. Pierce*, 235 U. S. 380; (2) *Worcester v. Worcester Consolidated Street Ry.*, 196 U. S. 539; *Kies v. Lowrey*, 199 U. S. 233; *Stewart v. Kansas City*, 239 U. S. 14. *Mr. Wilton J. Lambert, Mr. Louis R. Kiernan and Mr. Samuel R. Cutler* for plaintiff in error. *Mr. John A. Sullivan and Mr. Joseph P. Lyons* for defendant in error.

NO. 485. CLARA A. WHEELER ET AL., APPELLANTS, *v.* CITY AND COUNTY OF DENVER ET AL. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Motion to dismiss or affirm submitted October 1, 1917. Decided October 15, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Hannis Distilling Co. v. Baltimore*, 216 U. S. 285; *Fay v. Crozer*, 217 U. S. 455; *Hendricks v. United States*, 223 U. S. 178, 184. See *City and County of Denver v. New York Trust Co.*, *City and County of Denver v. Denver Union Water Co.*, 229 U. S. 123; *Wheeler v. City and County of Denver*, 229 U. S. 342, 352; (2) *Robinson v. Caldwell*, 165 U. S. 359; *Loeb v. Columbia Township*, 179 U. S. 472; *Macfadden v. United States*, 213 U. S. 288; *Boise Water Co. v. Boise City*, 230 U. S. 98. *Mr. Clayton C. Dorsey, Mr. Edwin H. Park and Mr. Henry A. Lindsley* for appellants. *Mr. James A. Marsh and Mr. Norton Montgomery* for appellees.

NO. 619. J. M. KELLOGG, EXECUTOR, ESTATE OF MRS. MARY H. MILES, DECEASED, PLAINTIFF IN ERROR, *v.*

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LETITIA KING, ADMINISTRATRIX, ESTATE OF CHARLES L. KING, DECEASED. In error to the Supreme Court of the State of Mississippi. Motion to dismiss or affirm submitted October 8, 1917. Decided October 15, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Telluride Power & Transmission Co. v. Rio Grande Western Ry. Co.*, 175 U. S. 639; *First National Bank v. Estherville*, 215 U. S. 341; (2) *Choteau v. Gibson*, 111 U. S. 200; *San Francisco v. Itsell*, 133 U. S. 65; *Wood v. Chesbrough*, 228 U. S. 672. *Mr. E. F. Noel* for plaintiff in error. *Mr. William H. Watkins* for defendant in error.

No. 28. CHICAGO, ROCK ISLAND & PACIFIC RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* STATE OF KANSAS EX REL. S. M. BREWSTER, ATTORNEY GENERAL, ETC., ET AL. In error to the Supreme Court of the State of Kansas. Submitted October 18, 1917. Decided November 5, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *St. Louis Southwestern Ry. Co. v. Arkansas*, 235 U. S. 350. *Mr. Paul E. Walker* for plaintiff in error. *Mr. James P. Coleman* and *Mr. F. P. Lindsay* for defendants in error.

No. 280. B. V. MOORE, PLAINTIFF IN ERROR, *v.* S. A. OLSNESS, COMMISSIONER OF INSURANCE OF THE STATE OF NORTH DAKOTA, ET AL. In error to the Supreme Court of the State of North Dakota. Motion to dismiss or affirm submitted October 17, 1917. Decided November 5, 1917. *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, etc., Ry. Co.*, 228 U. S. 596, 600; *Manhattan Life Ins. Co. v. Cohen*, 234 U. S. 123, 137; (2) *Butler v.*

Pennsylvania, 10 How. 402, 415, 416; *Newton v. Commissioners*, 100 U. S. 548, 559; *Taylor v. Beckham*, 178 U. S. 548; *Wilson v. North Carolina*, 169 U. S. 586; (3) *Railroad Company v. County of Otoe*, 16 Wall. 667, 676; *Kies v. Lowrey*, 199 U. S. 233; *Stewart v. Kansas City*, 239 U. S. 14; *Heim v. McCall*, 239 U. S. 175. *Mr. Aubrey Lawrence* for plaintiff in error. *Mr. William Langer* for defendants in error.

NO. 34. UNITED STATES OF AMERICA FOR THE USE OF T. H. KESSLER & COMPANY, PLAINTIFF IN ERROR, *v.* TITLE GUARANTY & SURETY COMPANY. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Argued November 8, 1917. Decided November 12, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *Illinois Surety Co. v. Peeler*, 240 U. S. 214, and cause remanded to the District Court of the United States for the Southern District of Texas. *Mr. James A. Baker*, *Mr. Samuel B. Dabney* and *Mr. Claudian B. Northrop* for plaintiff in error. *Mr. Lewis R. Bryan* for defendant in error, submitted.

NO. 35. E. O. ELLISON, PLAINTIFF IN ERROR, *v.* CITY OF LA MOURE ET AL.; and

NO. 36. DAVID LLOYD, PLAINTIFF IN ERROR, *v.* CITY OF LA MOURE ET AL. In error to the Supreme Court of the State of North Dakota. Argued November 8, 9, 1917. Decided November 12, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Kansas City Star v. Julian*, 215 U. S. 589; *McCorquodale v. Texas*, 211 U. S. 432, 437; *St. Louis & San Francisco Ry. Co. v. Shepherd*, 240 U. S. 240, 241. *Mr. S. E. Ellsworth* for plaintiffs in error. No brief filed for defendants in error.

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NO. 150. EUGENE W. MORAN, PLAINTIFF IN ERROR, *v.* CENTRAL RAILROAD COMPANY OF NEW JERSEY. In error to the Court of Errors and Appeals of the State of New Jersey. Submitted November 5, 1917. Decided November 12, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *Chicago, Burlington & Quincy R. R. Co. v. Harrington*, 241 U. S. 177; *Lehigh Valley R. R. Co. v. Barlow*, 244 U. S. 183. *Mr. Frank M. Hardenbrook* for plaintiff in error. *Mr. Charles E. Miller* for defendant in error.

NO. 350. HELEN BELL, AS ADMINISTRATRIX OF GEORGE BELL, DECEASED, PLAINTIFF IN ERROR, *v.* CHESAPEAKE & OHIO RAILWAY COMPANY. In error to the Court of Appeals of the State of Kentucky. Motion to dismiss or affirm or place on summary docket submitted November 5, 1917. Decided November 12, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *Chicago Junction Ry. Co. v. King*, 222 U. S. 222; *Seaboard Air Line Ry. v. Padgett*, 236 U. S. 668; *Baltimore & Ohio R. R. Co. v. Whitacre*, 242 U. S. 169. *Mr. Alan D. Cole* for plaintiff in error. *Mr. E. L. Worthington*, *Mr. W. D. Cochran* and *Mr. LeWright Browning* for defendant in error.

NO. 366. WILLIAM A. TROGLER ET AL., APPELLANTS, *v.* UNITED STATES ET AL. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Argued November 5, 1917. Decided November 12, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Whitney v. Dick*, 202 U. S. 132, 135; *McClellan v. Carland*, 217 U. S. 268, 278; (2) *Smith v. Indiana*, 191 U. S. 138, 148-150; *McCandless v. Pratt*, 211 U. S. 437, 440. *Mr. Edwin H. Park* for appellants.

The Solicitor General and Mr. Archibald A. Lee for appellees.

NO. 59. BELLOWS FALLS POWER COMPANY, PLAINTIFF IN ERROR, *v.* COMMONWEALTH OF MASSACHUSETTS. In error to the Supreme Judicial Court of the State of Massachusetts. Argued November 16, 1917. Decided November 19, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Equitable Life Assurance Society v. Brown*, 187 U. S. 308, 314; *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.*, 228 U. S. 596, 600; *Manhattan Life Insurance Co. v. Cohen*, 234 U. S. 123, 137; *Easterling Lumber Co. v. Pierce*, 235 U. S. 380. See *Hamilton Company v. Massachusetts*, 6 Wall. 632. *Mr. Richard Y. FitzGerald* for plaintiff in error. *Mr. Henry C. Atwill* and *Mr. William Harold Hitchcock* for defendant in error.

NO. 49. FRANCIS STEPHEN MEDCRAF, APPELLANT, *v.* ROBERT T. HODGE, AS SHERIFF OF KING COUNTY, WASHINGTON. Appeal from the District Court of the United States for the Western District of Washington. Argued November 14, 15, 1917. Decided November 19, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *Ex parte Royall*, 117 U. S. 241, 251; *In re Frederick*, 149 U. S. 70, 77; *Markuson v. Boucher*, 175 U. S. 184; *Urquhart v. Brown*, 205 U. S. 179; *Frank v. Mangum*, 237 U. S. 309, 328, 329. *Mr. Cassius E. Gates* and *Mr. W. B. Stratton* for appellant. *Mr. Alfred C. Lundin* and *Mr. H. M. Caldwell* for appellee.

NO. 42. AMERICAN RADIATOR COMPANY, PLAINTIFF IN ERROR, *v.* JOHN F. ROGGE, ADMINISTRATOR OF THE ES-

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TATE OF JOHN F. ROGGE, JR., DECEASED. In error to the Supreme Court of the State of New Jersey. Argued November 12, 13, 1917. Decided November 19, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Haire v. Rice*, 204 U. S. 291; *Thomas v. Iowa*, 209 U. S. 258; *Appleby v. Buffalo*, 221 U. S. 524, 529. *Mr. Franklin W. Fort, Mr. John Franklin Fort and Mr. J. G. Shipman* for plaintiff in error. *Mr. John K. English* for defendant in error.

NO. 69. ENTERPRISE RAILWAY EQUIPMENT COMPANY, APPELLANT, *v. NORFOLK & WESTERN RAILWAY COMPANY*. Appeal from the District Court of the United States for the Northern District of Illinois. Submitted November 16, 1917. Decided November 19, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *Green v. Chicago, Burlington & Quincy Ry. Co.*, 205 U. S. 530; *W. S. Tyler Co. v. Ludlow-Saylor Wire Co.*, 236 U. S. 723. *Mr. H. N. Low and Mr. George I. Haight* for appellant. *Mr. Theodore W. Reath and Mr. Robert J. Fisher* for appellee.

NO. 47. CHICAGO CAR HEATING COMPANY, APPELLANT, *v. GOLD CAR HEATING & LIGHTING COMPANY*. Appeal from the District Court of the United States for the Northern District of Illinois. Submitted November 9, 1917. Decided November 19, 1917. *Per Curiam*. Judgment affirmed with costs upon the authority of *Green v. Chicago, Burlington & Quincy Ry. Co.*, 205 U. S. 530; *W. S. Tyler Co. v. Ludlow-Saylor Wire Co.*, 236 U. S. 723. *Mr. Otto Raymond Barnett* for appellant. *Mr. William A. Redding, Mr. Edward Rector and Mr. Arthur C. Frazer* for appellee.

No. 46. GERMANIA REFINING COMPANY ET AL., PLAINTIFFS IN ERROR, *v.* ORAMEL B. FULLER, AUDITOR GENERAL ET AL. In error to the Supreme Court of the State of Michigan. Argued November 14, 1917. Decided November 19, 1917. *Per Curiam.* Judgment affirmed with costs upon the authority of *American Refrigerator Transit Co. v. Hall*, 174 U. S. 70; *Union Refrigerator Transit Co. v. Lynch*, 177 U. S. 149. *Mr. Charles D. Chamberlin* for plaintiffs in error. *Mr. Alexander J. Groesbeck* and *Mr. Samuel D. Pepper* for defendants in error, submitted.

No. 57. CINCINNATI, HAMILTON & DAYTON RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* JOSEPH M. McCOLLUM, ADMINISTRATOR OF THE ESTATE OF JOSEPH WILLIAM ROEBUCK. In error to the Supreme Court of the State of Indiana. Submitted November 13, 1917. Decided November 26, 1917. *Per Curiam.* Judgment affirmed with costs upon the authority of *Louisville & Nashville R. R. Co. v. Melton*, 218 U. S. 36, 52, 53; *Lindsley v. Natural Carbonic Gas Co.*, 220 U. S. 61, 78; *Mutual Loan Co. v. Martell*, 222 U. S. 225, 235; *St. Louis, Iron Mountain & Southern Ry. Co. v. Arkansas*, 240 U. S. 518. *Mr. Morrison R. Waite* and *Mr. Harvey J. Elam* for plaintiff in error. *Mr. Merrill Moores* for defendant in error.

No. 163. JOHN E. ROLLER, PLAINTIFF IN ERROR, *v.* CHARLES CATLETT, TRUSTEE. In error to the Supreme Court of Appeals of the State of Virginia. Motion to dismiss submitted November 26, 1917. Decided December 10, 1917. *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.*

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Ry. Co., 228 U. S. 596, 600; *Stewart v. Kansas City*, 239 U. S. 14. *Mr. John E. Roller pro se. Mr. Rudolph Bumgardner* for defendant in error.

NO. 507. ELINA SKARDERUD, PLAINTIFF IN ERROR, *v.* TAX COMMISSION OF THE STATE OF NORTH DAKOTA. In error to the Supreme Court of the State of North Dakota. Submitted November 23, 1917. Decided December 10, 1917. *Per Curiam.* Judgment affirmed with costs upon the authority of *Duus v. Brown*, this day decided, *ante*, 176. *Mr. Edward Engerud* for plaintiff in error. *Mr. William Langer* for defendant in error.

NO. 83. MENASHA WOODEN WARE COMPANY, PLAINTIFF IN ERROR, *v.* MINNEAPOLIS, ST. PAUL & SAULT STE. MARIE RAILWAY. In error to the Circuit Court of Winnebago County, State of Wisconsin. Argued November 23, 1917. Decided December 10, 1917. *Per Curiam.* Judgment affirmed with costs upon the authority of *Armour Packing Co. v. United States*, 209 U. S. 56, 80 *et seq.*; *Louis. & Nash. R. R. Co. v. Mottley*, 219 U. S. 467; *Portland Railway &c. Co. v. Railroad Commission of Oregon*, 229 U. S. 397, 412, 413; *New York Central & Hudson River R. R. Co. v. Gray*, 239 U. S. 583. *Mr. A. E. Thompson* and *Mr. J. C. Thompson* for plaintiff in error, submitted. *Mr. William A. Hayes* and *Mr. Alfred H. Bright* for defendant in error.

NO. 601. MIDLAND VALLEY RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* MRS. MAUDE GRIFFITH, ADMINIS-

TRATRIX, ETC. In error to the Supreme Court of the State of Kansas. Motion to dismiss or affirm and for damages submitted December 10, 1917. Decided December 17, 1917. *Per Curiam*. Dismissed for want of jurisdiction with five per cent. damages, upon the authority of § 237, Judicial Code, as amended by the Act of Congress of September 6, 1916, c. 448, 39 Stat. 726; *Prairie Oil & Gas Co. v. Carter*, 244 U. S. 646. (Petition for a writ of certiorari denied October 15, 1917, *infra*, 653.) *Mr. L. T. Michener* for plaintiff in error. *Mr. W. L. Cunningham* and *Mr. C. T. Atkinson* for defendant in error.

No. 697. SIDNEY J. BROOKS, RECEIVER, ETC., APPELLANT, *v.* EMPIRE TRUST COMPANY ET AL. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Motion to dismiss submitted December 10, 1917. Decided December 17, 1917. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Rouse v. Letcher*, 156 U. S. 47; *Gregory v. Van Ee*, 160 U. S. 643; *St. Louis, K. C. & C. R. R. Co. v. Wabash R. R. Co.*, 217 U. S. 247, 250; *Shulthis v. McDougal*, 225 U. S. 561; (2) *Gumbel v. Pitkin*, 113 U. S. 545; *Rouse v. Letcher*, 156 U. S. 47, 60; *Carey v. Houston & Texas Central R. Co.*, 161 U. S. 115. *Mr. Joseph W. Bailey* and *Mr. Chester H. Terrell* for appellant. *Mr. Thomas H. Franklin* and *Mr. Stephen H. Olin* for appellees.

No. 90. ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY, APPELLANT, *v.* BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO, ET AL. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Argued December 14,

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1917. Decided January 7, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Phillips v. Negley*, 117 U. S. 665, 671; *Covington v. First National Bank*, 185 U. S. 270; *MacFarland v. Byrnes*, 187 U. S. 246; *United States v. Beatty*, 232 U. S. 463. The petition for a writ of certiorari is denied. *Mr. S. T. Bledsoe*, *Mr. Gardiner Lathrop* and *Mr. Henry T. Rogers* for appellant. *Mr. A. L. Doud* and *Mr. B. C. Hilliard* for appellees.

NO. 112. GULF, COLORADO & SANTA FE RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* W. E. VASBINDER. In error to the Court of Civil Appeals, Fourth Supreme Judicial District, State of Texas. Argued January 2, 1918. Decided January 7, 1918. *Per Curiam*. Judgment reversed with costs upon the authority of *Adams Express Co. v. Croninger*, 226 U. S. 491; *Atchison, Topeka & Santa Fe Ry. Co. v. Robinson*, 233 U. S. 173; *St. Louis, Iron Mountain & Southern Ry. Co. v. Starbird*, 243 U. S. 592; *American Express Co. v. United States Horse Shoe Co.*, 244 U. S. 58. *Mr. Alexander Britton*, *Mr. J. W. Terry*, *Mr. Gardiner Lathrop*, *Mr. A. H. Culwell*, *Mr. Evans Browne* and *Mr. F. W. Clements* for plaintiff in error. *Mr. R. H. Ward* for defendant in error, submitted.

NO. 607. STATE OF MISSOURI ON THE RELATION OF THE AMERICAN MANUFACTURING COMPANY, PLAINTIFF IN ERROR, *v.* GEORGE D. REYNOLDS, ALBERT D. NORTONI, AND WILLIAM H. ALLEN, JUDGES OF THE ST. LOUIS COURT OF APPEALS, AND LOUIS ALT. In error to the Supreme Court of the State of Missouri. Submitted January 2, 1918. Decided January 7, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of

§ 237, Judicial Code, as amended by the Act of Congress of September 6, 1916, c. 448, 39 Stat. 726; *Prairie Oil & Gas Co. v. Carter*, 244 U. S. 646; *Midland Valley R. R. Co. v. Griffith*, ante, 633. (Petition for a writ of certiorari denied October 15, 1917, *infra*, 650.) *Mr. Shepard Barclay* for plaintiff in error. *Mr. E. C. Slevin* for defendants in error.

NO. 644. MINNIE EVVIA STADELMAN ET AL., PLAINTIFFS IN ERROR, *v.* W. H. MINER ET AL. In error to the Supreme Court of the State of Oregon. Submitted January 2, 1918. Decided January 7, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Haire v. Rice*, 204 U. S. 291, 301; *Thomas v. Iowa*, 209 U. S. 258, 263; *Appleby v. Buffalo*, 221 U. S. 524, 529; *Manhattan Life Ins. Co. v. Cohen*, 234 U. S. 123, 134. *Mr. John M. Gearin* for plaintiffs in error. *Mr. Guy C. H. Corliss* for defendants in error.

NO. 108. HARRY SUSMAN, APPELLANT, *v.* BOARD OF EDUCATION OF THE SCHOOL DISTRICT OF PITTSBURGH. Appeal from the District Court of the United States for the Western District of Pennsylvania. Argued January 2, 1918. Decided January 14, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Witherspoon v. Duncan*, 4 Wall. 210, 217; *Fallbrook Irrigation District v. Bradley*, 164 U. S. 112; *Soliah v. Heskin*, 222 U. S. 522; (2) *Deming v. Carlisle Packing Co.*, 226 U. S. 102, 105; *Consolidated Turnpike v. Norfolk, etc., Ry. Co.*, 228 U. S. 596, 600; *Ennis Water Works v. Ennis*, 233 U. S. 652, 658; *Stewart v. Kansas City*, 239 U. S. 14. *Mr. Andrew G. Smith*, *Mr. W. H. Dodds* and *Mr. James M. Beck* for appellant. *Mr. J. Roger McCreary* and *Mr. Samuel S. Mehard* for appellee.

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NO. 125. ARCHIBALD E. BRIGHTMAN, PLAINTIFF IN ERROR, *v.* LAKE ERIE & WESTERN RAILROAD COMPANY. In error to the District Court of the United States for the District of Indiana. Argued January 7, 1918. Decided January 14, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Hannis Distilling Co. v. Baltimore*, 216 U. S. 285; *Fay v. Crozer*, 217 U. S. 455; *Hendricks v. United States*, 223 U. S. 178, 184; (2) *St. Louis & San Francisco Ry. Co. v. James*, 161 U. S. 545; *Southern Ry. Co. v. Allison*, 190 U. S. 236; *Sun Printing & Publishing Association v. Edwards*, 194 U. S. 377, 381; *Missouri Pacific Ry. Co. v. Castle*, 224 U. S. 541, 546. *Mr. William V. Rooker* for plaintiff in error. *Mr. Samuel D. Miller, Mr. W. H. Thompson, Mr. John B. Cockrum and Mr. W. H. H. Miller* for defendant in error.

NO. 116. POLICE JURY OF THE PARISH OF ACADIA, PLAINTIFF IN ERROR, *v.* CITY OF CROWLEY. In error to the Supreme Court of the State of Louisiana. Argued January 4, 1918. Decided January 21, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Braxton County Court v. West Virginia*, 208 U. S. 192; *McCandless v. Pratt*, 211 U. S. 437; *Marshall v. Dye*, 231 U. S. 250; *Stewart v. Kansas City*, 239 U. S. 14. *Mr. A. P. Holt and Mr. P. J. Chappuis* for plaintiff in error. *Mr. Philip S. Pugh and Mr. James E. Zunts* for defendant in error.

NO. 202. ATLANTIC COAST LINE RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* ELLA DUTTON, AS ADMINISTRATRIX OF THE ESTATE OF LEE DUTTON, DECEASED. In error to the Supreme Court of the State of South Carolina. Argued January 18, 1918. Decided January 21,

1918. *Per Curiam*. Judgment affirmed with costs upon the authority of *Chicago Junction Ry. Co. v. King*, 222 U. S. 222; *Seaboard Air Line Ry. v. Padgett*, 236 U. S. 668; *Great Northern Ry. Co. v. Knapp*, 240 U. S. 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, 242 U. S. 169; *Southern Ry. Co. v. Puckett*, 244 U. S. 571, 574. *Mr. P. A. Willcox, Mr. Lucian W. McLemore, Mr. Frederic D. McKenney and Mr. J. S. Flannery* for plaintiff in error. *Mr. L. D. Jennings and Mr. A. S. Harby* for defendant in error.

NO. 391. RAILROAD COMMISSION OF THE STATE OF CALIFORNIA, PLAINTIFF IN ERROR, *v.* ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY. In error to the Supreme Court of the State of California. Argued January 18, 1918. Decided January 21, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *Waters-Pierce Oil Co. v. Texas*, 212 U. S. 112, 116; *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) § 237, Judicial Code, as amended by the Act of Congress of September 6, 1916, c. 448, 39 Stat. 726; *Philadelphia & Reading Coal & Iron Co. v. Gilbert*, 245 U. S. 162. *Mr. Douglas Brookman and Mr. Max Thelen* for plaintiff in error. *Mr. Robert Dunlap, Mr. E. W. Camp, Mr. E. S. Pillsbury and Mr. Gardiner Lathrop* for defendant in error.

NO. 525. CAREY W. STONE, GUARDIAN OF THOMAS S. STONE, PLAINTIFF IN ERROR, *v.* EMMETT P. STONE, NEXT FRIEND OF THOMAS S. STONE. In error to the Supreme Court of the State of North Carolina. Argued January 18, 1918. Decided January 21, 1918. *Per Curiam*.

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Dismissed for want of jurisdiction upon the authority of § 237, Judicial Code, as amended by the Act of Congress of September 6, 1916, c. 448, 39 Stat. 726; *Prairie Oil & Gas Co. v. Carter*, 244 U. S. 646; *Midland Valley R. R. Co. v. Griffith*, ante, 633. Mr. Clyde A. Douglass, Mr. William C. Douglass, and Mr. Murray Allen for plaintiff in error. Mr. R. W. Winston and Mr. Moses N. Amis for defendant in error.

NO. 534. PEOPLE OF PORTO RICO ET AL., APPELLANTS, v. CARLOS TAPIA. Appeal from the District Court of the United States for the District of Porto Rico. Argued January 17, 18, 1918. Decided January 21, 1918. *Per Curiam*. Judgment reversed upon the authority of *Downes v. Bidwell*, 182 U. S. 244; *Hawaii v. Mankichi*, 190 U. S. 197; *Dorr v. United States*, 195 U. S. 138; *Rasmussen v. United States*, 197 U. S. 516; *Kopel v. Bingham*, 211 U. S. 468; *Dowdell v. United States*, 221 U. S. 91; *Porto Rico v. Rosaly*, 227 U. S. 270, 274; *Ocampo v. United States*, 234 U. S. 91, 98. Mr. Edward S. Bailey, Mr. Samuel T. Ansell, Mr. Assistant Attorney General Warren and Mr. Robert Szold for appellants. Mr. Willis Sweet and Mr. Francis H. Dexter for appellee.

NO. 647. PEOPLE OF PORTO RICO, ET AL., PLAINTIFFS IN ERROR AND PETITIONERS, v. JOSE MURATTI. In error to and on writ of certiorari to the Supreme Court of Porto Rico. Argued January 17, 18, 1918. Decided January 21, 1918. *Per Curiam*. Judgment reversed upon the authority of *People of Porto Rico v. Tapia*, just decided, *supra*, this page, and authorities therein cited. Mr. Edward S. Bailey, Mr. Samuel T. Ansell, Mr. Assistant Attorney General Warren and Mr. Robert Szold for plaintiffs in error and

petitioners. *Mr. Willis Sweet and Mr. Francis H. Dexter* for defendant in error and respondent.

No. 678. KATE P. McNAUGHTON, APPELLANT, *v.* W. D. STEPHENS, GOVERNOR OF THE STATE OF CALIFORNIA, ET AL. Appeal from the District Court of the United States for the Southern District of California. Submitted January 16, 1918. Decided January 21, 1918. *Per Curiam.* Judgment affirmed with costs upon the authority of *McNaughton v. Johnson*, 242 U. S. 344. *Mr. Tom L. Johnston and Mr. James H. Longden* for appellant. *Mr. U. S. Webb, Mr. Robert M. Clarke, Mr. Thomas Lee Woolwine and Mr. Clifford P. Smith* for appellees.

No. 679. L. E. NICKELL AND ROBERT J. BURKE, APPELLANTS, *v.* W. D. STEPHENS, GOVERNOR OF THE STATE OF CALIFORNIA, ET AL. Appeal from the District Court of the United States for the Southern District of California. Submitted January 16, 1918. Decided January 21, 1918. *Per Curiam.* Judgment affirmed with costs upon the authority of *Crane v. Johnson*, 242 U. S. 339. *Mr. Tom L. Johnston and Mr. James H. Longden* for appellants. *Mr. U. S. Webb, Mr. Robert M. Clarke, Mr. Thomas Lee Woolwine, Mr. Clifford P. Smith and Mr. A. W. Eckman* for appellees.

No. 195. IDORA HILL MINING COMPANY, PLAINTIFF IN ERROR, *v.* HARRY OLSON ET AL. In error to the Supreme Court of the State of Idaho. Motion to dismiss submitted January 14, 1918. Decided January 21, 1918. Dismissed with costs and five per cent. damages for failure to print

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the record. *Mr. Burton L. French* for plaintiff in error.
Mr. John W. Keener for defendants in error.

NO. 153. ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* PAUL D. COLE. In error to the Supreme Court of the State of Kansas. Argued January 24, 1918. Decided January 28, 1918. *Per Curiam.* Judgment affirmed with costs and ten per cent. damages upon the authority of *Chicago Junction Ry. Co. v. King*, 222 U. S. 222; *Seaboard Air Line Ry. v. Padgett*, 236 U. S. 668; *Great Northern Ry. Co. v. Knapp*, 240 U. S. 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, 242 U. S. 169; *Southern Ry. Co. v. Puckett*, 244 U. S. 571, 574. *Mr. Alfred A. Scott*, *Mr. Robert Dunlap* and *Mr. Gardiner Lathrop* for plaintiff in error. *Mr. Alfred M. Jackson* and *Mr. Charles T. Atkinson* for defendant in error, submitted.

NO. 156. MISSOURI, KANSAS & TEXAS RAILWAY COMPANY OF TEXAS, PLAINTIFF IN ERROR, *v.* W. P. SCHNOUTZ and TEXAS MIDLAND RAILROAD COMPANY. In error to the County Court of Kauffman County, State of Texas. Submitted January 25, 1918. Decided January 28, 1918. *Per Curiam.* Judgment reversed upon the authority of *Texas & Pacific Ry. Co. v. Mugg*, 202 U. S. 242; *Kansas City Southern Ry. Co. v. Albers Commission Co.*, 223 U. S. 573, 596-598; *Illinois Central R. R. Co. v. Henderson Elevator Co.*, 226 U. S. 441; *Kansas City Southern Ry. Co. v. Carl*, 227 U. S. 639, 653. See *Louisville & Nashville R. R. Co. v. Maxwell*, 237 U. S. 94. *Mr. Alexander Britton*, *Mr. C. S. Burg*, *Mr. Joseph M. Bryson* and *Mr. A. H. McKnight* for plaintiff in error. No appearance for defendants in error.

No. 84. *STONEBRAKER-ZEA COMPANY, APPELLANT, v. UNITED STATES*. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Submitted January 23, 1918. Decided January 28, 1918. *Per Curiam*. Judgment affirmed upon the authority of *McCaskill Co. v. United States*, 216 U. S. 504, 514; *Washington Securities Co. v. United States*, 234 U. S. 76, 78; *Wright-Blodgett Co. v. United States*, 236 U. S. 397, 402, 405; *Causey v. United States*, 240 U. S. 399, 401; and cause remanded to the District Court of the United States for the Western District of Oklahoma. *Mr. Henry B. Martin* for appellant. *Mr. Assistant Attorney General Kearful* for the United States.

No. 167. *JOHN E. ROLLER, PLAINTIFF IN ERROR, v. LINDSAY M. ARMENTROUT*. In error to the Supreme Court of Appeals of the State of Virginia. Submitted January 25, 1918. Decided January 28, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *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; *Stewart v. Kansas City*, 239 U. S. 14; (2) *Eustis v. Bolles*, 150 U. S. 361; *Leathe v. Thomas*, 207 U. S. 93; *Holden Land Co. v. Inter-State Trading Co.*, 233 U. S. 536, 541; *Mellon Co. v. McCafferty*, 239 U. S. 134. *Mr. John E. Roller pro se*. *Mr. Everett Dulaney Ott* for defendant in error.

No. 581. *STATE OF OHIO ON THE RELATION OF THE HARTFORD LIFE INSURANCE COMPANY, PLAINTIFF IN ERROR, v. ALONZO J. DOUDS ET AL.* In error to the Supreme Court of the State of Ohio. Motion to affirm or place on summary docket submitted January 21, 1918.

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Decided January 28, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237, Judicial Code, as amended by the Act of Congress of September 6, 1916, c. 448, 39 Stat. 726; *Philadelphia & Reading Coal & Iron Co. v. Gilbert*, 245 U. S. 162. *Mr. James C. Jones* and *Mr. Harry B. Arnold* for plaintiff in error. *Mr. Smith W. Bennett* for defendants in error.

NO. 369. EL PASO SASH AND DOOR COMPANY, PLAINTIFF IN ERROR, *v.* E. M. CARRAWAY. In error to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas. Motion to dismiss or affirm submitted January 28, 1918. Decided February 4, 1918. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of (1) *McCorquodale v. Texas*, 211 U. S. 432, 437; *Waters-Pierce Oil Co. v. Texas*, 212 U. S. 112, 118; *Kansas City Star Co. v. Julian*, 215 U. S. 589; *St. Louis & San Francisco Ry. Co. v. Shepherd*, 240 U. S. 240, 241; (2) *Miller v. Cornwall R. R. Co.*, 168 U. S. 131, 134; *Harding v. Illinois*, 196 U. S. 78, 84 *et seq.*; *Bowe v. Scott*, 233 U. S. 658, 664, 665. *Mr. Charles B. Braun* for plaintiff in error. *Mr. Frank G. Morris* for defendant in error.

DECISIONS ON PETITIONS FOR WRITS OF CERTIORARI, FROM OCTOBER 1, 1917, TO MARCH 4, 1918.

NO. 557. GUERINI STONE COMPANY, PETITIONER, *v.* P. J. CARLIN CONSTRUCTION COMPANY. October 8, 1917. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted. *Mr. Ed-*