

Decisions on Petitions for Writs of Certiorari. 250 U. S.

Duplan Silk Co., 191 U. S. 526, 530; *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. *Mr. Emory J. Smith and Mr. Charles C. Williams* for plaintiff in error. *Mr. Edward J. Brundage and Mr. Edward C. Fitch* for defendant in error.

No. —, Original. *Ex parte*: IN THE MATTER OF CHARLES C. FOSTER, ACTING SUPERINTENDENT OF THE WASHINGTON ASYLUM AND JAIL, PETITIONER. Submitted June 2, 1919. Decided June 9, 1919. Petition for the allowance of an appeal herein denied. *The Solicitor General* for petitioner.

No. —, Original. *Ex parte*: IN THE MATTER OF THE BALDWIN COMPANY ET AL., PETITIONERS. Submitted June 2, 1919. Decided June 9, 1919. Petition for the allowance of an appeal herein granted. *Mr. Lawrence Maxwell and Mr. John E. Cross* for petitioners.

DECISIONS ON PETITIONS FOR WRITS OF CERTIORARI, FROM MAY 19, 1919, TO JUNE 9, 1919.

(A.) PETITIONS GRANTED.¹

No. 986. *ERIE RAILROAD COMPANY v. ANTONIO SZARY*. May 19, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. William C. Cannon* for petitioner. *Mr. John C. Robinson* for respondent.

¹ For petitions denied, see *post*, 639.

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NO. 971. ERIE RAILROAD COMPANY *v.* WILLIAM M. COLLINS. May 19, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Adelbert Moot* for petitioner. *Mr. Hamilton Ward* for respondent.

NO. 1003. GALVESTON, HARRISBURG & SAN ANTONIO RAILWAY COMPANY *v.* L. H. WOODBURY ET AL. June 9, 1919. Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas granted. *Mr. T. J. Beall* for petitioner. *Mr. Rufus B. Daniel* for respondents.

NO. 1007. COCA-COLA COMPANY *v.* KOKE COMPANY OF AMERICA ET AL. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. F. W. Lehmann, Mr. Harold Hirsch, Mr. Edward S. Rogers* and *Mr. Frank F. Reed* for petitioner. *Mr. C. L. Parker* and *Mr. Richard E. Sloan* for respondents.

NO. 1019. ROBERT B. BROWN *v.* UNITED STATES. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. W. E. Pope, Mr. E. C. Brandenburg* and *Mr. H. S. Bonham* for petitioner. *Mr. Assistant Attorney General Porter* and *Mr. W. C. Herron* for the United States.

NO. 1029. PERE MARQUETTE RAILWAY COMPANY *v.* J. F. FRENCH & COMPANY. June 9, 1919. Petition for a

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writ of certiorari to the Supreme Court of the State of Michigan granted. *Mr. Oscar E. Waer* and *Mr. John C. Shields* for petitioner. *Mr. Clare J. Hall* for respondent.

No. 1031. *J. HARTLEY MANNERS v. OLIVER MOROSCO*. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Walter C. Noyes*, *Mr. David Gerber* and *Mr. Wm. J. Hughes* for petitioner. *Mr. Charles H. Tuttle* for respondent.

No. 1034. *SOUTHERN PACIFIC COMPANY v. W. S. BERKSHIRE, TEMPORARY ADMINISTRATOR, ETC.* June 9, 1919. Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas granted. *Mr. William I. Gilbert* and *Mr. William F. Herrin* for petitioner. No appearance for respondent.

No. 1036. *STRATHEARN STEAMSHIP COMPANY, LIMITED, v. JOHN DILLON*. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Ralph James M. Bullowa* for petitioner. *Mr. Silas B. Axtell* and *Mr. W. J. Waguespack* for respondent. *Mr. Frederic R. Coudert* and *Mr. Howard Thayer Kingsbury* as amici curiæ.

No. 1047. *NATIONAL BRAKE & ELECTRIC COMPANY v. NEILS A. CHRISTENSEN ET AL.* June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. John S. Miller*, *Mr.*

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Thomas B. Kerr, Mr. Charles A. Brown and Mr. Edward Osgood Brown for petitioner. *Mr. Joseph B. Cotton, Mr. Willet M. Spooner, Mr. Louis Quarles and Mr. William R. Rummeler* for respondents.

NO. 1052. BROOKS-SCANLON COMPANY *v.* RAILROAD COMMISSION OF LOUISIANA. June 9, 1919. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana granted. *Mr. J. Blanc Monroe and Mr. Monte M. Lemann* for petitioner. *Mr. W. M. Barrow* for respondent.

NO. 1059. J. M. THOMPSON, MASTER AND CLAIMANT, ETC., *v.* PETER LUCAS, ET AL. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. John M. Woolsey and Mr. L. DeGrove Potter* for petitioner. No appearance for respondents.

(B.) PETITIONS DENIED.

NO. 944. SOUTHERN PACIFIC COMPANY *v.* LEO L. D'UTASSY. Error to the Supreme Court of the State of New York. May 19, 1919. Petition for a writ of certiorari herein denied. *Mr. Fred H. Wood*, for plaintiff in error, in support of the petition. *Mr. Wilson E. Tipple and Mr. Arthur W. Clement*, for defendant in error, in opposition to the petition.

NO. 970. THE TUG INTERNATIONAL, HER ENGINES, ETC., ET AL. *v.* WILLIAM L. MCFADDEN ET AL. May 19,

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1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Adelbert Moot* for petitioners. *Mr. Lester F. Gilbert* for respondents.

No. 988. JAMES GRAY, TRUSTEE, ETC., *v.* ELLA L. MOORE. May 19, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Harry H. Schutte* for petitioner. *Mr. Andrew J. Nellis* for respondent.

No. 989. JAMES GRAY, TRUSTEE, ETC., *v.* JOSIE G. HANRAHAN. May 19, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Harry H. Schutte* for petitioner. *Mr. Andrew J. Nellis* for respondent.

No. 990. CITY OF OMAHA, IN THE STATE OF NEBRASKA, *v.* OMAHA ELECTRIC LIGHT & POWER COMPANY. May 19, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. William C. Lambert* for petitioner. *Mr. William D. McHugh* for respondent.

No. 991. PARLIN & ORENFDORFF IMPLEMENT COMPANY *v.* MRS. LEONA FREY. May 19, 1919. Petition for a writ of certiorari to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas denied. *Mr. Joseph Manson McCormick* and *Mr. Francis Marion Etheridge* for petitioner. No appearance for respondent.

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No. 349. DANIEL DONAHOE *v.* PEOPLE OF THE STATE OF ILLINOIS. See *ante*, 634.

No. 926. ADOLPH LIPMAN *v.* ABRAHAM SLIMMER, JR., ET AL. June 2, 1919. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied. *Mr. Louis H. Salinger* for petitioner. *Mr. Thomas D. O'Brien, Mr. Edward T. Young* and *Mr. Alexander E. Horn* for respondents.

No. 965. MINERAL DEVELOPMENT COMPANY *v.* KENTUCKY COAL LANDS COMPANY. June 2, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. J. F. Bullitt, Mr. E. L. Worthington, Mr. W. B. Dixon* and *Mr. S. B. Dishman* for petitioner. *Mr. Edward C. O'Rear, Mr. Edward E. Barthell* and *Mr. Henry Fitts* for respondent.

No. 997. CHESTER A. SNOW *v.* ADDIS H. SNOW. June 2, 1919. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Frederic D. McKenney* and *Mr. Geo. P. Hoover* for petitioner. *Mr. Henry E. Davis* for respondent.

No. 1001. GULF, COLORADO & SANTA FE RAILWAY COMPANY *v.* MRS. E. B. CARPENTER, ADMINISTRATRIX, ETC. June 2, 1919. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas denied. *Mr. Evans Browne* and *Mr. J. W. Terry* for petitioner. *Mr. Winbourne Pearce* and *Mr. A. L. Curtis* for respondent.

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No. 1005. GUARANTY TRUST COMPANY OF NEW YORK *v.* CHATHAM & PHENIX NATIONAL BANK OF THE CITY OF NEW YORK. June 2, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Frank M. Patterson* for petitioner. *Mr. David L. Podell* for respondent.

No. 1012. RENNSSELAER & SARATOGA RAILROAD COMPANY *v.* DELAWARE & HUDSON COMPANY, IMPLEADED WITH ROSCOE IRWIN, COLLECTOR, ETC. June 2, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. George B. Wellington* for petitioner. No appearance for respondent.

No. 1013. HARVEY D. APGAR *v.* UNITED STATES. June 2, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. John C. Theus* for petitioner. *Mr. Assistant Attorney General Porter* for the United States.

No. 1014. PHILIP F. DUPONT ET AL. *v.* PIERRE S. DUPONT ET AL. June 2, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Third Circuit denied. *Mr. Wm. A. Glasgow, Jr.*, *Mr. Henry P. Brown* and *Mr. Robert Pennington* for petitioners. *Mr. George S. Graham*, *Mr. George W. Pepper* and *Mr. William H. Button* for respondents.

No. 1002. SOUTH DAKOTA CENTRAL RAILWAY COMPANY *v.* CONTINENTAL & COMMERCIAL TRUST & SAVINGS

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BANK ET AL. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Tore Teigen* for petitioner. No appearance for respondents.

No. 1008. SANTA MARINA COMPANY *v.* CANADIAN BANK OF COMMERCE. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Edward W. McGraw* for petitioner. *Mr. Gavin McNabb, Mr. Nat Schmulowitz and Mr. R. P. Henshaw* for respondent.

No. 1010. GULF, COLORADO & SANTA FE RAILWAY COMPANY *v.* UNITED STATES. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Evans Browne, Mr. Alexander Britton and Mr. J. W. Terry* for petitioner. *Mr. Assistant Attorney General Frierson* for the United States.

No. 1011. J. W. PRALL, ADMINISTRATOR, ETC., *v.* GREAT NORTHERN RAILWAY COMPANY. June 9, 1919. Petition for a writ of certiorari to the Supreme Court of the State of Washington denied. *Mr. E. M. Heyburn* for petitioner. *Mr. M. L. Countryman and Mr. F. V. Brown* for respondent.

No. 1015. GENERAL FIREPROOFING COMPANY *v.* BRECKENRIDGE JONES, TRUSTEE, ETC., ET AL. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Charles Neave,*

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Mr. W. K. Richardson and *Mr. F. L. Chappell* for petitioner. *Mr. W. H. Dyrenforth* and *Mr. George A Chritton* for respondents.

No. 1016. *JOSE DE GUZMAN ET AL. v. FAUSTINO LICH-AUCO*. June 9, 1919. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied. *Mr. Richard Campbell* and *Mr. Felipe Buencamino, Jr.*, for petitioners. *Mr. Alexander Britton* and *Mr. Evans Browne* for respondent.

No. 1017. *LORA McCRAY v. WEST HELENA CONSOLIDATED COMPANY*. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Charles C. Reid* for petitioner. *Mr. W. E. Hemingway*, *Mr. G. B. Rose*, *Mr. D. H. Cantrell* and *Mr. J. F. Loughborough* for respondent.

No. 1018. *ASBESTOS & RUBBER WORKS OF AMERICA, INC., v. SCANDINAVIAN BELTING COMPANY*. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. T. Hart Anderson* and *Mr. Perry B. Turpin* for petitioner. *Mr. Nicholas M. Goodlett* for respondent.

No. 1023. *J. W. SIMPSON v. GRAND INTERNATIONAL BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL.* June 9, 1919. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied. *Mr. William H. Werth* for petitioner. *Mr. Matthew M. Neely* for respondents.

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NO. 1024. G. A. SMITH *v.* GRAND INTERNATIONAL BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. June 9, 1919. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied. *Mr. William H. Werth* for petitioner. *Mr. Matthew M. Neely* for respondents.

NO. 1025. COLORADO TITLE & TRUST COMPANY *v.* J. G. CHILDERS, JR. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. J. H. Barwise, Jr.*, and *Mr. George Thompson* for petitioner. *Mr. A. L. Curtis* for respondent.

NO. 1027. WILLIAM E. MIKELL *v.* F. H. HINES, MAJOR, FIELD ARTILLERY, U. S. ARMY. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Alvah M. Lumpkin* for petitioner. *Mr. Assistant Attorney General Porter* and *Mr. W. C. Herron* for respondent.

NO. 1028. FRED BROWNE *v.* CHARLES B. THORN ET AL., PARTNERS DOING BUSINESS AS THORN & MAGINNIS. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. James B. McDonough* for petitioner. No appearance for respondents.

NO. 1030. CARLOS GSELL *v.* INSULAR COLLECTOR OF CUSTOMS. June 9, 1919. Petition for a writ of certiorari

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to the Supreme Court of the Philippine Islands denied. *Mr. H. W. Van Dyke* for petitioner. *The Solicitor General* for respondent.

NO. 1033. LOUISIANA AGRICULTURAL CORPORATION *v.* PELICAN OIL REFINING COMPANY, INC. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. T. M. Miller* for petitioner. No appearance for respondent.

NO. 1035. MICHIGAN MUTUAL LIFE INSURANCE COMPANY *v.* ANN HOPE OLIVER, AS ADMINISTRATRIX, ETC. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Forney Johnston* for petitioner. *Mr. Thomas M. Stevens* for respondent.

NO. 1037. JOHN H. MUDD ET AL. *v.* ALABAMA MINERAL LAND COMPANY. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit denied. *Mr. F. N. Judson* for petitioners. *Mr. John P. Tillman* for respondent.

NO. 1038. T. W. M. BOONE *v.* UNITED STATES. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Joseph M. Hill* and *Mr. Henry L. Fitzhugh* for petitioner. *Mr. Assistant Attorney General Porter* and *Mr. W. C. Heron* for the United States.

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

No. 1050. DEER ISLAND LUMBER COMPANY ET AL. *v.* SAVANNAH TIMBER COMPANY. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. William N. Graydon* for petitioners. *Mr. J. J. Darlington* for respondent.

No. 1053. CHARLES C. FOSTER, ACTING SUPERINTENDENT, ETC., *v.* FRANK JOSEPH GOLDSOLL. June 9, 1919. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *The Solicitor General* and *Mr. Benjamin S. Minor* for petitioner. *Mr. J. J. Darlington*, *Mr. Wilton J. Lambert* and *Mr. Joseph W. Bailey* for respondent.

No. 1054. MECCANO, LIMITED, *v.* JOHN WANAMAKER, NEW YORK. June 9, 1919. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Reeve Lewis*, *Mr. C. A. L. Massie*, *Mr. W. B. Kerkam* and *Mr. Ralph L. Scott* for petitioner. *Mr. Nicholas M. Goodlett* for respondent.

CASES DISPOSED OF WITHOUT CONSIDERATION
BY THE COURT, FROM MAY 19, 1919, TO
JUNE 9, 1919.

No. 961. ELABORATED ROOFING CO. OF BUFFALO, INC., ET AL. *v.* CHARLES S. BIRD. On petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit. May 19, 1919. Petition dismissed, on motion of counsel for petitioners. *Mr. Rudolph Wm. Lotz* for