

SUPREME COURT OF THE UNITED STATES

MONDAY, OCTOBER 6, 1924

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes. Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Charles T. Rowland, of Fort Worth, Tex.; Erwin M. Treusch, of Grand Rapids, Mich.; Dana T. Ackerly, of New York City; Harold B. Elgar, of New York City; Harvey D. Goldberg, of Louisville, Ky.; Timothy J. Mahoney, of Erie, Pa.; James T. Crouch, of Columbia, S. C.; Samuel C. Coleman, of New York City; Oscar C. Thomas, of Alexandria, Va.; Walter T. Kinder, of Cleveland, Ohio; George J. Chryssikos, of New York City; James P. Wood, of Cleveland, Ohio; Morris Bien, of Washington, D. C.; W. Ainsworth Parker, of Baltimore, Md.; Merritt U. Hayden, of St. Louis, Mo.; Samuel Block, of Chicago, Ill.; Homer N. Boardman, of Oklahoma City, Okla.; Joseph Tuttle Stearns, of New York City; Lawrence E. Ensor, of Towson, Md.; William P. Cole, jr., of Towson, Md.; Neill Garrett, of Des Moines, Iowa; Louis B. Le Duc, of Haddonfield, N. J.; Enid Childs, of San Francisco, Calif.; Harry F. Payer, of Cleveland, Ohio; Margaret T. Lynch, of White Plains, N. Y.; Humphrey J. Lynch, of White Plains, N. Y.; Irving Miller, of New York City; Helen N. Cirese, of Chicago, Ill.; Louis H. Winch, of Cleveland, Ohio; Archibald Douglas, of New York City; Edward Holloway, of New York City; William H. Maynard, of Baltimore, Md.; Matthew Westrate, of Muscatine, Iowa; Harry S. Hall, of Knoxville, Tenn.; Cornelius Lynde, of Chicago, Ill.; Frank J. Kent, of New York City; Harry E. O'Neill, of Omaha, Nebr.; Willard P. McBain, of Norfolk, Va.; George E. Dierssen, of Chicago, Ill.; and Jesse A. Holton, of Boston, Mass., were admitted to practice.

ORDER.—It is ordered by this court that the following cases, viz. Nos. 161, 212, 236, 285 (and 287), 258, 207 (and 299), 104 (and 105 and 106), 320, 277 (and 278, 279, and 280), 162, 283, 343, 412, 351, 81, 272, 401, 191 (and 192 and 193), 181, 342, 3 original, 12 original, 338, 353, 25 (and 26), 332 (and 333, 334, and 335), 423, 316, 402, heretofore assigned for Monday, November 10 next, be, and they are hereby, reassigned for Monday, November 17 next.

No. 14, original. The United States, complainant, *v.* The State of Washington. Stipulation as to decree submitted by Mr. Solicitor General Beck in that behalf.

No. 18. Walter D. Sweeney, Claimant, etc., appellant, *v.* The United States. Appeal from the District Court of the United States for the District of Massachusetts. Dismissed, on motion of Mr. Solicitor General Beck in behalf of counsel for the appellant.

No. 28. Herbert Hoover, Secretary of Commerce, plaintiff in error, *v.* The Intercity Radio Company, Inc. In error to the Court of Appeals of the District of Columbia. Dismissed, per stipulation, on motion of Mr. Solicitor General Beck in that behalf.

No. 56. Central Union Trust Company of New York, plaintiff in error, *v.* William H. Edwards, as Collector of United States Internal Revenue for the Second District of New York. Motion to dismiss submitted by Mr. Solicitor General Beck for the defendant in error in support of the motion, and by Mr. John M. Perry and Mr. Arthur H. Van Brunt for the plaintiff in error in opposition thereto.

No. 391. The United States of America, plaintiff in error, *v.* Joseph Weissman et al. Motion to advance submitted by Mr. Solicitor General Beck for the plaintiff in error.

No. 398. Samuel Gross, petitioner, *v.* The United States of America. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed, on motion of Mr. Solicitor General Beck for the petitioner.

No. 472. The Alexander Milburn Company, petitioner, *v.* Davis-Bournonville Company. Leave granted to file a brief herein as *amicus curiae*, on motion of Mr. Solicitor General Beck for the United States.

No. 508. Save Electric Corporation, petitioner, *v.* General Electric Company. Leave granted to file a brief herein as *amicus curiae*, on motion of Mr. Solicitor General Beck for the United States.

No. 596. John J. McGrain, Deputy Sergeant at Arms of the United States Senate, appellant, *v.* Mally S. Daugherty. Motion to advance submitted by Mr. Solicitor General Beck for the appellant.

No. 653. The United States of America, petitioner, *v.* O. B. Fish. Petition for a writ of certiorari to the United States Court of Customs Appeals submitted by Mr. Solicitor General Beck and Mr. Assistant Attorney General Hoppin for the petitioner, and Mr. Allan R. Brown for the respondent.

No. 391. The United States of America, plaintiff in error, *v.* Joseph Weissman et al. Motion to dismiss submitted by Benjamin Slade for the defendant in error in support of the motion, and by Mr. Solicitor General Beck for the plaintiff in error in opposition thereto.

No. 110. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* J. E. Vander Zyl. In error to the Supreme Court of the State of Iowa. Dismissed, per stipulation, on motion of Mr. Thomas P. Littlepage in that behalf.

No. 641. Samuel N. McClean et al., petitioners, *v.* M. A. Bradley et al. Leave granted counsel for the respondent to file a brief in opposition to the petition for a writ of certiorari herein within one week.

No. 669. United Fuel Gas Company, appellant, *v.* The Public Service Commission of West Virginia et al. Motion to advance submitted by Harold A. Ritz for the appellant.

No. 218. W. L. Stickel, plaintiff in error, *v.* Big Laurel Coal Company. Motion to dismiss or affirm submitted by Mr. Harold A. Ritz for the defendant in error in support of the motion, and by Mr. Maynard F. Stiles for the plaintiff in error in opposition thereto.

No. 371. Northern Pacific Railway Company et al., plaintiffs in error, *v.* Department of Public Works of the State of Washington et al. Walter B. Whitcomb, successor to Hance H. Cleland as supervisor of public utilities and member of the department of public works of the State of Washington, substituted as a party defendant in error herein, on motion of Mr. J. H. Carroll in that behalf.

No. 487. Farmers & Mechanics National Bank of Fort Worth, Texas, appellant, *v.* W. W. Wilkerson et al. Motion to dismiss submitted by Mr. Mark McMahan for the appellee in support of the motion, and by Mr. Charles A. Boynton for the appellant in opposition thereto.

No. 224. Carolina, Clinchfield & Ohio Railway *v.* The United States of America. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit. Certificate, which has been heretofore dismissed in the United States Circuit Court of Appeals for the Sixth Circuit, dismissed, on motion of Mr. John W. Price for the Carolina, Clinchfield & Ohio Railway.

No. 647. Western Maryland Railway Company, petitioner. *v.* M. M. and D. D. Brown, Partners, etc.; and

No. 648. Western Maryland Railway Company, petitioner, *v.* M. M. and D. D. Brown, Partners, etc. Leave granted counsel for the respondents to file a brief herein in opposition to the petition for writs of certiorari within two weeks, on motion of Mr. John A. Kratz in that behalf.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Motion of the people of the State of Illinois for leave to file brief as amicus curiae herein granted; motion for leave to participate in the oral argument denied, on motion of Mr. George E. Dierssen.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Motion of the Chicago Association of Commerce for leave to file brief as amicus curiae herein granted; motion for leave to participate in the oral argument denied, on motion of Mr. Cornelius Linde.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Motions of the State of Tennessee, the State of Missouri, the State of Louisiana, and the St. Louis Chamber of Commerce et al., for leave to file briefs herein as amici curiae, granted, on motion of Mr. Daniel N. Kirby in that behalf. Consideration of motion for leave to participate in the oral argument herein, submitted by Mr. Daniel N. Kirby in that behalf, postponed to the hearing of the case.

No. 23, original. The United States of America, complainant, *v.* The State of Wisconsin. Leave granted to file answer herein, on motion of Mr. John Walsh for the defendant.

No. 65. Max Wulfsohn et al., etc., plaintiffs in error, *v.* Russian Socialist Federated Soviet Republic. Motion to dismiss submitted by Mr. Charles Recht for the defendant in error in support of the motion, and by Mr. Otto C. Sommerich and Mr. Edwin M. Borchard for the plaintiffs in error in opposition thereto.

No. 664. John H. Hendriks, petitioner, *v.* Atlas Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Ed. P. Ingham for the petitioner.

No. 1. Auditors Contracting Company, Inc., et al., petitioner, *v.* Foreign Trade Banking Corporation. Continued, per stipulation, on motion of Mr. D. M. Tibbetts in that behalf.

No. —, original. Ex parte In the matter of Kingston Dry Dock & Construction Company, Inc., petitioner. Motion for leave to file a petition for a writ of prohibition and/or a writ of mandamus herein submitted by Mr. D. M. Tibbetts and Mr. John M. Woolsey for the petitioner.

No. 576. Federal Trade Commission, petitioner, *v.* National Biscuit Company. Motion for leave to file a brief herein as amici curiae submitted by Mr. Willard P. McBain in that behalf.

No. 38. Ivory Novelties Trading Company, Inc., petitioner. *v.* Francois Joseph de Spoturno Coty. Continued, per stipulation, on motion of Mr. Otto A. Schlobohm in that behalf.

No. 295. F. A. Cocke, plaintiff in error. *v.* Morgan's Louisiana and Texas Railroad and Steamship Company et al. Motion of defendants in error to transfer to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Robert Ash in behalf of counsel.

No. 550. DeWitt T. Law, plaintiff in error. *v.* The United States. Motion to advance submitted by Mr. Robert Ash in behalf of counsel.

No. 678. Enrique del Pozo y Marcos et al., appellants. *v.* Wilson Cypress Company. Motion as to record submitted by Mr. Joseph H. Jones for the appellants.

No. 523. Charles Marx, Executor, plaintiff in error. *v.* Elizabeth Reinecke. Motion to advance submitted by Mr. Lawrence E. Ensor and Mr. William P. Cole, jr., for the appellee.

No. 81. In the matter of petition of East River Towing Company, Inc., for Limitation of Liability of the Steam Tug *Edward*, her Engines, etc. Leave granted to file a brief herein as amici curiae, on motion of Mr. Samuel C. Coleman in that behalf.

No. 631. Steamship *Willdomino*, her Engines, Boilers, etc., petitioner, *v.* Citro Chemical Company of America:

No. 632. Steamship *Willdomino*, her Engines, Boilers, etc., petitioner, *v.* Charles Pfizer & Company, Inc.; and

No. 633. Convoy Steamship Company, Ltd., Owner of the Steamship *Willdomino*, her Engines, Boilers, etc., petitioner, *v.* Charles Pfizer & Company, Inc. Leave granted to file a brief herein as amicus curiae, on motion of Mr. J. M. Chamberlin in that behalf.

No. 22. Chicago Great Western Railroad Company, appellant. *v.* Nathan E. Kendall, Governor of the State of Iowa, et al.: and

No. 23. Chicago, Rock Island & Pacific Railway Company, appellant, *v.* Nathan E. Kendall, Governor of the State of Iowa, et al. Motions to continue submitted by Mr. J. G. Gamble for the appellant in No. 23, and in behalf of counsel for the appellant in No. 22, and motions denied. Motions to dismiss submitted by Mr. Ben J. Gibson and Mr. Neill Garrett for the appellees in support of the motion.

No. 374. Oliver Bower, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. L. E. Dadmun for the petitioner.

No. 380. Alaska Electric Light & Power Company, petitioner, *v.* The City of Juneau et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Robert W. Jennings for the petitioner, and by Mr. J. A. Hellenthal for the respondents.

No. 388. Fidelity & Deposit Company of Maryland, appellant, *v.* The City of Cleburne et al. Petition for a writ of certiorari herein submitted by Mr. Washington Bowie, jr., for the appellant in support of the petition, and by Mr. E. B. Perkins for the appellees in opposition thereto.

No. 390. Serena G. Levy, petitioner, *v.* S. H. Kress & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Robert M. Rainey and Mr. Streeter B. Flynn for the petitioner, and by Mr. Ed S. Vaught, Mr. P. D. Brewer, and Mr. J. H. Everest for the respondent.

No. 396. John C. Ross, plaintiff in error, *v.* The State of South Dakota. Petition for a writ of certiorari herein submitted by Mr. U. S. G. Cherry and Mr. Holton Davenport for the plaintiff in error in support of the petition, and by Mr. Byron S. Payne for the defendant in error in opposition thereto.

No. 399. Ralph Sabbatino et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alexander S. Drescher for the petitioners.

No. 400. Edward S. Huff, petitioner, *v.* Henry Ford. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frank Davis, jr., Mr. T. T. Ansberry, Mr. George T. Farrell, and Mr. John M. Murrell for the petitioner, and by Mr. William E. Kay, Mr. Frank B. Shutts, and Mr. H. H. Emmons for the respondent.

No. 410. State of Arkansas ex rel. J. S. Utley, Attorney General, etc., for use of Craighead County, Arkansas, plaintiff in error, *v.* St. Louis-San Francisco Railway Company et al. Petition for a writ of certiorari herein submitted by Mr. J. S. Utley for the petitioner in support of the petition, and by Mr. Thomas B. Pryor, Mr. William J. Orr, Mr. Edward T. Miller, Mr. Edward L. Westbrooke, for the defendants in error in opposition thereto.

No. 416. Elkton Electric Company, Inc., plaintiff in error, *v.* Thomas W. Perkins et al., Receivers, etc. Petition for a writ of certiorari herein submitted by Mr. Fred R. Williams for the plaintiff in error in support of the motion, and by Mr. E. P. Keech, jr., for the defendant in error in opposition thereto.

No. 419. St. Bernard Cypress Company, Limited, petitioner, *v.* Louis Pfister. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. Robert C. Milling for the petitioner, and by Mr. Benjamin T. Waldo for the respondent.

No. 424. Pacific Rice Growers Association et al., petitioners, *v.* Lake Charles Rice Milling Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. C. K. Bonestell for the petitioners, and by Mr. Charles A. McCoy for the respondent.

No. 428. H. W. Swender, petitioner, *v.* Walter V. Empie. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Kenneth E. Matot for the petitioner.

No. 431. Winthrop Smith, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Leonard Biel for the petitioner, and by Mr. Solicitor General Beck and Mr. Harry S. Ridgely for the respondent.

No. 434. J. H. Leverkuhn, alias Jack Leverkuhn, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Henry E. Kahn for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 435. Independent Wireless Telegraph Company, petitioner, *v.* Radio Corporation of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William H. Davis for the petitioner, and by Mr. L. F. H. Betts for the respondent.

No. 437. John A. Grogan, Collector, etc., petitioner, *v.* Bryant Walker, Executor, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Solicitor General Beck, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the petitioner, and by Mr. H. E. Spalding for the respondent.

No. 445. Baird Rubber & Trading Company, Inc., petitioner, *v.* George D. Bates, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Jesse P. Dice for the petitioner, and by Mr. Charles E. Smoyer for the respondent.

No. 448. William J. Dolloff, petitioner, *v.* Steam Tug *Charlotte*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr.

Lawrence E. Coffey for the petitioner, and by Mr. Ray M. Stanley for the respondents.

No. 449. Walter Ray Simmons, petitioner, *v.* William R. Fenton, Warden, etc. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska, submitted by Mr. E. P. Holmes and Mr. Thomas P. Littlepage for the petitioner.

No. 450. Walter Ray Simmons, petitioner, *v.* The State of Nebraska. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska submitted by Mr. E. P. Holmes and Mr. Thomas P. Littlepage for the petitioner.

No. 451. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, Rock Island & Pacific Railway Company;

No. 452. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, Milwaukee & St. Paul Railway Company;

No. 453. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, St. Paul, Minneapolis & Omaha Railway Company;

No. 454. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Northern States Power Company;

No. 455. A. G. Risty et al., County Commissioners, etc., appellants, *v.* City of Sioux Falls; and

No. 456. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Great Northern Railway Company. Petition for writs of certiorari herein submitted by Mr. Benjamin I. Salinger for the appellants in support of the petition, and by Mr. W. F. Dickinson, Mr. Thomas D. O'Brien, Mr. Alexander E. Horn, and Mr. Edward S. Stringer for the appellee in No. 451; by Mr. Charles O. Bailey, Mr. H. H. Field, Mr. J. H. Voorhees, and Mr. T. M. Bailey for the appellee in No. 452; by Mr. Charles O. Bailey, Mr. R. L. Kennedy, Mr. J. H. Voorhees, and Mr. T. M. Bailey for the appellee in No. 453; by Mr. John H. Roemer and Mr. R. M. Campbell for the appellee in No. 454; by Mr. Charles O. Bailey, Mr. J. H. Voorhees, and Mr. T. M. Bailey for the appellee in No. 455, and by Mr. F. G. Dorety for the appellee in No. 456, in opposition thereto.

No. 457. American Express Company, Aktieselskab, petitioner, *v.* The United States of America, Owner of the Steamship *Hovie*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. John G. Milburn for the petitioner.

No. 458. J. L. Lancaster et al., Receivers of the Texas & Pacific Railway, plaintiffs in error, *v.* Bernice S. Graham. Petition for a writ of certiorari herein submitted by Mr. F. H. Prendergast and Mr. George Thompson for the plaintiffs in error in support of the petition.

No. 459. Charles H. Tynan, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Robert W. Jennings for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 462. The Baltimore & Ohio Railroad Company, petitioner, *v.* Ezra A. Sliger. Petition for a writ of certiorari to the Supreme Court of the State of Indiana submitted by Mr. James M. Sheean and Mr. George E. Hamilton for the petitioner.

No. 463. Oscar W. Uhrich et al., copartners, etc., petitioners, *v.* The Van Kannel Revolving Door Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Thomas Kennedy Helm, Mr. Edmond F. Trabue, Mr. John C. Doolan, and Mr. Richard H. Hill for the petitioners, and by Mr. Samuel T. Ansell and Mr. Edward S. Bailey for the respondent.

No. 464. Erie Railroad Company, petitioner, *v.* William F. Regan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Theodore Kiendl for the petitioner, and by Mr. William H. DeLacey and Mr. Humphrey J. Lynch for the respondent.

No. 466. Saint Louis Union Trust Company, petitioner, *v.* Road Improvement District No. 3 of Van Buren County, Arkansas. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. G. B. Rose, Mr. D. H. Cantrell, Mr. J. F. Loughborough, and Mr. A. W. Dobyms for the petitioner.

No. 467. M. B. Penton, petitioner, *v.* New Orleans and Northeastern Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. W. J. Gex for the petitioner, and by Mr. J. Blanc Monroe, Mr. Monte M. Lemann, Mr. A. S. Bozeman, Mr. L. E. Jeffries, Mr. H. O'B. Cooper for the respondent.

No. 468. Des Moines Wholesale Grocer Company, petitioner, *v.* William C. Fraser, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Horatio F. Dale and Mr. William G. Harvison for the petitioner.

No. 472. The Alexander Milburn Company, petitioner, *v.* Davis-Bournonville Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James A. Watson for the petitioner, and by Mr. Dean S. Edmonds for the respondent.

No. 473. Kentucky Coke Company, petitioner, *v.* Keystone Gas Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Matthew O'Doherty for the petitioner, and by Mr. George B. Martin for the respondent.

No. 474. Missouri Pacific Railroad Company, petitioner, *v.* J. W. C. Bell, jr., et al. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Robert E. Wiley and Mr. Edgar B. Kingsworthy for the petitioner, and by Mr. W. P. Feazel for the respondent.

No. 483. R. H. Clements et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Thomas Stevenson and Mr. Oscar J. Horn for the petitioners, and by Mr. Solicitor General Beck for the respondent.

No. 492. Alfred H. Cowles, petitioner, *v.* Franz A. Rody. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John S. Seymour for the petitioner.

No. 493. Globe Indemnity Company, petitioner, *v.* Sulpho Saline Bath Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. F. A. W. Ireland for the petitioner.

No. 497. Postum Cereal Company, Inc., appellant, *v.* California Fig Nut Company. Petition for a writ of certiorari herein submitted by Mr. Edward S. Rogers, Mr. William J. Hughes, Mr. Frank F. Reed, and Mr. William J. Hughes, jr., for the appellant in support of the petition.

No. 499. Mrs. Margaret G. Lawrence, petitioner, *v.* Atlantic Paper & Pulp Corporation, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Max Isaac for the petitioner, and by Mr. T. M. Cunningham, jr., Mr. A. B. Lovett, and Mr. Alvan B. Rowe for the respondent.

No. 500. Samuel C. Lawrence, petitioner, *v.* Atlantic Paper & Pulp Corporation, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Max Isaac for the petitioner, and by Mr. T. M. Cunningham, jr., Mr. A. B. Lovett, and Mr. Alvan B. Rowe for the respondent.

No. 502. Millers Indemnity Underwriters, plaintiff in error, *v.* Mrs. Nellie Boudreaux Braud, etc., et al. Petition for a writ of certiorari herein submitted by Mr. G. Bowdoin Craighill and Mr. Hannis Taylor, jr., for the plaintiff in error in support of the petition.

No. 503. John H. McCallum et al., etc., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. U. S. Webb for the petitioners, and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Ottinger for the respondent.

No. 504. William H. Muller & Company, Inc., petitioner, *v.* The Plisson Steam Navigation Company, Limited. Owner of the steamship *Nivose*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. R. E. Lee Marshall for the petitioner, and by Mr. Charles R. Hickox for the respondent.

No. 505. William H. Muller & Company, Inc., petitioner. *v.* Natale Suttore, Master, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. R. E. Lee Marshall for the petitioner, and by Mr. George Forbes for the respondent.

No. 506. William H. Muller & Company, Inc., petitioner, *v.* Erik Fingalsen, Master, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. R. E. Lee Marshall for the petitioner.

No. 508. Save Electric Corporation, petitioner, *v.* General Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Stephen J. Cox for the petitioner, and by Mr. Frederick P. Fish, Mr. Hubert Howson, and Mr. Albert F. Davis for the respondent.

No. 510. The United States of America ex rel. Joe Shaw, next friend of Lee Shear She, petitioner, *v.* W. L. James, Master, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Roger O'Donnell for the petitioner.

No. 512. Charles Broadway Rouss, Inc., petitioner. *v.* The Winchester Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. Hart Anderson and Mr. Jennings C. Wise for the petitioner, and by Mr. Archibald Cox for the respondent.

No. 513. J. E. Hamilton, petitioner, *v.* The Empire Gas & Fuel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Chester I. Long, Mr. Joseph D. Houston, Mr. Austin M. Cowan, Mr. Claude I. Depew, and Mr. W. E. Stanley for the petitioner, and by Mr. H. O. Caster, Mr. Robert Stone, and Mr. Albert F. Davis for the respondents.

No. 514. E. A. Shriver et al., petitioners, *v.* The Empire Gas & Fuel Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Chester I. Long, Mr. Joseph D. Houston, Mr. Austin M. Cowan, Mr. Claude I. Depew, and Mr. W. E. Stanley for the petitioners, and by Mr. H. O. Caster for the respondents.

No. 515. The United States of America et al., petitioners, *v.* Henry H. Kaufman, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the petitioners, and by Mr. Jonah J. Goldstein for the respondents.

No. 516. The United States of America et al., petitioners, *v.* Alfred C. Coxe, jr., Receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the petitioners, and by Mr. Jonah J. Goldstein for the respondents.

No. 517. Douglas A. Conklin, petitioner, *v.* New York Central Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Thomas J. O'Neill for the petitioner, and by Mr. William Mann for the respondent.

No. 518. Missouri Pacific Railroad Company, petitioner, *v.* M. M. Cohn Company. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Robert E. Wiley and Mr. Edgar B. Kinsworthy for the petitioner, and by Mr. George W. Hendricks for the respondent.

No. 519. Mobile & Ohio Railroad Company, petitioner, *v.* C. M. Wood. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Carl Fox for the petitioner, and by Mr. Marion Riley for the respondent.

No. 520. Cora Schuler et al., etc., petitioner, *v.* Wilhelmine Ohlendiek. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Leonard Garver, jr., and Mr. David Lorbach for the petitioners, and by Mr. Simeon M. Johnson for the respondent.

No. 521. Clifford C. Emmich, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles F. Dolle and Mr. Simeon M. Johnson for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 524. William H. Edwards, Collector, etc., petitioner, *v.* Archibald Douglas et al., Executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck for the petitioner, and by Mr. Matthew C. Fleming and Mr. Paul Armitage for the respondents.

No. 530. Parfums DeGrande Luxe, Inc., et al., petitioners, *v.* Coty, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank M. Halstead for the petitioner, and by Mr. Hugo Mock and Mr. Asher Blum for the respondent.

No. 531. Elmina L. Burget, petitioner, *v.* C. M. Cranston et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. E. L. Burget for the petitioner.

No. 532. Mercantile Bank of The Americas, Inc., petitioner, *v.* Steamship *General G. W. Goethals*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Roger Englar and Mr. Oscar R. Houston for the petitioner, and by Mr. Richard Reid Rogers for the respondents.

No. 533. James C. Davis, Director General, etc., petitioner, *v.* M. A. Pharr Cotton Company. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia submitted by Mr. Bryan Cumming for the petitioner, and by Mr. Edgar Watkins, Mr. Mac Isaac, and Mr. C. E. Sutton for the respondent.

No. 535. Charles Gunther, Trustee, etc., petitioner, *v.* The Home Insurance Company of New York et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. S. Duncan Bradley for the petitioner, and by Mr. Lowndes Maury and Mr. R. F. Gaines for the respondents.

No. 537. Armour & Company, petitioner, *v.* Fort Morgan Steamship Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John D. Grace for the petitioner.

No. 541. Great Northern Railway Company, petitioner, *v.* Galbreath Cattle Company et al. Petition for a writ of certiorari to the Supreme Court of the State of Montana submitted by Mr. I. Parker Veazey, jr., and Mr. F. G. Dorety for the petitioner, and by Mr. Samuel Herrick and Mr. E. E. Enterline for the respondents.

No. 553. Missouri Pacific Railroad Company, petitioner, *v.* P. O. Warrick. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Vincent M. Miles and

Mr. Thomas B. Pryor for the petitioner, and by Mr. Samuel R. Chew for the respondent.

No. 555. General American Tank Car Corporation, petitioner, *v.* B. K. Goree, Receiver of Home Oil Refining Company of Texas. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Harold A. Ritz for the petitioner, and by Mr. J. H. Barurse, jr., and Mr. George E. Price for the respondent.

No. 557. James C. Davis, Agent, etc., plaintiff in error, *v.* Hettie McCree. Petition for a writ of certiorari herein submitted by Mr. J. Walter Dohany, Mr. Alexander L. Smith, and Mr. A. A. McLaughlin for the plaintiff in error in support of the petition, and by Mr. H. W. Fraser and Mr. P. R. Taylor for the defendant in error in opposition thereto.

No. 558. The St. Louis, Brownsville and Mexico Railway Company, petitioner, *v.* American Fruit Growers, Inc. Petition for a writ of certiorari to the St. Louis Court of Appeals of the State of Missouri submitted by Mr. James F. Green and Mr. Frank Andrews for the petitioner, and by Mr. John S. Leahy, Mr. Walter H. Saunders, and Mr. Lambert E. Walther for the respondent.

No. 559. Robert F. Raine, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Sardis Summerfield for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 560. Alfred Street, suing on behalf of himself and all other seamen, etc., petitioner, *v.* Shipowners Association of the Pacific Coast et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. H. W. Hutton for the petitioner, and by Mr. W. F. Sullivan, Mr. Edward J. McCutchen, Mr. Warren Olney, jr., and Mr. A. Crawford Greene for the respondents.

No. 561. Nypania Transportation Company, Inc., petitioner, *v.* Steam Lighter *Sagamore* et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James M. Gifford and Mr. Wilson B. Brice for the petitioner, and by Mr. Clarence Bishop Smith and Mr. Theodore L. Bailey for the respondents.

No. 564. Delia Salzer, plaintiff in error, *v.* The United States of America et al. Petition for a writ of certiorari herein submitted by Mr. Thomas Fleming Walsh for the plaintiff in error in support of the petition.

No. 567. Canton Company of Baltimore et al., petitioners, *v.* Andrew B. Brown, as Master of the Steamship *Santa Barbara*.

Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. R. E. Lee Marshall for the petitioners.

No. 568. Continental National Bank, petitioner, *v.* William H. Moore, jr., Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Samuel Poorman, jr., for the petitioner.

No. 569. The Baltimore & Ohio Railroad Company, petitioner, *v.* Paul L. Tustison. Petition for a writ of certiorari to the Court of Appeals, Eighth Judicial District, of the State of Ohio, submitted by Mr. S. H. Tolles for the petitioner, and by Mr. Roscoe M. Ewing for the respondent.

No. 570. Samuel O. Lazarus et al., petitioners, *v.* New York Central Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Roger Englar, Mr. Arthur W. Clement, and Mr. George E. Hargrave for the petitioners, and by Mr. William Mann for the respondent.

No. 572. Peter P. McDonough and Harry Rice, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Marshall B. Woodworth, Mr. Charles J. Heggerty, and Mr. W. D. Riter for the petitioners, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 574. Leon Hurwitz, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James T. Lloyd for the petitioner.

No. 576. Federal Trade Commission, petitioner, *v.* National Biscuit Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck and Mr. W. H. Fuller for the petitioner, and by Mr. Charles A. Vilas, Mr. George E. Shaw, and Mr. William C. Breed for the respondent.

No. 577. John Beartail et al., petitioners, *v.* Pauline F. Halsell. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Elias J. Van Court for the petitioners.

No. 579. St. Louis Southwestern Railway Company, petitioner, *v.* Henrietta Martin, Administratrix. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. J. R. Turney, Mr. A. H. Kiskaddon, and Mr. W. T. Wooldridge for the petitioner, and by Mr. T. Nathan Nall for the respondent.

No. 580. C. E. Schaff, as Receiver, etc., petitioner, *v.* Mrs. Beerah Riddlehuber, Administratrix. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas submitted by Mr. Joseph M. Bryson and Mr. C. S. Burg for the petitioner, and by Mr. N. B. Williams for the respondent.

No. 582. Marine Smokeless Coal Company, petitioner, *v.* Norfolk & Western Railway Company. Petition for a writ of certiorari to the Circuit Court of McDowell County, State of West Virginia, submitted by Mr. Thomas W. Shelton for the petitioner.

No. 585. Velma Pinnell, petitioner, *v.* St. Louis-San Francisco Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Allyn Smith for the petitioner, and by Mr. W. F. Evans and Mr. E. T. Miller for the respondent.

No. 586. The Baltimore & Ohio Railroad Company, petitioner, *v.* Harry L. Kast. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. S. H. Tolles for the petitioner, and by Mr. Roscoe M. Ewing for the respondent.

No. 587. Baltimore & Ohio Railroad Company, petitioner, *v.* John J. Flechtner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. S. H. Tolles for the petitioner, and by Mr. Roscoe M. Ewing for the respondent.

No. 588. The Baltimore & Ohio Railroad Company, petitioner, *v.* Evron Robertson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. S. H. Tolles for the petitioner, and by Mr. Luther Day for the respondent.

No. 591. The United States of America, petitioner, *v.* The Trenton Potteries Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck for the petitioner, and by Mr. R. V. Lindabury, Mr. Edward L. Katzenbach, and Mr. H. Snowden Marshall for the respondent.

No. 592. Rolph Navigation & Coal Company, Owner, etc., of the Barkentine *Rolph*, petitioner *v.* Demetrius Kohilas et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Jeremiah F. Sullivan for the petitioner, and by Mr. H. W. Hutton for the respondents.

No. 595. Mercantile Trust Company, petitioner, *v.* John F. Schlafly, Trustee of Temtor Corn & Fruit Products Company, Bankrupt. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Samuel A. Mitchell and Mr. S. L. Swarts for the petitioner, and by Mr. James C. Jones, Mr. Lon O. Hocker, and Mr. Frank H. Sullivan for the respondent.

No. 601. James Denaro, petitioner, *v.* American Cone & Wafer Company, Inc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William J. Hughes and Mr. William J. Hughes, jr., for the petitioner, and by Mr. Albert E. Dieterich and Mr. Frederick A. Tennant for the respondent.

No. 602. Security Manufacturing Company, petitioner, *v.* Supreme Manufacturing Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Ford W. Harris for the petitioner, and by Mr. William K. White for the respondent.

No. 603. New York Central Railroad Company, petitioner, *v.* Emanuel Gross. Petition for a writ of certiorari to the Supreme Court of the State of New Jersey submitted by Mr. Albert C. Wall for the petitioner, and by Mr. Robert Carey for the respondent.

No. 604. The Reading Company, petitioner, *v.* Marius Nielsen & Son, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. John R. Lazenby for the petitioner, and by Mr. Edward E. Blodgett for the respondent.

No. 605. James C. Davis, Director General of Railroads, petitioner, *v.* Marius Nielsen & Son, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. John R. Lazenby for the petitioner.

Nos. 606 and 607. National Security Company, petitioner, *v.* Hugh D. Mackenzie Company, Limited, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William J. Griffin and Mr. John M. Woolsey for the petitioner.

Nos. 608 and 609. Lydia Steamship Company, Claimant, etc., et al., petitioners, *v.* Hugh D. Mackenzie Company, Limited, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alvin C. Cass for the petitioners.

No. 610. James C. Davis, Director General of Railroads, petitioner, *v.* Arthur Gifford and Howard Gifford, Copartners, etc. Petition for writ of certiorari to the Supreme Court of the State of South Dakota submitted by Mr. O. W. Dynes for the petitioner, and by Mr. Lauritz Miller for the respondents.

No. 611. A. W. Pickford et al., as the Creditors' Committee of Empire Tire & Rubber Corporation, petitioner, *v.* Arthur H. Wood, as Sole Acting Receiver of Empire Tire & Rubber Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Herbert Noble and Mr. Hartwell P. Heath for the petitioner, and by Mr. John R. Hardin and Mr. Corwin Howell for the respondent.

No. 612. The Boylston National Bank of Boston, petitioner, *v.* David W. Wainhouse et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Frederic Gilbert Bauer for the petitioner, and by Mr. Louis Goldberg for the respondents.

No. 614. William Locke Paddon, petitioner, *v.* Una Margaret Locke Paddon. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. Walter C. Clephane and Mr. J. Wilmer Latimer for the petitioner.

No. 615. Nickolaos D. Zahadeires, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Marshall B. Woodworth for the petitioner.

No. 616. Fred E. Earles et al., petitioners, *v.* A. W. Drake Manufacturing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Joshua R. H. Potts for the petitioner, and by Mr. Melville Church for the respondent.

No. 617. Frank Kepl, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Dale D. Drain for the petitioner.

No. 618. Ernest E. Marks Company et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Court of Customs Appeals submitted by Mr. David D. Stansbury for the petitioners, and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Hoppin for the respondent.

No. 619. The Virginian Railway Company, petitioner, *v.* A. J. Mullens. Petition for a writ of certiorari to the Circuit Court of Wyoming County, State of West Virginia, submitted by Mr. H. T. Hall, Mr. G. A. Wingfield, and Mr. W. H. T. Loyall for the petitioner.

No. 620. W. R. Freeman et al., as Receivers of The Denver & Salt Lake Railroad Company, petitioner, *v.* George Grove. Petition for a writ of certiorari to the Supreme Court of the State of Colorado submitted by Mr. Milton Smith, Charles R. Brock, Mr. Elmer R.

Brock, and Mr. E. R. Campbell for the petitioners, and by Mr. Barnwell S. Stuart for the respondent.

No. 621. James C. Davis, Agent, petitioner, *v.* Northern Industrial Chemical Company. Petition for a writ of certiorari to the Superior Court of Suffolk County, State of Massachusetts, submitted by Mr. Arthur Willis Blackman for the petitioner, and by Mr. Lee M. Friedman and Mr. Louis B. King for the respondent.

No. 623. Sovereign Camp of the Woodmen of the World, petitioner, *v.* Alice C. Shelton. Petition for a writ of certiorari to the County Court of Frio County, State of Texas, submitted by Mr. Rufus S. Day for the petitioner.

No. 625. Duplex Derouen, Bankrupt, petitioner, *v.* Southwest Louisiana Farm Mortgage Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. R. Mitchell for the petitioner, and by Mr. Charles A. McCoy for the respondent.

No. 626. Benjamin Franklin Purnell et al., petitioners, *v.* John W. Hansel and Margaret Hansel, his wife. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William J. Barnard and Mr. H. T. Dewhirst for the petitioners.

No. 627. The Commonwealth-Atlantic National Bank of Boston, petitioner. Petition for a writ of certiorari to the Probate Court of Middlesex County, State of Massachusetts, submitted by Mr. Charles O. Pengra for the petitioner.

No. 628. Fidelity and Deposit Company of Maryland, petitioner, *v.* Bank of Waterproof. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Purnell M. Milner for the petitioner.

No. 630. Eva M. Sowers, petitioner, *v.* L. E. Kenworthy et al. Petition for a writ of certiorari to the Supreme Court of Colorado submitted by Mr. W. R. Ramsey for the petitioner.

No. 631. Steamship *Willdomino*, Her Engines, Boilers, etc., petitioner, *v.* Citro Chemical Company of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Francis Rawle, Mr. Joseph W. Henderson, Mr. George Whitefield Betts, jr., and Mr. George E. Sprague for the petitioner, and by Mr. D. Roger Englar and Mr. James D. Carpenter, jr., for the respondent.

No. 632. Steamship *Willdomino*, Her Engines, Boilers, etc., petitioner, *v.* Charles Pfizer & Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Francis Rawle, Mr. Joseph W. Henderson, Mr. George Whitefield Betts, jr., and Mr. George C. Sprague for the

petitioner, and by Mr. D. Roger Englar and Mr. James D. Carpenter, jr., for the respondent.

No. 633. Convoy Steamship Company, Ltd., Owner of the Steamship *Willdomino*, Her Engines, Boilers, etc., petitioner, *v.* Charles Pfizer & Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Francis Rawle, Mr. Joseph W. Henderson, Mr. George Whitefield Betts, jr., and Mr. George C. Sprague for the petitioner, and by Mr. D. Roger Englar and Mr. James D. Carpenter, jr., for the respondent.

No. 634. Great Western Power Company of California, petitioner, *v.* Milton Bernard, Trustee of Pacific Alloy and Steel Company, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Nat Schmulowitz for the petitioner, and by Mr. William H. Metson for the respondent.

No. 635. George Harrison, Trustee in Bankruptcy of The Western Rope & Manufacturing Company, Bankrupt, petitioner, *v.* Anna B. Chamberlain. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Samuel A. Mitchell and Mr. Philip Kates for the petitioner.

No. 637. Richard H. Field, petitioner, *v.* The Kansas City Refining Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Richard H. Field for the petitioner.

No. 640. G. L. Coleman, petitioner, *v.* W. T. Apple. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John S. Dean, Mr. Harry W. Colmery, and Mr. A. Scott Thompson for the petitioner, and by Mr. Edward E. Sapp for the respondent.

No. 641. Samuel N. McClean et al., petitioners, *v.* M. A. Bradley et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Roscoe M. Ewing for the petitioners, and by Mr. S. H. Tolles and Mr. John F. Wilson for the respondents.

No. 642. The Chesapeake & Ohio Railway Company, petitioner, *v.* Westinghouse, Church, Kerr & Company, Inc. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. David H. Leake and Mr. Walter Leake for the petitioner, and by Mr. Henry W. Anderson and Mr. Thomas B. Gay for the respondent.

No. 643. Walker D. Hines, late Director General of Railroads, petitioner, *v.* Westinghouse, Church, Kerr & Company, Inc. Petition for a writ of certiorari to the Supreme Court of Appeals of the

State of Virginia submitted by Mr. David H. Leake and Mr. Walter Leake for the petitioner, and by Mr. Henry W. Anderson and Mr. Thomas B. Gay for the respondent.

No. 644. Petrona Lim and Eugenio Evangelista, petitioner, *v.* Tomas Cabigao. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Antonio M. Opisso and Mr. James M. Sheridan for the petitioner, and by Mr. Henry W. Anderson and Mr. Thomas B. Gay for the respondent.

No. 647. Western Maryland Railway Company, petitioner, *v.* M. M. and D. D. Brown, Partners, etc. Petition for a writ of certiorari to the Circuit Court of Randolph County, State of West Virginia, submitted by Mr. E. A. Bowers for the petitioner, and by Mr. Fred O. Blue for the respondents.

No. 646. Cities Fuel & Power Company, petitioner, *v.* Joseph Button et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Thomas B. Gay, Mr. William J. Hughes, and Mr. Henry W. Anderson for the petitioner, and by Mr. Charles A. Douglas, Mr. Benjamin V. Becker, Mr. Lewis C. Williams, and Mr. Hugh H. Obear for the respondents.

No. 648. Western Maryland Railway Company, petitioner, *v.* M. M. and D. D. Brown, Partners, etc. Petition for a writ of certiorari to the Circuit Court of Randolph County, State of West Virginia, submitted by Mr. E. A. Bowers for the petitioner, and by Mr. Fred O. Blue for the respondents.

No. 654. J. L. Lancaster et al., Receivers, etc., plaintiffs in error, *v.* H. L. Smith et al. Petition for a writ of certiorari herein submitted by Mr. T. D. Gresham for the plaintiffs in error in support of the petition.

No. 657. Ernest A. Brady et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George Roscoe Davis for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 659. The First National Bank of Boston, petitioner. Petition for a writ of certiorari to the Probate Court of Essex County, State of Massachusetts, submitted by Mr. Charles L. Farringer and Mr. Edward E. Blodgett for the petitioner.

No. 663. The Chesapeake & Ohio Railway Company, petitioner, *v.* The A. F. Thompson Manufacturing Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. C. N. Davis for the petitioner.

No. 666. Morse Dry Dock & Repair Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Pierre M. Brown for the petitioner, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Ottinger, and Mr. J. Frank Staley for the respondent.

No. 670. Ellsworth Mason, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Ellsworth Mason for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondents.

No. 6. Board of Public Utility Commissioners of the State of New York, appellant *v.* Public Service Railway Company. Appeal from the District Court of the United States for the District of New Jersey. Dismissed, per stipulation.

No. 9. Pecos Water Users' Association, appellant, *v.* L. A. Swigart et al., Commissioners, etc. Appeal from the District Court of the United States for the District of New Mexico. Dismissed, per stipulation.

No. 27. Steel Producers Export Corporation, plaintiff in error, *v.* The Wilkoff Company. In error to the District Court of the United States for the Southern District of New York. Dismissed, per stipulation.

No. 97. Freiberg Mahogany Company, appellant, *v.* Biorn Biornstad & Company, of Christian, Norway, et al. Appeal from the District Court of the United States for the Eastern District of Louisiana. Dismissed with costs, on motion of counsel for the appellant.

No. 188. Dane County, Wisconsin, et al., plaintiffs in error, *v.* Charles H. Tyler et al., etc. In error to the District Court of the United States for the Western District of Wisconsin. Dismissed, per stipulation.

No. 208. Commonwealth of Australia et al., petitioners, *v.* John L. McLean, as Trustee in Bankruptcy, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed, per stipulation.

No. 355. Sumner Sollitt Company, petitioner, *v.* Anna Belle Ellison, etc., et al. On petition for a writ of certiorari to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas. Dismissed, per stipulation.

No. 422. Chicago Great Western Railroad Company, petitioner, *v.* A. D. Schendel, as Special Administrator of the Estate of Edmund Ludwig Ring, deceased. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Tom Davis and Mr. Ernest A. Michel for the respondent in support of the motion, and by Mr. Asa G. Briggs for the petitioner in opposition thereto.

No. 557. James C. Davis, the Agent under Section 206, Transportation Act, 1920, plaintiff in error, *v.* Hettie McCree. Motion to dismiss submitted by Mr. H. W. Fraser for the defendant in error in support of the motion, and by Mr. J. Walter Dohany, Mr. Alexander L. Smith, and Mr. A. A. McLaughlin for the plaintiff in error in opposition thereto.

No. 2. First National Bank of Council Bluffs, Iowa, etc., appellant, *v.* J. D. Hannan, County Auditor, etc., et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, per stipulation.

No. 4. Panama Railroad Company, plaintiff in error, *v.* James Rock. Submitted by Mr. Walter F. Van Dame for the plaintiff in error, and by Mr. William C. Todd for the defendant in error.

No. 16. Railroad & Warehouse Commission of the State of Minnesota et al. *v.* The Duluth Street Railway Company. Continued.

No. 3. Frank Gonsalves, appellant, *v.* Morse Dry Dock & Repair Company. Argued by Mr. Joseph Larocque for the appellant, and by Mr. Charles J. McDermott for the appellee.

No. 12. C. N. Love et al., plaintiffs in error, *v.* James S. Griffith et al. Argued by Mr. R. D. Evans for the plaintiffs in error. No brief filed for the defendant in error.

No. 13. Savage Arms Corporation, appellant, *v.* The United States. Argued by Mr. Jesse C. Adkins for the appellant, and by Mr. Blackburn Esterline for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 7, will be as follows: Nos. 21, 22, 23, 29, 36, 37, 39, 40, 41, and 42.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Lyman E. Dodge, of New York City; Louis J. Canepa, of Los Angeles, Calif.; Richard T. Evans, of Boston, Mass.; Claro M. Recto, of Manila, P. I.; Henry Heath, of Washington, D. C.; Nathaniel F. Breen, of Watertown, N. Y.; and E. R. Wilcox, of Watertown, N. Y., were admitted to practice.

No. 21. Northern Pacific Railway Company, appellant, *v.* The United States. Submitted by Mr. Alexander Britton and Mr. Lawrence H. Cake for the appellant, and by Mr. Blackburn Esterline for the appellee.

No. 29. The Louisville & Nashville Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed, pursuant to the tenth rule, on motion of Mr. Blackburn Esterline for the appellee.

No. 39. Hubert Work, Secretary of the Interior, appellant, *v.* The State of Louisiana. Passed, per stipulation, on motion of Mr. Blackburn Esterline in that behalf.

No. 40. The United States of America, petitioner, *v.* Gulf Refining Company. Continued, on motion of Mr. Blackburn Esterline for the petitioner.

No. 22. Chicago Great Western Railroad Company, appellant, *v.* Nathan E. Kendall, Governor of the State of Iowa, et al.; and

No. 23. Chicago, Rock Island & Pacific Railway Company, appellant, *v.* Nathan E. Kendall, Governor of the State of Iowa, et al. Argument commenced by Mr. Donald Evans for the appellant in No. 22; continued by Mr. J. G. Gamble for the appellant in No. 23; by Mr. Ben J. Gibson for the appellees; and concluded by Mr. J. G. Gamble for the appellant in No. 23. Leave granted counsel for the appellants to file briefs within ten days, with leave to counsel for the appellees to file reply thereto within one week thereafter.

No. 36. Claude E. Barnes, plaintiff in error, *v.* The People of the State of New York. Argument commenced by Mr. Nathaniel F. Breen for the plaintiff in error. The court declined to hear further argument.

No. 37. Nassau Smelting & Refining Works, Ltd., plaintiff in error, *v.* The United States of America. Argued by Mr. Alfred A. Wheat for the defendant in error, and submitted by Mr. A. S. Gilbert for the plaintiff in error.

No. 41. Endicott-Johnson Corporation, plaintiff in error, *v.* Encyclopedia Press, Inc. Submitted by Mr. Maurice E. Page for the plaintiff in error, and by Mr. Thomas B. Merchant for the defendant in error.

No. 42. James Shewan & Sons, Inc., appellant, *v.* The United States of America. Argument commenced by Mr. J. Frank Staley for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 8, will be as follows: Nos. 42, 44, 45, 46, 47, 48 (and 49 and 50), 51, 52, 53, and 54.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

William J. Donovan, of Buffalo, N. Y.; E. L. Stapp, of Miami, Fla.; D. Basil O'Connor, of New York City; W. R. L. Taylor, of Norfolk, Va.; Jerome Michael, of New York City; Paul Shipman Andrews, of Syracuse, N. Y.; Benjamin D. Holt, of Cleveland, Ohio; Edgar M. Powers, of Cincinnati, Ohio; Dudley K. Henderson, of Cleveland, Ohio; J. Verser Conner, of Louisville, Ky.; and J. Raymond Gordon, of Charleston, W. Va., were admitted to practice.

No. 45. Thomas Agnello et al., petitioners, *v.* The United States of America. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Swagar Shirley for the petitioner.

No. 48. Federal Trade Commission, plaintiff in error, *v.* Hammond, Snyder & Company:

No. 49. Federal Trade Commission, plaintiff in error, *v.* Baltimore Grain Company; and

No. 50. Federal Trade Commission, plaintiff in error, *v.* H. C. Jones Company, Inc. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. W. Ainsworth Parker in that behalf.

No. 29. The Louisville & Nashville Railroad Company, appellant, *v.* The United States. Order of dismissal entered October 7 vacated; cause restored to the docket: ordered that record be printed and cause submitted on briefs within thirty days, on motion of Mr. Benjamin Carter for the appellant.

No. 44. James C. Davis, Agent, plaintiff in error, *v.* George D. Henderson. Submitted by Mr. A. A. McLaughlin, Mr. Thomas B. Pryor, and Mr. Vincent M. Miles for the plaintiff in error. No brief filed for the defendant in error.

No. 53. Joshua W. Miles, formerly United States Collector of Internal Revenue for the District of Maryland, plaintiff in error, *v.* Samuel J. Graham. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 54. Missouri Pacific Railroad Company, petitioner, *v.* R. L. Hanna. Submitted by Mr. Thomas B. Pryor and Mr. Edward J. White for the petitioner, and by Mr. Arthur L. Adams for the respondent.

No. 42. James Shewan & Sons, Inc., appellant, *v.* The United States of America. Argument continued by Mr. George V. A. McCloskey for the appellant, and concluded by Mr. J. Frank Staley for the appellee.

No. 46. The Ferries Company, appellant, *v.* The United States of America. Argued by Mr. W. R. L. Taylor for the appellant, and by Mr. Alfred A. Wheat for the appellee.

No. 47. The United States of America *v.* Steamship *Coamo*, Her Engines, etc. Argued by Mr. Assistant Attorney General Otis for the United States, and by Mr. Ray Rood Allen for steamship *Coamo*, her engines, etc.

No. 51. Erie Railroad Company, petitioner, *v.* Martin Kirkendall. Argument commenced by Mr. Benjamin D. Holt for the petitioner, continued by Mr. D. K. Henderson for the respondent, and concluded by Mr. Edward A. Foote for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 9, will be as follows: Nos. 52, 55 (and 59), 57, 58, 60, 61, 62, 63, 64, and 66.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

John C. Travis, of Omaha, Nebr.; John O. Yeiser, of Omaha, Nebr.; Edward Petrillo, of Erie, Pa.; Maud Fellheimer, of Washington, D. C.; Laura H. Halsey, of Washington, D. C.; H. Helen Epstein, of Washington, D. C.; John F. Lundquist, of Washington, D. C.; John Dale, of Vidalia, La.; Ralph D. Epps, of Sumter, S. C.; Gaston Louis Porterie, of Marksville, La.; Andrew Bradford Booth, jr., of New Orleans, La.; William McElwee, of New Castle, Pa.; James W. Rhodes, of New Castle, Pa.; John C. Kramer, of Washington, D. C.; David H. Hopkins, of Cleveland, Ohio; Ernest S. Merrill, of Norfolk, Va.; J. Philip Clifford, of Clarksburg, W. Va.; Clarence G. Fisher, of Washington, D. C.; and Mary Grace McVey, of Washington, D. C., were admitted to practice.

Nos. 606 and 607. National Surety Company, petitioner, *v.* Hugh D. Mackenzie Company, Limited, et al.; and

Nos. 608 and 609. Lydia Steamship Company, Claimant of the Steamship *Lydia*, her engines, etc., petitioner, *v.* Hugh D. Mackenzie Company, Limited, et al. Leave granted to file brief for the respondents herein within two weeks, on motion of Mr. J. H. Billery in behalf of counsel for the respondent.

No. —, original. Ex parte In the matter of Ralph Tincher, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein submitted by Mr. J. Raymond Gordon for the petitioner.

No. 58. Southern Camp, Woodmen of the World, appellant, *v.* E. E. O'Neill et al. Submitted by Mr. T. D. Gresham for the appellant. No appearance for the appellees.

No. 52. Edward P. Avent, jr., plaintiff in error, *v.* The United States of America. Argued by Mr. Frank E. Wood for the plaintiff in error and by Mr. Blackburn Esterline for the defendant in error.

No. 55. Louis B. Mackenzie, petitioner, *v.* A. Englehard & Sons Company; and

No. 59. A Engelhard & Sons Company, petitioner, *v.* Louis B. Mackenzie. Argument commenced by Mr. William Marshall Bullitt for Louis B. Mackenzie, continued by Mr. J. Verser Conner for A. Engelhard & Sons Company, and concluded by Mr. William Marshall Bullitt for Louis C. Mackenzie.

No. 57. J. H. Hines Company, Inc., et al., plaintiffs in error, *v.* Amet Guillot, Sheriff, etc., et al. Argument commenced by Mr. John Dale for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 10, will be as follows: Nos. 57, 60, 61, 63, 64, 66, 67, 68, 69, and 62.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

George Hay Kain, of York, Pa.; Walter Alden Dane, of Boston, Mass.; I. V. McPherson, of Aurora, Mo.; Moe Goldstein, of Binghams, N. Y.; R. O. Purdy, of Sumter, S. C.; and Davis D. Moise, of Sumter, S. C., were admitted to practice.

No. 76. Sumter Gas & Power Company, appellant, *v.* The City of Sumter et al. Stipulation and motion to remand to the District Court of the United States for the Eastern District of South Carolina with direction to dismiss the bill without prejudice, granted, on motion of Mr. G. L. B. Rivers for the appellant.

No. 67. Missouri Pacific Railroad Company et al., plaintiffs in error, *v.* Western Crawford Road Improvement District. Submitted by Mr. Harry P. Warner, Mr. Thomas B. Pryor, Mr. W. F. Evans, and Mr. Edward J. White for the plaintiffs in error, and by Mr. E. L. Matlock for the defendant in error.

No. 69. David W. Sweyden, petitioner, *v.* The State of Kansas ex rel. Albert C. Whittaker, etc. On petition for a writ of certiorari to the Supreme Court of the State of Kansas. Dismissed, for failure to prosecute.

No. 57. J. H. Hines Company, Inc., et al., plaintiffs in error, *v.* Amet Guillot, Sheriff, etc., et al. Argument continued by Mr. John Dale for the plaintiffs in error, and concluded by Mr. G. L. Porterie for the defendant in error.

No. 60. James C. Davis, Agent, etc., petitioner, *v.* J. M. Currie. Argued by Mr. Douglas McKay for the petitioner, and by Mr. L. D. Jennings for the respondent.

No. 61. Fred N. Crouch, Guardian, etc., plaintiff in error, *v.* The United States of America. Argument commenced by Mr. James G. Martin for the plaintiff in error, continued by Mr. Assistant Attorney General Donovan for the defendant in error, and concluded by Mr. E. S. Merrill for the plaintiff in error. Leave granted counsel for the plaintiff in error to file an additional brief herein within one week.

No. 63. James C. Davis, Agent, etc., petitioner, *v.* John O'Hara. Argument commenced by Mr. C. A. Magaw for the petitioner, and continued by Mr. John O. Yeiser for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 13, will be as follows: Nos. 63, 64, 66, 68, 62, 70, 71, 72, 73, and 74.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

C. W. Middlekauff, of Freeport, Ill.; Robert H. Montgomery, of New York City; J. Marvin Haynes, of Washington, D. C.; Chester J. McGuire, of Washington, D. C.; Thaddeus Greene Benton, of Washington, D. C.; Walter Bernard Gibbons, of Philadelphia, Pa.; Harry C. Kohlhas, jr., of Philadelphia, Pa.; William H. Whitaker, of Philadelphia, Pa.; Charles A. Donnelly, of Philadelphia, Pa.; George S. Wolbert, of Philadelphia, Pa.; Arthur C. Keefer, of Mount Rainier, Md.; Needham C. Turnage, of Washington, D. C.; Stanley H. Udy, of Chicago, Ill.; Charles E. Kern, of Washington, D. C.; Rollin E. Gish, of Tulsa, Okla.; John V. Campbell, of Cincinnati, Ohio; Francis I. Fallon, of New York City; and Allen S. Olmstead, 2d, of Philadelphia, Pa., were admitted to practice.

No. 115. Terminal Railroad Association of St. Louis et al. appellants, *v.* The United States of America et al. Appeal from the District Court of the United States for the Eastern District of Missouri. Decree reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 127. Ziang Sung Wan, petitioner, *v.* The United States of America. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 14, original. The United States, complainant, *v.* The State of Washington. Stipulation as to decree approved; and decree entered.

No. —, original. *Ex parte* In the matter of Kingston Dry Dock and Construction Company, petitioner. Motion for leave to file petition for a writ of prohibition and/or a writ of mandamus herein denied.

No. 576. Federal Trade Commission, petitioner, *v.* National Biscuit Company. Motion for leave to file brief of National Association of Retail Grocers et al., as amici, herein, granted.

No. 295. F. A. Cocke, plaintiff in error, *v.* Morgan's Louisiana and Texas Railroad and Steamship Company et al. Consideration of the motion to transfer this case to the United States Circuit Court of Appeals postponed, the case placed upon the summary docket, and assigned for argument on Monday, December 1 next.

No. 391. The United States of America, plaintiff in error, *v.* Joseph Weissman et al. Motion to advance granted; and cause assigned for argument on Monday, December 1 next, after the case heretofore assigned for that day.

No. 596. John J. McGrain, Deputy Sergeant at Arms of the United States Senate, appellant, *v.* Mally S. Daugherty. Motion to advance granted; and cause assigned for argument on Monday, December 1 next, after the case heretofore assigned for that day.

No. 550. DeWitt T. Law, plaintiff in error, *v.* The United States of America. Motion to advance granted; and cause assigned for argument on Monday, December 1 next, after the cases heretofore assigned for that day.

No. 669. United Fuel Gas Company, appellant, *v.* The Public Service Commission of West Virginia et al. Motion to advance denied.

No. 523. Charles Marx, Executor, plaintiff in error. *v.* Elizabeth Reinecke. Motion to advance denied.

No. 56. Central Union Trust Company of New York, plaintiff in error, *v.* William H. Edwards, as collector of United States Internal Revenue for the Second District of New York. In error to the United States Circuit Court of Appeals for the Second Circuit. Per curiam: Dismissed for the want of jurisdiction, on the authority of Judicial Code, section 128. Spreckels Sugar Refining Co. *v.* McClain, 192 U. S. 397; McFadden *v.* United States, 213 U. S. 288; Kennard *v.* Nebraska, 186 U. S. 304, 308.

No. 218. W. L. Stickel, plaintiff in error, *v.* Big Laurel Coal Company. In error to the District Court of the United States for the Southern District of West Virginia. Per curiam: Dismissed for the want of jurisdiction, upon the authority of King *v.* Mullins, 171 U. S. 404; King *v.* West Virginia, 216 U. S. 92; Fay *v.* Crozer, 217 U. S. 455.

No. 65. Max Wulfsohn et al., plaintiffs in error, *v.* Russian Socialist Federated Soviet Republic. In error to the Supreme Court of the State of New York. Per curiam: Dismissed for the want of

jurisdiction upon the authority of the act of September 6, 1915, c. 448, sec. 2, 39 Stat. 726; *Oliver American Trading Co., Inc. v. Government of the United States of Mexico*, 264 U. S. 440.

No. 21. *Northern Pacific Railway Company*, appellant, *v. The United States*. Appeal from the Court of Claims. Per curiam: Judgment affirmed. on the authority of *Oregon-Washington Railroad & Navigation Co. v. United States*, 255 U. S. 339.

No. 36. *Claude E. Barnes*, plaintiff in error, *v. People of the State of New York*. In error to the County Court of Jefferson County, State of New York. Per curiam: Dismissed on the authority of *Vigliotti v. Pennsylvania*, 258 U. S. 403; *Molinari v. Maryland*, 263 U. S. 685; *Hixon v. Oakes*, 265 U. S. 254; *Kennedy v. United States*, 265 U. S. 344.

No. 57. *J. H. Hines Company, Inc., et al.*, plaintiffs in error, *v. Amet Guillot, Sheriff and Ex Officio Tax Collector of Avoyelles Parish, Louisiana*. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for the want of jurisdiction upon the authority of the Stat. of September 6, 1916, c. 448, sec. 2, 39 Stat. 726.

No. —, original. Ex parte In the matter of *Ralph Tincher*, petitioner. Motion for leave to file petition for a writ of habeas corpus herein denied, without prejudice to an application to be presented to the Circuit Justice assigned to the Fourth Circuit.

No. 678. *Enrique del Pozo y Marcos et al.*, appellants *v. Wilson Cypress Company*. Motion to accept a limited number of printed copies of the record granted.

No. 435. *Independent Wireless Telegraph Company*, petitioner, *v. Radio Corporation of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 515. *The United States of America et al.*, petitioners. *v. Henry H. Kaufman, Trustee in Bankruptcy, etc., et al.*; and

No. 516. *The United States of America et al.*, petitioners, *v. Alfred C. Coxe, jr., Receiver of Jones and Baker, Alleged Bankrupts*. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 374. *Oliver Bower*, petitioner, *v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 380. *Alaska Electric Light & Power Company*, petitioner, *v. City of Juneau et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 390. Serena G. Levy, petitioner, *v.* S. H. Kress & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 399. Ralph Sabbatino et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 400. Edward S. Huff, petitioner, *v.* Henry Ford. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 410. The State of Arkansas *ex rel.* J. S. Utley, Attorney General for the State of Arkansas for the use and benefit of Craighead County, Arkansas, plaintiff in error, *v.* St. Louis-San Francisco Railway Company et al. Petition for a writ of certiorari herein denied.

No. 416. Elkton Electric Company, Inc., plaintiff in error, *v.* Thomas W. Perkins et al. Petition for a writ of certiorari herein denied.

No. 424. Pacific Rice Growers Association et al., petitioner, *v.* Lake Charles Rice Milling Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 428. H. W. Swender, petitioner, *v.* Walter V. Empie. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 431. Winthrop Smith, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 434. J. H. Leverkusuhn, alias Jack Leverkusuhn, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 437. John A. Grogan, Collector of Internal Revenue of the United States for the First District of Michigan, petitioner, *v.* Bryant Walker, Executor of the Last Will of Charles A. Kent, deceased. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 445. Baird Rubber & Trading Company, Inc., petitioner *v.* George D. Bates, as Trustee in Bankruptcy of the Portage Rubber Company, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 448. William J. Dolloff, petitioner, *v.* Steam Tug *Charlotte*, Her Engines, etc., Frank F. and Charles Fix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 459. Charles H. Tynan, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 463. Oscar W. Uhrich et al., doing business under the name and style of Atchison Revolving Door Company, *v.* Van Kannel Revolving Door Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 464. Erie Railroad Company, petitioner, *v.* William F. Regan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 467. M. B. Penton, petitioner, *v.* New Orleans & Northeastern Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 468. Des Moines Wholesale Grocer Company, petitioner, *v.* William C. Fraser, Trustee of the Nebraska-Iowa Mercantile Company, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 473. Kentucky Coke Company, petitioner, *v.* Keystone Gas Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 483. R. H. Clements et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 492. Alfred H. Cowles, petitioner, *v.* Franz A. Rody. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 493. Globe Indemnity Company, petitioner, *v.* Sulpho-Saline Bath Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 499. Mrs. Margaret G. Lawrence, petitioner, *v.* Atlantic Paper & Pulp Corporation, Bankrupt; and

No. 500. Samuel C. Lawrence, petitioner, *v.* Atlantic Paper & Pulp Corporation. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 503. John H. McCallum et al., constituting the Board of State Harbor Commissioners, etc., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 504. William H. Muller & Company, Inc., petitioner, *v.* The Plisson Steam Navigation Company, Limited, et al.;

No. 505. William H. Muller & Company, Inc., petitioner, *v.* Natale Suttore, Master of the Italian Steamship *Clara Camus*, and as Agent, etc.; and

No. 506. William H. Muller & Company, Inc., petitioner, *v.* Erik Fingalsen, Master of the Norwegian Steamship *Oevre*, and as Agent, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 510. The United States of America ex rel. Joe Shew, next friend of Lee Shear She, petitioner, *v.* W. L. James, Master, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 512. Charles Broadway Rouss, Inc., petitioner, *v.* The Winchester Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 513. J. E. Hamilton, petitioner, *v.* The Empire Gas & Fuel Company et al.; and

No. 514. E. A. Shriver et al., petitioners, *v.* The Empire Gas & Fuel Company et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 517. Douglas A. Conklin, petitioner, *v.* New York Central Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 519. Mobile & Ohio Railroad Company, petitioner, *v.* C. M. Wood. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 520. Cora Schuler et al., petitioners, *v.* Wilhelmine Ohlendick. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 521. Clifford C. Emmich, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 457. American Express Company Aktieselskab, petitioner, *v.* The United States of America, Owner of the Steamship *Hoxie*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied for failure to file in time.

No. 649. Ulster Steamship Company, Limited, et al., petitioners, *v.* Board of Commissioners of the Port of New Orleans. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Forney Johnston in behalf of Mr. George H. Terribery for the petitioner.

No 68. The United States of America et al., appellants, *v.* Pennsylvania Railroad Company. Motion for leave to file a brief herein as amicus curiae submitted by Mr. William A. Glasgow, jr., for the Manufacturers Association of York, Pennsylvania; and motion denied.

No. 656. Luisa Lim, petitioner, *v.* Tomas Cabigao. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. James M. Sheridan for the petitioner; with leave to counsel for the respondent to file a brief hereafter.

No. 491. Andrew W. Mellon, Secretary of the Treasury of the United States, et al., appellants, *v.* The Orinoco Iron Company. Motion to dismiss or affirm submitted by Mr. William R. Harr for the appellee in support of the motion, and by Mr. Solicitor General Beck for the appellants in opposition thereto.

No. 671. Clyde H. Finley, Receiver, et al., plaintiffs in error, *v.* United Mine Workers of America et al. Motion to advance submitted by Mr. H. S. Drinker, jr., in that behalf.

No. 689. Atlantic Refining Company, Owner, etc., petitioner, *v.* Merritt & Chapman Derrick and Wrecking Company; and

No. 690. Atlantic Refining Company, Owner, etc., petitioner, *v.* Pilots' Association for Bay and River Delaware, Owner, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Howard M. Long, Mr. Harrington Putnam, and Mr. Francis S. Brown for the petitioner, and by Mr. Otto Wolff, jr., for the respondent.

No. 639. Fred F. Walz, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway Company. Petition for a writ of certiorari to the Appellate Court of the State of Illinois submitted by Mr. Paul A. Neuffer for the petitioner, and by Mr. O. W. Dynes for the respondent.

No. 645. Clarence H. Shively, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John F. Dore for the petitioner.

No. 687. George H. Winn, petitioner, *v.* Ambrose E. Elliott et al. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. I. N. Watson and Mr. Henry N. Ess for the petitioner, and by Mr. Alfred N. Gossett for the respondents.

No. 119. Fidelity & Columbia Trust Company, Administrator, etc., plaintiff in error, *v.* The Commonwealth of Kentucky. In error to the Court of Appeals of the State of Kentucky. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 447. American Surety Company of New York, plaintiff in error, *v.* Peter O'Shea. In error to the Supreme Court of the State of Nebraska. Dismissed with costs, per stipulation.

No. 70. Herman G. Gerdes, as Trustee in Bankruptcy of Abraham Lustgarten, Bankrupt, petitioner, *v.* Abraham Lustgarten. Submitted by Mr. Moses Cohen for the petitioner, and by Mr. Laurence J. Bershard for the respondent.

No. 72. John F. Otis, petitioner. *v.* The People of the State of New York. On petition for a writ of certiorari to the County Court of Oswego County, State of New York. Dismissed for failure to prosecute.

No. 63. James C. Davis, Agent, etc., petitioner, *v.* John O'Hara. Argument continued by Mr. John O. Yeyser and Mr. John C. Travis for the respondent, and concluded by Mr. Nelson H. Loomis for the petitioner.

No. 64. Endicott Johnson Corporation, plaintiff in error, *v.* William H. Smith. Argument commenced by Mr. Maurice E. Page for the plaintiff in error. The court declined to hear further argument.

No. 66. Sam Silberschein, plaintiff in error, *v.* The United States of America. Argued by Mr. Rowland W. Fixel for the plaintiff in error, and by Mr. Assistant Attorney General Donovan for the defendant in error.

No. 68. The United States of America and The Interstate Commerce Commission, appellants, *v.* Pennsylvania Railroad Company. Argument commenced by Mr. Blackburn Esterline for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 14, will be as follows: Nos. 68, 62, 71, 73, 74, 75, 77, 78, 79, and 80.

SUPREME COURT OF THE UNITED STATES.

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

George D. Hile, of Cleveland, Ohio; J. L. London, of St. Louis, Mo.; Carl F. Shuler, of Cleveland, Ohio; E. G. Wilson, of Tulsa, Okla.; and James M. Springer, of Tulsa, Okla., were admitted to practice.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Tennessee. Motion for leave to L. M. Crawford to present oral argument by his counsel as *amicus curiae* herein submitted by Mr. S. R. Prince in that behalf.

No. 80. The United States of America, petitioner, *v.* Edward H. Childs, Trustee, etc. Submitted by Mr. Solicitor General Beck, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the petitioner, and by Mr. Moses Cohen for the respondent.

No. 68. The United States of America et al., appellants, *v.* Pennsylvania Railroad Company. Argument continued by Mr. Blackburn Esterline for the United States, by Mr. Henry Wolf Bikle for the appellee, and concluded by Mr. P. J. Farrell for the Interstate Commerce Commission.

No. 62. Aetna Life Insurance Company et al., plaintiffs in error, *v.* Mrs. Pearl Stone Dunken, Administratrix. Argued by Mr. W. J. Moroney for the plaintiffs in error, and submitted by Mr. C. A. Boynton, Mr. W. E. Spell, and Mr. J. A. Stanford for the defendant in error.

No. 71. Southern Railway Company et al., plaintiffs in error, *v.* The City of Durham, North Carolina. Argument commenced by Mr. W. M. Hendren for the plaintiffs in error, continued by Mr. James S. Manning for the defendant in error, and concluded by Mr. F. M. Rivinus for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 15, will be as follows: Nos. 73, 74, 75, 77, 78, 79, 82, 83, 84, and 85.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

James W. Woodford, of Tulsa, Okla.; Conrad E. Cooper, of Tulsa, Okla.; Henry M. Gray, of Tulsa, Okla.; Mark T. Davis, of Saginaw, Mich.; W. E. Norvell, jr., of Nashville, Tenn.; and James Metzenbaum, of Cleveland, Ohio, were admitted to practice.

No. 83. Chicago, Milwaukee & St. Paul Railway Company, appellant, *v.* The United States. Passed, and assigned for argument on Monday, November 17 next, after the cases heretofore assigned for that day, on motion of Mr. Benjamin Carter for the appellant.

No. 73. John V. Campbell, plaintiff in error, *v.* The United States of America. Argued by Mr. John V. Campbell, pro se, and by Mr. Alfred A. Wheat for the defendant in error.

No. 74. Max M. Horowitz, appellant, *v.* The United States. Argued by Mr. Raymond M. Hudson for the appellant, and by Mr. M. E. Otis for the appellee.

No. 75. John D. Flanagan, petitioner, *v.* Federal Coal Company. Argued by Mr. James J. Lynch for the petitioner, and by Mr. Charles C. Moore for the respondent.

No. 77. Frank S. Myers, appellant, *v.* The United States. Passed, and assigned for argument on Monday, November 17 next, after the cases heretofore assigned for that day, on motion of Mr. Solicitor General Beck for the appellee.

No. 78. Erie Coal & Coke Company, appellant, *v.* The United States. Argument commenced by Mr. John S. Wise, jr., for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 16, will be as follows: Nos. 78, 79, 82, 84, 85, 86, 87, 88, 89, and 90.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

I. T. Ringolsky, of Kansas City, Mo.; Edward M. Heath, of New Orleans, La.; and S. Lasker Ehrman, of Little Rock, Ark., were admitted to practice.

No. 87. Chriss Landsberg, petitioner, *v.* The San Francisco & Portland Steamship Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. George E. Chamberlain in that behalf.

No. 88. Charlotte Anita Whitney, plaintiff in error, *v.* The People of the State of California. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Bernard W. McElroy in that behalf.

No. 78. Erie Coal & Coke Corporation, appellant, *v.* The United States. Argument continued by Mr. John S. Wise for the appellant. The court declined to hear further argument.

No. 79. J. W. Sunderland, appellant, *v.* The United States of America. Argument commenced by Mr. E. G. Wilson for the appellant, continued by Mr. H. L. Underwood for the appellee, and concluded by Mr. J. M. Springer for the appellant.

No. 82. B. Fernandez & Bros., Successors, petitioner, *v.* Leonor Ayellon y Ojeda, etc., et al. Argument commenced by Mr. Philip N. Jones for the petitioners, continued by Mr. Reeves T. Strickland for the respondents, and concluded by Mr. Philip N. Jones for the petitioners; and submitted by Mr. Frederick S. Tyler and Mr. Frank Antonsanti for the petitioner Julian Silva Hubadron.

No. 84. George D. Hile, a Taxpayer, plaintiff in error, *v.* The City of Cleveland. Argument commenced by Mr. George D. Hile, pro se. The court declined to hear further argument.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 17, will be as follows: Nos. 85, 86, 89, 90, 91, 92 (and 93), 94, 95, 96, and 98.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Alex. H. Quillan, of New York City, and Robertson Honey, of New York City, were admitted to practice.

No. 85. James C. Davis, Agent, petitioner, *v.* Mrs. Mary Kennedy, Administratrix. Argued by Mr. Fitzgerald Hall for the petitioner, and by Mr. W. E. Norvell, jr., for the respondent.

No. 86. Harry Glassman, petitioner, *v.* Robert C. Rand, Temporary Receiver, etc. Continued, per stipulation.

No. 89. The State of Missouri *ex rel.* The St. Louis, Brownsville & Mexico Railway Company, plaintiff in error, *v.* Wilson A. Taylor, Judge. Argued by Mr. M. U. Hayden for the plaintiff in error and petitioner, and by Mr. J. L. London for the defendant in error and respondent.

No. 90. Southern Oil Corporation, plaintiff in error, *v.* Yale Natural Gas Company. Argument commenced by Mr. Henry M. Gray for the plaintiff in error, and continued by Mr. Rollin E. Gish for the plaintiff in error. The court declined to hear further argument.

No. 91. Tampa-Inter-Ocean Steamship Company, Inc., plaintiff in error, *v.* The State of Louisiana. Argument commenced by Mr. George H. Terriberry for the plaintiff in error, and continued by Mr. Edward M. Heath for the defendant in error. Case continued, with leave to counsel for the defendant in error to present a motion to reargue principles of the case of No. 141, October Term, 1923, Texas Transport & Terminal Company, Inc., *v.* The City of New Orleans, decided February 18, 1924 (reported in 264 U. S., 150).

No. 92. Mrs. M. L. House, plaintiff in error, *v.* Road Improvement District No. 2 of Conway County, Arkansas, et al. Argument commenced by Mr. Joseph M. Hill for the plaintiff in error, and continued by Mr. George B. Rose for the defendants in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 20, will be as follows: Nos. 92, 93, 94, 95, 96, 98, 99, 100, 101, and 102.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

June P. Wooten, of Little Rock, Ark.; Omar T. McMahon, of Milwaukee, Wis.; Joseph Randolph Woodruff, of Newark, N. J.; Samuel Lawrence Finn, of Dayton, Ohio; Irving J. Solomon, of Chicago, Ill.; M. Randolph Calhoun, of Washington, D. C.; Peter J. McLoughlin, of Worcester, Mass.; Frederick R. Gibbs, of Washington, D. C.; Frederick H. Lotterhos, of Jackson, Miss.; and Edward J. Dempsey, of Cincinnati, Ohio, were admitted to practice.

No. 31. Air-way Electric Appliance Corporation, appellant, *v.* Harry S. Day, Treasurer of the State of Ohio, et al.; and

No. 32. Harry S. Day, Treasurer of the State of Ohio, et al., appellants, *v.* Air-way Electric Appliance Corporation. Appeals from the District Court of the United States for the Southern District of Ohio. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 246. Sam Michaelson et al., petitioners, *v.* The United States ex rel. Chicago, St. Paul, Minneapolis & Omaha Railway Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment reversed; and cause remanded to the District Court of the United States for the Western District of Wisconsin for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 232. S. C. Sandefur *v.* Canoe Creek Coal Company. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit. Question certified answered in the affirmative. Opinion by Mr. Justice Sutherland.

No. 404. October Term, 1922. Thomas D. McCarthy, United States Marshal for the Southern District of New York, appellant, *v.* Jules W. Arndstein. Appeal from the District Court of the United States for the Southern District of New York. Decree reaffirmed. Opinion by Mr. Justice Brandeis.

No. 12. C. N. Love et al., plaintiffs in error, *v.* James S. Griffith et al. In error to the Court of Civil Appeals, First Supreme Judicial District, of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. —, original. *Ex parte* In the matter of Ivan Glavadanovic, petitioner. Motion for leave to file petition for a writ of habeas corpus herein denied, without prejudice to an application in the District Court of the United States for the District of Kansas.

No. —, original. *Ex parte* In the matter of Frank W. Cardigan, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein denied, without prejudice to an application in the District Court of the United States for the District of Kansas.

No. —. A. Stanley Copeland, petitioner. Petition for a writ of error herein, referred to the circuit justice by this court, denied.

No. 348. Realty Holding Company, appellant, *v.* Lavina B. Donaldson. Further consideration of the motion to dismiss or affirm in this cause postponed to the hearing of the cause on the merits.

No. 422. Chicago Great Western Railroad Company, petitioner, *v.* A. D. Schendel, as Special Administrator of the Estate of Edmund Ludwig Ring, deceased. Further consideration of the motion to dismiss or affirm in this cause postponed to the hearing of the cause on the merits; cause placed on the summary docket, and assigned for argument on Monday, January 5 next.

No. 557. James C. Davis, the Agent under Section 206, Transportation Act, 1920, plaintiff in error, *v.* Hettie McCree. In error to the United States Circuit Court of Appeals for the Sixth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of Davis, Agent, *v.* Slocomb, 263 U. S. 158.

No. 671. Clyde H. Finley, Receiver, et al., plaintiffs in error, *v.* United Mine Workers of America et al. Motion to advance granted, and cause assigned for argument on Monday, January 5 next, after the case heretofore assigned for that day.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. Motion of L. M. Crawford to present oral argument by his counsel, as *amicus curiae*, denied.

No. 472. The Alexander Milburn Company, petitioner, *v.* Davis-Bournonville Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 524. William H. Edwards, Collector of Internal Revenue, petitioner, *v.* Archibald Douglas et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 537. Armour & Company, petitioner, *v.* Fort Morgan Steamship Company, Limited, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 541. Great Northern Railway Company, petitioner, *v.* Galbreath Cattle Company et al. Petition for a writ of certiorari to the Supreme Court of the State of Montana granted.

No. 591. The United States of America, petitioner, *v.* The Trenton Potteries Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 466. Saint Louis Union Trust Company, petitioner, *v.* Road Improvement District No. 3, of Van Buren County, Arkansas. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 497. Postum Cereal Company, Inc., appellant, *v.* California Fig Nut Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 508. Save Electric Corporation, petitioner, *v.* General Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 530. Parfums De Grande Luxe, Inc., et al., petitioners, *v.* Coty, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 531. Elmina L. Burget, petitioner, *v.* C. M. Cranston et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 532. Mercantile Bank of The Americas, Inc., petitioner, *v.* Steamship *General G. W. Goethals*, Her Engines, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 535. Charles Gunther, as Trustee of the Estate of Marion A. Bullyon, a Bankrupt, petitioner, *v.* The Home Insurance Company of New York et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 555. General American Tank Car Corporation, petitioner, *v.* B. K. Goree, Receiver of Home Oil Refining Company of Texas. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 557. James C. Davis, the Agent under Section 206, Transportation Act, 1920, plaintiff in error, *v.* Hettie McCree. Petition for a writ of certiorari herein denied.

No. 558. The St. Louis, Brownsville & Mexico Railway Company, petitioner, *v.* American Fruit Growers, Inc. Petition for a writ of certiorari to the St. Louis Court of Appeals of the State of Missouri denied.

No. 559. Robert F. Raine, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 670. Ellsworth Mason, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 560. Alfred Street, Suing on Behalf of Himself and all Other Seamen, etc., petitioner, *v.* Shipowners Association of the Pacific Coast et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 561. Nypania Transportation Company, Inc., petitioner, *v.* Steam Lighter *Sagamore*, Her Engines, etc., New York & New Jersey Steamboat Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 567. Canton Company of Baltimore et al., petitioners, *v.* Andrew B. Brown, as Master of the Steamship *Santa Barbara*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 568. Continental National Bank, petitioner, *v.* William H. Moore, jr., as Trustee in Bankruptcy of the Estate of Julius A. Magassin, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 569. The Baltimore & Ohio Railroad Company, petitioner, *v.* Paul L. Tustison. Petition for a writ of certiorari to the Court of Appeals, Eighth Judicial District, of the State of Ohio, denied.

No. 570. Samuel O. Lazarus et al., copartners doing business under the firm name and style of Lewis Lazarus & Son, petitioners, *v.* New York Central Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 572. Peter P. McDonough et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 574. Leon Hurwitz, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 576. Federal Trade Commission, petitioner, *v.* National Biscuit Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 586. The Baltimore & Ohio Railroad Company, petitioner, *v.* Harry L. Kast. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 587. The Baltimore & Ohio Railroad Company, petitioner, *v.* John J. Flechtner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 588. The Baltimore & Ohio Railroad Company, petitioner, *v.* Evron Robertson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 592. Rolph Navigation & Coal Company, Owner and Claimant of the Barkentine *Rolph*, etc., petitioner, *v.* Demetrius Kohilas et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 595. Mercantile Trust Company, petitioner, *v.* John F. Schlafly, Trustee of Temtor Corn and Fruit Products Company, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 601. James Denaro, petitioner, *v.* American Cone & Wafer Company, Inc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 602. Security Manufacturing Company, petitioner, *v.* Supreme Manufacturing Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 603. New York Central Railroad Company, petitioner, *v.* Emanuel Gross. Petition for a writ of certiorari to the Supreme Court of the State of New Jersey denied.

No. 604. The Reading Company, petitioner, *v.* Marius Nielsen & Son, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 605. James C. Davis, Director General of Railroads, petitioner, *v.* Marius Nielsen & Son, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 610. James C. Davis, Director General of Railroads of the United States, etc., petitioner, *v.* Arthur Gifford et al., copartners doing business under the firm name and style of Gifford Brothers. Petition for a writ of certiorari to the Supreme Court of the State of South Dakota denied.

No. 611. A. W. Pickford et al., as the Creditors' Committee of Empire Tire & Rubber Corporation, petitioner, *v.* Arthur H. Wood, as Sole Acting Receiver of Empire Tire & Rubber Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 612. The Boylston National Bank of Boston, petitioner, *v.* David W. Wainhouse et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 615. Nickolas D. Zahadeires, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 616. Fred E. Earles et al., petitioners, *v.* A. W. Drake, Manufacturing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

ORDER. It is now here ordered by this court that, for the convenience of counsel and litigants, the cases coming to this court from the Ninth Circuit, from No. 126 to 371, inclusive, be, and they are hereby, assigned for hearing beginning Monday, February 23 next, in advance of other cases on the regular docket. It is further ordered that the clerk notify counsel in the above specified cases of this order.

ORDER. The court will take a recess from Monday, the 27th instant, to Monday, November 17, next.

No. 273. Margaret C. Lynch, Executrix of the Last Will and Testament of E. J. Lynch, deceased, petitioner, *v.* Alworth-Stephens Company. Motion to advance submitted by Mr. Solicitor General Beck in that behalf.

No. 509. The United States of America ex rel. Walter S. Kennedy and Sylvester J. Pierce, appellants, *v.* William F. Waldow, as Sheriff of Erie County, et al. Motion to advance submitted by Mr. Solicitor General Beck in that behalf.

No. 597. Benjamin W. Morse, appellant, *v.* The United States of America; and

No. 598. Harry F. Morse, appellant, *v.* The United States of America. Motion to consolidate and advance submitted by Mr. Solicitor General Beck in that behalf.

No. 676. Direction der Disconto-Gesellschaft, appellant, *v.* United States Steel Corporation, Public Trustee, Egremont John Mills, et al., etc.; and

No. 677. Bank fur Handel und Industrie, appellant, *v.* United States Steel Corporation, Public Trustee, English Association of American Bond & Shareholders, Limited, et al. Motion to advance submitted by Mr. Alfred K. Nippert for the appellants, with the concurrence of Mr. Frederick R. Coudert in behalf of the British Government.

No. 389. Guardian Savings & Trust Company, Trustee, petitioner, *v.* Road Improvement District No. 7, of Poinsett County, Arkansas. Motion to advance submitted by Mr. G. B. Rose for the petitioner.

No. 322. North Carolina Railroad Company, petitioner, *v.* C. D. Story, Sheriff of Alamance County, North Carolina, et al. Motion to dismiss writ of certiorari submitted by Mr. Chapin Brown in behalf of Mr. W. P. Bynum and Mr. R. C. Strudwick for the respondents in support of the motion, and by Mr. S. R. Prince, Mr. H. O'B. Cooper, Mr. W. M. Hendren, and Mr. L. E. Jeffries for the petitioner in opposition thereto.

No. 127. Ziang Sung Wan, petitioner, *v.* The United States of America. Mandate granted, on motion of Mr. Frederic D. McKenney for the petitioner.

No. 238. A. Brambini et al., plaintiffs in error, *v.* The United States; and

No. 259. A. Brambini et al., plaintiffs in error, *v.* The Superior Court of the State of California in and for the County of Humboldt, Hon. Denver Sevier, Judge. Motion to consolidate, to be heard as one case, one record only to be printed, granted, on motion of Mr. Robert Ash for the plaintiffs in error.

Nos. 692 and 693. Michael Hilsinger et al., petitioners, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Edward J. Dempsey and Mr. Michael G. Heintz for the petitioners and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondents.

No. 658. Alexander E. Block et al., petitioners, *v.* The Jung Arch Brace Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. James Love Hopkins for the petitioners and by Mr. Walter F. Murray for the respondent.

No. 668. Frank A. Harrigan, Trustee of the Bankrupt Estate of The Louis J. Bergdoll Motor Company, petitioner, *v.* Louis J. Bergdoll, now known as Louis J. Bergson. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania sub-

mitted by Mr. Joseph W. Catharine for the petitioner and by Mr. Walter B. Gibbons and Mr. Harry C. Kohlhas, jr., for the respondent.

No. 682. *Rotterdamsche Lloyd, Stoomvaart Maatschappij, Java-China-Japan, Lijn, et al.*, petitioners, *v. Gosho Company (Inc.)*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Samuel M. Shortridge for the petitioners and by Mr. E. J. McCutchen and Mr. Allan P. Matthew for the respondent.

No. 684. Albert H. Queck, executor of Harry P. Queck, deceased, *v. Elmer G. Hamker*, Group Head of the Pittsburgh Federal Prohibition Office. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James R. Sheppard for the petitioner and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 347. *The South Carolina Gas & Electric Company et al.*, plaintiffs in error, *v. The City of Spartanburg et al.* In error to the Supreme Court of the State of South Carolina. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 92. Mrs. M. L. House, plaintiff in error, *v. Road Improvement District No. 2, of Conway County, Arkansas, et al.* Argument continued by Mr. George B. Rose for the defendant in error, by Mr. Lasker Ehrman for the defendants in error, and concluded by Mr. Joseph M. Hill for the plaintiff in error.

No. 93. Mrs. M. L. House, plaintiff in error, *v. Road Improvement District No. 5, of Conway County, Arkansas, et al.* Argued by Mr. Joseph M. Hill for the plaintiff in error, and by Mr. George B. Rose for the defendants in error.

No. 94. *The State of Louisiana on the relation of The Consumers Biscuit Company*, plaintiff in error, *v. Andrew J. McShane*, Mayor of the City of New Orleans and the Commission Council of the City of New Orleans. Submitted by Mr. E. J. Bowers for the plaintiff in error; with leave to counsel for the defendant in error to file a brief within 15 days, on motion of Mr. Oscar W. Underwood, jr., in that behalf.

No. 95. Robert E. Tod, Commissioner of Immigration, petitioner, *v. Szejua Waldman* and her minor children, Zenia, Bessie, and Sophia. Argument commenced by Mr. Assistant Attorney General Donovan for the petitioner and continued by Mr. Max J. Kohler for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 21, will be as follows: Nos. 95, 96, 98, 99, 100, 101, 102, 103 (and 327), 107, and 108.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Don R. Almy, of New York City, was admitted to practice.

Nos. 103 and 327. Alpha Portland Cement Company, plaintiff in error, *v.* Commonwealth of Massachusetts. Leave granted to file brief of American Sales Book Company et al. herein, as amici curiae, on motion of Mr. Basil Robillard in that behalf.

No. 665. The Village of Euclid, Ohio, et al., appellants, *v.* Ambler Realty Company. Leave granted Mr. A. Warner Parker to withdraw his appearance as counsel for the appellants.

No. 107. Anna Woerishoffer et al., Executrix, etc., appellants, *v.* The United States. Continued, on motion of Mr. F. L. Fishback in that behalf.

No. 95. Robert E. Tod, Commissioner of Immigration, petitioner, *v.* Szejua Waldman and her minor children et al. Argument concluded by Mr. Max J. Kohler for the respondents.

No. 96. W. I. Biddle, Warden, etc., *v.* Isadore Luvisch. Argued by Mr. Assistant Attorney General Donovan for W. I. Biddle, Warden, etc., and by Mr. I. J. Ringolsky for Isadore Luvisch. Leave granted Mr. I. J. Ringolsky to file an additional brief herein within one week.

No. 98. The United States, appellant, *v.* Charles A. Morrow. Argued by Mr. Merrill E. Otis for the appellant, and by Mr. George A. King for the appellee.

No. 99. The United States, appellant, *v.* Jefferson F. Moses. Argued by Mr. George A. King for the appellee, and submitted by Mr. Solicitor General Beck, Mr. Merrill E. Otis, and Mr. John G. Ewing for the appellant.

No. 100. The A. B. Small Company, plaintiff in error, *v.* Lamborn Company. Argument commenced by Mr. Edgar Watkins for the plaintiff in error and continued by Mr. Orville A. Park for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 22, will be as follows: Nos. 100, 101, 102, 103 (and 327), 108, 109, 111, 112, 113, and 114.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Eddwin B. Morgan, of Galena. Kans., was admitted to practice.

No. 109. William Loftus, etc., et al., plaintiffs in error, *v.* The Pennsylvania Railroad Company et al. In error to the Supreme Court of the State of Ohio. Dismissed, per stipulation.

Nos. 606 and 607. National Surety Company, petitioner, *v.* Hugh D. MacKenzie Company, Limited, etc.

Nos. 608 and 609. Lydia Steamship Company, Claimant of the Steamship *Lydia*, Her Engines, etc., et al., petitioners, *v.* Hugh D. MacKenzie Company, Limited, etc. Motion of Mr. J. H. Billery to extend time within which to file brief for the respondent herein denied.

No. 111. The United States of America, petitioner, *v.* James J. Johnson. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Alfred A. Wheat for the petitioner.

No. 114. John L. Anderson, plaintiff in error, *v.* The City of Macon et al. Passed, per stipulation, to be restored to the call pursuant to section 9, rule 26.

No. 100. The A. B. Small Company, plaintiff in error, *v.* Lam-born & Company. Argument continued by Mr. Orville A. Park for the defendant in error, and concluded by Mr. Edgar Watkins for the plaintiff in error.

No. 101. The A. B. Small Company, plaintiff in error, *v.* The American Sugar Refining Company. Argued by Mr. Edgar Watkins for the plaintiff in error, and by Mr. Orville A. Park for the defendant in error.

No. 102. Westinghouse Electric & Manufacturing Company, petitioner, *v.* The Formica Insulation Company. Argument commenced by Mr. John C. Kerr for the petitioner, and continued by Mr. Drury W. Cooper for the petitioner, by Mr. Frederic D. McKenney for the respondent, and by Mr. John H. Lee for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 23, will be as follows: Nos. 102, 103, (and 327), 108, 112, 113, 116, 117, 118, 120, and 121.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

J. W. Hunt, of Duluth, Minn.; Elmer Vernon Roth, of Baltimore, Md.; Lewis Landes, of New York City; George W. Bassett, jr., of St. Augustine, Fla.; Dennis H. Dwyer, of Detroit, Mich.; and William Wagar Macpherson, of Detroit, Mich., were admitted to practice.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Leave granted to file brief herein as amicus curiae, on motion of Mr. Frank S. Bright in behalf of Harvey D. Goulder for the Lake Carriers Association.

No. 116. The United States of America, plaintiff in error, *v.* Rena Napoleon and Rosa Napoleon. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General Beck for the plaintiff in error.

No. 118. Ernest Bell, plaintiff in error, *v.* The State of Texas. In error to the Court of Criminal Appeals of the State of Texas. Dismissed with costs, pursuant to the tenth rule.

No. 120. The United States of America, appellant, *v.* T. H. Dunn et al. Passed, to be restored to the call, pursuant to section 9, rule 26, on motion of Mr. Solicitor General Beck for the appellant.

No. 102. Westinghouse Electric & Manufacturing Company, petitioner, *v.* The Formica Insulation Company. Argument concluded by Mr. John H. Lee for the respondent.

Nos. 103 and 327. Alpha Portland Cement Company, plaintiff in error, *v.* Commonwealth of Massachusetts. Argued by Mr. Louis H. Porter for the plaintiff in error and by Mr. Alexander Lincoln for the defendant in error.

No. 108. A. W. Duckett & Company (Inc.), appellant, *v.* The United States. Argument commenced by Mr. Don R. Almy for the appellant, continued by Mr. Alfred A. Wheat for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 24, will be as follows: Nos. 108, 112, 113, 121, 129, 130, 131, 132, 133 (and 134), and 117.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

R. Chandler Davis, of Gloucester Mass.; Louis H. Solomon, of New York City; and Carlton W. Wonson, of Gloucester, Mass., were admitted to practice.

No. 129. Charles V. Duffy, Collector, etc., petitioner, *v.* The Central Railroad Company of New Jersey. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Alfred A. Wheat for the petitioner.

No. 130. John O. Yeiser, plaintiff in error, *v.* T. B. Dysart et al. Submitted by Mr. John O. Yeiser for the plaintiff in error. No brief filed for the defendants in error.

No. 131. The St. John's Electric Company, appellant, *v.* The City of St. Augustine, etc., et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. George W. Bassett in that behalf.

No. 167. The St. Johns Electric Company, appellant, *v.* The City of St. Augustine, etc., et al. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. George W. Bassett in that behalf.

No. 108. A. W. Duckett & Company (Inc.), appellant, *v.* The United States. Argument concluded by Mr. Alfred A. Wheat for the appellee.

No. 112. John G. Morrison, jr., et al., appellants, *v.* Hubert Work, Secretary of the Interior, et al. Argued by Mr. Webster Ballinger for the appellants and by Mr. Harry L. Underwood for the appellees.

No. 113. Baltimore & Ohio Railroad Company, petitioner, *v.* Freda Groeger, Administratrix. Argued by Mr. W. T. Kinder for the petitioner and by Mr. E. C. Chapman for the respondent.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Charles W. Gerstenberg, of New York City; George F. Barrett, of Chicago, Ill.; J. P. Lorentzen, of Des Moines, Iowa; Leo V. Cleary, of Chicago, Ill.; Henry A. Behrendt, of Detroit, Mich.; and Richard P. Ettinger, of New York City, were admitted to practice.

No. 44. James C. Davis, Agent, plaintiff in error, *v.* George D. Henderson. In error to the Supreme Court of the State of Arkansas. Writ of error dismissed for the want of jurisdiction. Petition for a writ of certiorari herein granted. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 8. Twin Falls Salmon River Land & Water Company et al., appellants, *v.* A. E. Caldwell et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Idaho. Opinion by Mr. Justice Van Devanter.

The Chief Justice announced the following orders of the court:

No. 273. Margaret C. Lynch, Executrix, etc., petitioner, *v.* Alworth-Stephens Company. Motion to advance granted, and cause assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 509. The United States of America *ex rel.* Walter S. Kennedy et al., appellants, *v.* William F. Waldow, Sheriff, etc., et al. Motion to advance granted, and cause assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 389. Guardian Savings & Trust Company, petitioner, *v.* Road Improvement District No. 7 of Poinsett County, Arkansas. Motion to advance granted, and cause assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 676. Direction der Disconto Gesellschaft, appellant, *v.* United States Steel Corporation, Public Trustee, et al.; and

No. 677. Bank fur Handel und Industrie, appellant, *v.* United States Steel Corporation, Public Trustee, et al. Motion to advance granted, and cases assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 597. Benjamin W. Morse, appellant, *v.* The United States; and

No. 598. Harry F. Morse, appellant, *v.* The United States. Motions to advance and consolidate granted, and cases assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 84. George D. Hile, a Taxpayer, plaintiff in error, *v.* The City of Cleveland. In error to the Supreme Court of the State of Ohio. Per curiam: Dismissed for the want of jurisdiction, upon authority of *McCain v. Des Moines*, 174 U. S. 128; *Western Union Tel. Co. v. Ann Arbor R. R. Co.*, 178 U. S. 239; *Spencer v. Duplan Silk Co.*, 191 U. S. 526; *Shulthis v. McDougal*, 225 U. S. 561; *Hull v. Burr*, 234 U. S. 712; *Norton v. Whiteside*, 239 U. S. 144.

No. 90. Southern Oil Corporation, plaintiff in error, *v.* Yale Natural Gas Company. In error to the Supreme Court of the State of Oklahoma. Per curiam: Affirmed, upon authority of *Louisville & Nashville R. R. Co. v. Mottley*, 219 U. S. 466, and *Union Dry Goods Co. v. Georgia Public Service Corporation*, 248 U. S. 372.

No. 631. Steamship *Willdomino*, Her Engines, etc., petitioner, *v.* Citro Chemical Company of America; and

No. 632. Steamship *Willdomino*, Her Engines, etc., petitioner, *v.* Charles Pfizer & Company, Inc.; and

No. 633. Convoy Steamship Company, Limited, Owner, etc., petitioner, *v.* Charles Pfizer & Company, Inc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 635. George Harrison. Trustee of the Western Rope Manufacturing Company, Bankrupt, petitioner, *v.* Anna B. Chamberlain. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 642. The Chesapeake & Ohio Railway Company, petitioner, *v.* Westinghouse, Church, Kerr & Company, Inc.; and

No. 643. Walker D. Hines, Late Director General of Railroads, petitioner, *v.* Westinghouse, Church, Kerr & Company, Inc. Petition for writs of certiorari to the Supreme Court of Appeals of the State of Virginia granted.

No. 653. The United States of America, petitioner, *v.* O. B. Fish. Petition for a writ of certiorari to the United States Court of Customs Appeals granted.

No. 564. Delia Salzer, plaintiff in error, *v.* The United States of America et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 606. National Surety Company, petitioner, *v.* Hugh D. MacKenzie Company, Limited, etc.; and

No. 607. National Surety Company, petitioner, *v.* Hugh D. MacKenzie Company, Limited, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 608. Lydia Steamship Company, Claimant of the Steamship *Lydia*, etc., et al., petitioners, *v.* Hugh D. MacKenzie Company, Limited, etc.; and

No. 609. Lydia Steamship Company, Claimant of the Steamship *Lydia*, etc., et al., petitioners, *v.* Hugh D. MacKenzie Company, Limited, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 617. Frank Kepl, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 621. James C. Davis, Agent, petitioner, *v.* Northern Industrial Chemical Company. Petition for a writ of certiorari to the Superior Court of Suffolk County, State of Massachusetts, denied.

No. 625. Duplex Derouen, Bankrupt, petitioner, *v.* Southwest Louisiana Farm Mortgage Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 626. Benjamin Franklin Purnell et al., petitioners, *v.* John W. Hansell et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 627. The Commonwealth Atlantic National Bank of Boston, petitioner. Petition for a writ of certiorari to the Probate Court of Middlesex County, State of Massachusetts, denied.

No. 659. The First National Bank of Boston, petitioner. Petition for a writ of certiorari to the Probate Court of Essex County, State of Massachusetts, denied.

No. 628. Fidelity & Deposit Company of Maryland, petitioner, *v.* Bank of Waterproof. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 630. Eva M. Sowers, petitioner, *v.* L. E. Kenworthy et al. Petition for a writ of certiorari to the Supreme Court of the State of Colorado denied.

No. 634. Great Western Power Company of California, petitioner, *v.* Milton Bernard, Trustee of Pacific Alloy and Steel Company, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 637. Richard H. Field, petitioner, *v.* The Kansas City Refining Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 639. Fred F. Walz, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway Company. Petition for a writ of certiorari to the Appellate Court of the State of Illinois denied.

No. 640. G. L. Coleman, petitioner, *v.* W. T. Apple. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 641. Samuel N. McClean et al., petitioners, *v.* M. A. Bradley et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 644. Petrona Lim et al., petitioners, *v.* Tomas Cabigao. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 645. Clarence H. Shively, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 646. Cities Fuel & Power Company, petitioner, *v.* Joseph Button et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 649. Ulster Steamship Company, Limited, Claimant, etc., petitioner, *v.* Board of Commissioners of the Port of New Orleans. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 657. Ernest A. Brady et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 658. Alexander E. Block et al., petitioners, *v.* The Jung Arch Brace Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 664. John H. Hendriks, petitioner, *v.* Atlas Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 666. Morse Dry Dock & Repair Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 682. Rotterdamsche Lloyd et al., petitioners, *v.* Gosho Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 684. Albert H. Queck, Executor, etc., petitioner, *v.* Elmer G. Hawker, Group Head of the Pittsburgh Federal Prohibition Office. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 687. George H. Winn, petitioner, *v.* Ambrose E. Elliott et al. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 689. Atlantic Refining Company, Owner of the Steamer *Herbert L. Pratt*, petitioner, *v.* Merritt & Chapman Derrick and Wrecking Company; and

No. 690. Atlantic Refining Company, Owner of the Steamer *Herbert L. Pratt*, petitioner, *v.* Pilots' Association for Bay and River Delaware, Owner of the *Philadelphia*. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 692. Michael Hilsinger et al., petitioners, *v.* The United States of America; and

No. 693. Michael Hilsinger et al., petitioners, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas et al. Motion that certain lands be released from the receivership submitted by Mr. Solicitor General Beck for The United States.

No. 527. The United States, appellant, *v.* Harriet Rogers Flannery et al., Executors, etc. Motion to advance submitted by Mr. Solicitor General Beck for the appellant.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Leave granted to file a brief herein as amicus curiae on motion of Mr. Leon Hornstein for the City of Chicago.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Ordered that all briefs herein as amici curiae be filed and served on or before November 10 next, on motion of Mr. Edmond D. Adcock for the appellant.

No. 547. Barclay & Company, Inc., plaintiff in error, *v.* William H. Edwards, Collector, etc. Motion to advance and consolidate with No. 320, heretofore assigned for November 17th, submitted by Mr. P. J. McCumber in that behalf.

No. 444. The United States of America, plaintiff in error, *v.* The Archibald McNeil & Sons Company, Inc. Motion to advance and placed on the summary docket submitted by Mr. Charles H. Burr for the defendant in error.

No. 629. The Pennsylvania System Board of Adjustment of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, and Station Employees, appellants, *v.* The Pennsylvania Railroad Company et al. Motion to advance submitted by Mr. Henry T. Hunt for the appellant in support of the motion, and by Mr. John Hampton Barnes for the appellee in opposition thereto.

No. 691. C. Henry Peery, petitioner, *v.* Norfolk & Western Railway Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. C. B. Ellis in behalf of Mr. William H. Werth for the petitioner.

Nos. 103 and 327. Alpha Portland Cement Company, plaintiff in error, *v.* Commonwealth of Massachusetts. Leave granted to file a supplemental brief herein, on motion of Mr. Alexander Lincoln for the defendant in error.

No. 674. Philip Miller, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederick R. Austin for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 675. Philip Miller, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederick R. Austin for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 695. Louise B. Page, petitioner, *v.* Mark A. Skinner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William B. Harrison and Mr. Harvey Riddell for the petitioner, and by Mr. Solicitor General Beck, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the respondent.

Adjourned until Monday, November 17 next, at 12 o'clock.

The day call for Monday, November 17, will be as follows: Nos. 121, 132, 133, (and 134), 117, 161, 212, 236, 285 (and 287), 258, 207, (and 299), 104 (and 105 and 106), 320, 277, (and 278, 279 and 280), 162, 283, 343, 412, 351, 81, 345, 272, 401, 191 (and 192 and 193), 181, 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333, 334, and 335), 423, 316, 402, 83, 77, and 338.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Benjamin Poss, of Milwaukee, Wis.; Charles H. Kaplan, of Chicago, Ill.; Anthanasius A. Pantelis, of Chicago, Ill.; J. Henry Caruthers, of Jefferson City, Mo.; Walter S. Dillon, of Atlanta, Ga.; Joseph Henry Cohen, of New York City; Edward F. Dougherty, of Omaha, Nebr.; Philip S. Dickinson, of Detroit, Mich.; Charles Edward McCoy, of Kansas City, Mo.; Leo A. Mullaney, of Milwaukee, Wis.; Nelson Trottman, of Milwaukee, Wis.; Percy J. Donovan, of Detroit, Mich., were admitted to practice.

No. 10. Bass, Ratcliff & Gretton, Limited, plaintiff in error, *v.* State Tax Commission. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Sanford. Dissenting: Mr. Justice McReynolds.

No. 5. Gorham Manufacturing Company, appellant, *v.* State Tax Commission of the State of New York, et al. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Sanford.

No. 41. Endicott Johnson Corporation, plaintiff in error, *v.* Encyclopedia Press, Inc. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 64. Endicott Johnson Corporation, plaintiff in error, *v.* William H. Smith. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 58. Sovereign Camp Woodmen of the World, appellant, *v.* E. E. O'Neill et al. Appeal from the District Court of the United States for the Northern District of Texas. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 35. Thomas W. Miller, as Alien Property Custodian, et al., appellants, *v.* Frederick Y. Robertson; and

No. 145. Frederick Y. Robertson, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Appeals from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Butler.

No. 46. The Ferries Company, appellant, *v.* The United States of America. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler.

No. 4. Panama Railroad Company, plaintiff in error, *v.* James Rock. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Canal Zone for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland. Dissenting: Mr. Justice Holmes, Mr. Chief Justice Taft, Mr. Justice McKenna, and Mr. Justice Brandeis.

No. 13. Savage Arms Corporation, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 66. Sam Silberschein, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Eastern District of Michigan. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 79. J. W. Sunderland, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Sutherland.

No. 99. The United States, appellant, *v.* Jefferson F. Moser. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 67. Missouri Pacific Railroad Company et al., plaintiffs in error, *v.* Western Crawford Road Improvement District. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 68. The United States of America et al., appellants, *v.* Pennsylvania Railroad Company. Appeal from the District Court of the United States for the Middle District of Pennsylvania. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 89. The State of Missouri ex rel. The St. Louis, Brownsville & Mexico Railway Company, plaintiff in error, *v.* Wilson A. Taylor, Judge of the Circuit Court of the City of St. Louis. In error and on writ of certiorari to the Supreme Court of the State of Missouri. Writ of error dismissed. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 3. Frank Gonsalves, appellant, *v.* Morse Dry Dock & Repair Company. Appeal from the District Court of the United States for the Eastern District of New York. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 96. W. I. Biddle, Warden of the United States Penitentiary at Leavenworth, Kansas, *v.* Isadore Luvisch. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. Certificate dismissed. Opinion by Mr. Justice McReynolds.

No. 92. Mrs. M. L. House, plaintiff in error, *v.* Road Improvement District No. 2, of Conway County, Arkansas, et al., and

No. 93. Mrs. M. L. House, plaintiff in error, *v.* Road Improvement District No. 5, of Conway County, Arkansas, et al. In error to the Supreme Court of the State of Arkansas. Dismissed with costs. Opinion by Mr. Justice McReynolds.

No. 71. Southern Railway Company et al., plaintiffs in error, *v.* The City of Durham, North Carolina. In error to the Supreme Court of the State of North Carolina. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 61. Fred N. Crouch, Legal Guardian of Kathleen Konstovich, Widow, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Eastern District of Virginia; transferred from the United States Circuit Court of Appeals for the Fourth Circuit, under the act of Congress approved September 14, 1922. Cause remanded to the United States Circuit Court of Appeals. Opinion by Mr. Justice McReynolds.

No. 60. James C. Davis, Agent appointed by the President under the Transportation Act of 1920, petitioner, *v.* J. M. Currie. On writ of certiorari to the Supreme Court of the State of South Carolina. Dismissed with costs. Opinion by Mr. Justice McReynolds.

No. 54. Missouri Pacific Railroad Company, petitioner, *v.* R. L. Hanna. On writ of certiorari to the Supreme Court of the State of Arkansas. Dismissed with costs. Opinion by Mr. Justice McReynolds.

No. 51. Erie Railroad Company, petitioner, *v.* Martin Kirkendall. On writ of certiorari to the Court of Appeals for the Eighth Judicial District of the State of Ohio. Dismissed with costs. Opinion by Mr. Justice McReynolds.

No. 7. Commonwealth Trust Company of Pittsburgh, appellant, *v.* Max Smith and Margaret Smith. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 17. Hubert Work, Secretary of the Interior, appellant, *v.* The United States of America *ex rel.* W. G. Lynn, Guardian of Rosa Lasley, an Incompetent Osage Indian Allottee. Appeal from the Court of Appeals of the District of Columbia. Judgment reversed with costs; and cause remanded to the Supreme Court of the District of Columbia for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 52. Edward P. Avent, jr., plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of Ohio. Cause transferred to the United States Circuit Court of Appeals for the Sixth Circuit. Opinion by Mr. Justice Holmes.

No. 55. Louis B. Mackenzie, petitioner, *v.* A. Engelhard & Sons Company; and

No. 59. A. Engelhard & Sons Company, petitioner, *v.* Louis B. Mackenzie. On writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. In No. 55, decree reversed with costs; and cause remanded to the District Court of the United States for the Western District of Kentucky for further proceedings in conformity with the opinion of this court. In No. 59, writ of certiorari dismissed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McReynolds, Mr. Justice Sutherland, and Mr. Justice Sanford.

No. 82. B. Fernandez & Brothers, Successors, petitioners, *v.* Leonor Ayllon y Ojeda, in her own right and as guardian ad litem of her minor brother and sister, Jose and Carmen Ayllon y Ojeda. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Judgment reversed with costs; and cause remanded to the Supreme Court of Porto Rico for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 85. James C. Davis, Agent, petitioner, *v.* Mrs. Mary Kennedy, Administratrix of the Estate of Dave Kennedy, deceased. On writ of certiorari to the Supreme Court of the State of Tennessee. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 108. A. W. Duckett & Company, Inc., appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed; and cause remanded with directions to award proper compensation to the appellant. Opinion by Mr. Justice Holmes.

No. 22. Chicago Great Western Railway Company, appellant, *v.* Nathan E. Kendall, Governor of the State of Iowa, et al.; and

No. 23. Chicago, Rock Island and Pacific Railway Company, appellant, *v.* Nathan E. Kendall, Governor of the State of Iowa, et al. Appeals from the District Court of the United States for the Southern District of Iowa. Decrees affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 37. Nassau Smelting and Refining Works, Limited, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

No. 42. James Shewan & Sons, Inc., appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Southern District of New York. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 95. Robert E. Tod, Commissioner of Immigration, petitioner, *v.* Szejwa Waldman and her three minor children, Zenia, Bessie, and Sophia. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 491. Andrew W. Mellon, Secretary of the Treasury of the United States, et al., appellants, *v.* The Orinoco Iron Company. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; and the United States of America, intervener.

ORDER.—On the motion of The United States, intervener, the order herein of June 11, 1923, relating to certain lands, is hereby revoked, and the lands described in that order are hereby released unconditionally from the receivership.

No. 29. The Louisville & Nashville Railroad Company, appellant, *v.* The United States. Motion to set this cause for oral argument granted, and the cause assigned for argument with No. 83 heretofore assigned for Monday, November 17.

No. 391. The United States of America, plaintiff in error, *v.* Joseph Weissman et al. Further consideration of the motion to dismiss postponed until the hearing of the cause on the merits, the cause placed on the summary docket and assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 94. The State of Louisiana *ex rel.* The Consumers Biscuit Company, plaintiff in error, *v.* Andrew J. McShane, Mayor of the City of New Orleans, et al. In Error to the Supreme Court of the State of Louisiana. *Per curiam*: Dismissed for the want of jurisdiction on the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195.

No. 547. Barclay & Company, Inc., plaintiff in error, *v.* William H. Edwards, Collector, etc. Motions to advance and consolidate granted, and the cause assigned for argument with No. 320 heretofore assigned for argument on Monday, November 17, as one case.

No. 527. The United States, appellant, *v.* Harriet Rogers Flanery et al., Executors, etc. Motion to advance granted, and cause assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 444. The United States of America, plaintiff in error, *v.* The Archibald McNeil & Sons Company, Inc. Motion to advance and place on the summary docket granted, and the cause placed on the summary docket and assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. —. James Boyd, petitioner, *v.* D. M. Hutton. Motion for leave to proceed in forma pauperis herein, and petition for a writ of certiorari in this cause, denied.

No. 668. Frank A. Harrigan, Trustee, etc., petitioner, *v.* Louis J. Bergdoll, now known as Louis J. Bergson. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania granted.

No. 623. Sovereign Camp of the Woodmen of the World, petitioner, *v.* Alice C. Shelton. Petition for a writ of certiorari to the County Court of Frio County, Texas, granted.

No. 388. Fidelity & Deposit Company of Maryland, appellant, *v.* The City of Cleburne et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

Nos. 451 to 456, inclusive. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, Milwaukee & St. Paul Railway Company and others. Petition for writs of certiorari herein denied.

No. 579. St. Louis Southwestern Railway Company, petitioner, *v.* Henrietta Martin, Administratrix. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 582. Marine Smokeless Coal Company, petitioner, *v.* Norfolk & Western Railway Company. Petition for a writ of certiorari to the Circuit Court of McDowell County, State of West Virginia, denied.

No. 585. Velma Pinnell, petitioner, *v.* St. Louis-San Francisco Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 620. W. R. Freeman et al., Receivers, etc., petitioners, *v.* George Grove. Petition for a writ of certiorari to the Supreme Court of the State of Colorado denied.

No. 647. Western Maryland Railway Company, petitioner, *v.* M. M. Brown et al., Partners, etc. Petition for a writ of certiorari to the Circuit Court of Randolph County, State of West Virginia, denied.

No. 648. Western Maryland Railway Company, petitioner, *v.* M. M. Brown et al., Partners, etc. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia, denied.

Nos. 674 and 675. Philip Miller, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 691. C. Henry Peery, petitioner, *v.* Norfolk & Western Railway Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 695. Louise B. Page, petitioner, *v.* Mark A. Skinner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 618. Ernest E. Marks Co. et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Court of Customs Appeals denied, for failure to file within the statutory time.

No. 237. National Paper & Type Company, plaintiff in error, *v.* William H. Edwards, Collector. In error to the District Court of the United States for the Southern District of New York. Dismissed, per stipulation, on motion of Mr. Solicitor General Beck in that behalf.

No. 341. The United States of America, plaintiff in error, *v.* Lucia Naponiello et al. Motion to dismiss submitted by Mr. Solicitor General Beck in behalf of Mr. Charles N. Goodnow for the defendants in error in support of the motion; and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Donovan for the plaintiff in error in opposition thereto.

No. 443. Ray Consolidated Copper Company, appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Beck for the appellee.

No. 515. The United States et al., petitioners, *v.* Henry H. Kaufman, Trustee, etc.; and

No. 516. The United States of America et al., petitioners, *v.* Alfred C. Coxe, jr., Receiver, etc. Motion to advance submitted by Mr. Solicitor General Beck for the petitioners.

No. 236. Walter L. Marr, appellant, *v.* The United States. Leave granted to file brief of Mr. James Byrne and Mr. Arthur A. Balentine herein as amici curiae, on motion of Mr. William L. Frierison in that behalf.

No. 465. Joab H. Banton, District Attorney, etc., et al., appellants, *v.* Belt Line Railway Corporation. Motion to advance submitted by Mr. Howard Thayer Kingsbury in that behalf.

No. 345. A. J. Buck, appellant, *v.* E. V. Kuykendall, Director of Public Works. Leave granted to file brief herein of Mr. John E. Benton on behalf of twenty States, as amicus curiae, on motion of Mr. Charles W. Needham in that behalf.

No. 382. R. H. Clemmer, Attorney in Fact, etc., petitioner, *v.* Arthur L. Ross et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed, each party to pay his or their own costs, per stipulation of counsel, on motion of Mr. H. H. Rumble in that behalf.

No. 685. John W. Worthington, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Frank K. Nebeker in behalf of Mr. Samuel Block for the petitioner, and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Donovan for the respondent.

No. 32, October term, 1923. William R. Warner Company, petitioner, *v.* Eli Lilly & Company. Motion to retax costs herein submitted by Mr. E. W. Bradford in that behalf, and by Mr. Francis Rawle, Mr. George W. Wickersham, Mr. Roger S. Baldwin, and Mr. Joseph W. Henderson in opposition thereto.

No. 707. Etha A. Dahlgren et al., etc., petitioners, *v.* Winthrop Dahlgren. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Wharton E. Lester for the petitioner, and by Mr. Frederic D. McKenney, Mr. John Spalding Flannery, Mr. George T. Hoover, and Mr. Frederic C. Scofield for the respondent.

No. 417. Real Silk Hosiery Mills, Inc., appellant, *v.* The City of Portland et al. Motion to advance submitted by Mr. John G. Milburn for the appellant.

No. 581. Robert S. Lee et al., plaintiffs in error, *v.* The People of the State of Illinois ex rel. Louis L. Emmerson, Secretary of State. Motion to extend time within which to deposit the estimated costs in this cause submitted by Mr. Richard A. Ford in behalf of counsel for the plaintiff in error.

No. —, original. Ex parte In the matter of E. L. Smart, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein submitted by Mr. Frans E. Lindquist for the petitioner.

No. 624. Black Rock Power & Irrigation Company, appellant, *v.* W. R. Adamson et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Robert Ash in behalf of Mr. George Donworth and Mr. Elmer E. Todd for the appellant, and by Mr. Carroll B. Graves for the appellee, with leave to the appellant to file a reply brief hereafter.

No. 698. The United States of America ex rel. Pauline Fink, petitioner, *v.* Robert E. Tod, Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert Ash in behalf of Mr. Louis Marshall and Mr. Max J. Kohler for the petitioner, with leave to present a letter of the Solicitor General of the United States concurring in the petition for writ of certiorari in this case.

No. 416. Elkton Electric Company, Incorporated, plaintiff in error, *v.* Thomas W. Perkins et al., Receivers. Motion to dismiss or affirm submitted by Mr. E. P. Keech, jr., in support of the motion.

No. 313. William Leather et al., appellants, *v.* Mark J. White. Motion to advance and for decree *pro confesso* submitted by Mr. Oliver J. Cook for the appellants and by Mr. Solicitor General Beck and Mr. Assistant Attorney Ottinger in opposition thereto.

No. 491. Andrew W. Mellon, Secretary of the Treasury of the United States, et al., appellants, *v.* The Orinoco Iron Company. Mandate granted, on motion of Mr. William R. Harr for the appellee.

No. 702. August Tammis, petitioner, *v.* The Panama Railroad Company. Petition for a writ of certiorari to the Court of Appeals of the State of New York submitted by Mr. Challen B. Ellis in behalf of Mr. Silas Blake Axtell for the petitioner, and by Mr. Richard Reid Rogers for the respondent.

No. 683. Columbia Ribbon Company, petitioner, *v.* Marshall's, Incorporated. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Ellridge R. Anderson for the petitioner, and by Mr. Arthur S. Phillips for the respondent.

No. 697. E. B. Engel, petitioner, *v.* J. O. Davenport et al. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. H. W. Hutton for the petitioner.

No. 699. Park Falls Lumber Company, petitioner, *v.* Everett H. Burlingame, former Acting Collector of Internal Revenue for the Eastern District of Wisconsin. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William S. Bennet for the petitioner, and by Mr. Solicitor General Beck, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the respondent.

No. 700. Joe Williams et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. June P. Wooten for the petitioner.

No. 704. Fidelity and Deposit Company of Maryland et al., petitioners, *v.* The State of Minnesota. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. John Francis Kelly for the petitioners.

No. 708. James H. DeVeuve et al., petitioners, *v.* Black Rock Power & Irrigation Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Cornelius H. Hanford for the petitioners.

No. 711. South Fork Brewing Company et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Joseph A. Burdeau for the petitioners.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Reassigned for Monday, December 1 next, at the foot of the call for that day, on motion of Mr. Solicitor General Beck for the appellee.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Argument on the supplemental motion of the defendant, the State of Texas, asking leave to file request of that State directing receiver to pay the gross production tax due the State of Texas, etc., commenced by Mr. Thomas Watt Gregory for the State of Texas, continued by Mr. John Spalding Flannery for Frederic A. Delano, receiver, and concluded by Mr. W. A. Keeling for the State of Texas.

No. 121. College Point Boat Corporation, appellant, *v.* The United States. Argument commenced by Mr. Julian C. Hammack for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 18, will be as follows: Nos. 121, 132, 133 (and 134), 117, 212, 236, 285 (and 287), 258, 207 (and 299), 104 (and 105 and 106), 320 (and 547), 277 (and 278 and 279 and 280), 162, 283, 343 (and 412), 351, 81, 345, 272, 401, 191 (and 192 and 193), 181, 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333 and 334 and 335), 423, 316, 402, 83 (and 29), 77, and 338.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Ray C. Johnson, of Amarillo, Tex.; Paul E. Shorb, of Washington, D. C.; Prewitt Semmes, of Memphis, Tenn.; John B. Johnson, of Tallahassee, Fla.; J. Gilbert Hardgrove, of Milwaukee, Wis.; William B. Collins, of Sheboygan, Wis.; Melville E. Peters, of Wichita Falls, Tex.; William L. Tibbs, of Milwaukee, Wis.; Frank A. Boys, of Kansas City, Mo.; Newell W. Ellison, of Washington, D. C.; Dean G. Acheson, of Washington, D. C.; Benjamin S. Kirsh, of New York City; Samuel H. Hopstadter, of New York City; Ralph G. Lockwood, of Indianapolis, Ind.; Thomas H. Robinson, of Bel Air, Md.; Edward H. Burke, of Baltimore, Md.; and Raymond L. Dillman, of Pierre, S. Dak., were admitted to practice.

The Chief Justice announced an order as to the clerk's bond.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas. Motion of the State of Texas for leave to file petition for order requiring receiver to pay gross production and pipeline taxes granted; petition ordered filed. Petition granted as respects gross production tax, with certain qualifications, and denied as respects pipe-line tax. Decision announced by Mr. Justice Van Devanter.

No. 195. John W. Murphy, Attorney General, etc., et al., appellants, *v.* A. Sardell. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Leon Lamfrom for Folding Furniture Works, Inc.

No. 24, original. Ex parte In the matter of Philip Grossman, petitioner. Leave granted to file a brief herein as amici curiae, on motion of Mr. Francis M. Curlee and Mr. Charles M. Hay in that behalf.

No. 121. College Point Boat Corporation, appellant, *v.* The United States. Argument continued by Mr. Bynum E. Hinton for the appellant, and concluded by Mr. Alfred A. Wheat for the appellee.

No. 132. Swiss National Insurance Company, Limited, appellant, *v.* Thomas W. Miller, Alien Property Custodian, et al. Argued by Mr. Hoke Smith for the appellant, and by Mr. Merrill E. Otis for the appellees.

No. 133. The United States of America ex rel. Dominick Didato, appellant, *v.* William C. Hecht, United States Marshal; and

No. 134. The United States of America ex rel. Abe Silverschein, appellant, *v.* William C. Hecht, United States Marshal. Argued by Mr. Assistant Attorney General Donovan for the appellee; and cases submitted by Mr. M. Michael Edelstein for the appellants.

No. 117. Southern Pacific Company, appellant, *v.* The United States. Argument commenced by Mr. William R. Harr for the appellant, and continued by Mr. Solicitor General Beck for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 19, will be as follows: Nos. 117, 212, 236, 285 (and 287), 258, 207 (and 299), 104 (and 105 and 106), 320 (and 547), 277 (and 278, 279, and 280), 162, 283, 343 (and 412), 351, 81, 345, 272, 401, 191 (and 192 and 193), 181, 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333, 334, and 335), 423, 316, 402, 83 (and 29), 77, and 338.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Margaret F. Lutz, of Washington, D. C.; Eunice K. Warner, of Washington, D. C.; Adele Virginia Smith, of Washington, D. C.; William S. Butler, of Brooklyn, N. Y.; Robert Moers, of New York City; and James J. Sweeney, of Washington, D. C.; were admitted to practice.

No. 708. James H. DeVeuve et al., petitioners, *v.* Black Rock Power & Irrigation Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed as to Manly B. Haynes and Elain H. Haynes, on motion of Mr. Dale S. Drain in that behalf.

No. 280. Frank L. Wagner *v.* Nicholas' Apfelbaum, Administrator, etc. Leave granted to file a brief herein as amicus curæ, on motion of Mr. Lawrence Koenigsberger in that behalf.

No. 117. Southern Pacific Company, appellant, *v.* The United States. Argument continued by Mr. Solicitor General Beck for the appellee, and concluded by Mr. William R. Harr for the appellant.

No. 212. The Delaware and Hudson Company et al., appellants, *v.* The United States of America et al. Argument commenced by Mr. H. T. Newcomb for the appellants, continued by Mr. Blackburn Esterline for the United States, by Mr. P. J. Farrell for the Interstate Commerce Commission, and concluded by Mr. H. T. Newcomb for the appellants.

No. 236. Walter L. Marr, appellant, *v.* The United States. Argued by Mr. William L. Frierson for the appellant, and by Mr. Solicitor General Beck for the appellee.

No. 285. Southern Pacific Company, appellant, *v.* The United States; and

No. 287. Western Pacific Railroad Company, appellant, *v.* The United States. Argument commenced by Mr. William R. Harr for the appellant in No. 285.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 20, will be as follows: Nos. 285 (and 287), 258, 207 (and 299), 104 (and 105 and 106), 320 (and 547), 277 (and 278, 279, and 280), 162, 283, 343 (and 412), 351, 81, 345, 272, 401, 191 (and 192 and 193), 181, 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333, 334, and 335), 423, 316, 402, 83 (and 29), 77 and 338.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Elam L. Clarke, of Waukegan, Ill.; Oliver Dean, of Denver, Colo.; John Godfrey Saxe, of New York City; Susan Brandeis, of New York City; Walter Chalaire, of New York City; Landon C. Bell, of Asheville, N. C.; Herman Waldman, of Chicago, Ill.; and John H. Paul, of Milwaukee, Wis., were admitted to practice.

No. 285. Southern Pacific Company, appellant, *v.* The United States; and

No. 287. The Western Pacific Railroad Company, appellant, *v.* The United States. Argument continued by Mr. William R. Harr for the appellant in No. 285, and by Mr. George F. Williams for the appellant in No. 287, and concluded by Mr. Merrill E. Otis for the appellees.

No. 258. Luckenbach Steamship Company and The United States of America *v.* Norwegian Barque *Thekla*, Her Tackle, etc. Argued by Mr. Solicitor General Beck for Luckenbach Steamship Co. and the United States of America, and by Mr. Charles S. Haight for the Norwegian barque *Thekla*, her tackle, etc.

Nos. 207 and 208. The Charles Wolff Packing Company, plaintiff in error, *v.* The Court of Industrial Relations of the State of Kansas. Argument commenced by Mr. D. R. Hite for the plaintiff in error, continued by Mr. J. G. Egan for the defendant in error, and concluded by Mr. Chester I. Long for the defendant in error.

No. 104. Hygrade Provision Company, Inc., et al., appellants, *v.* Carl Sherman, as Attorney General of the State of New York, et al.;

No. 105. Lewis & Fox Company, appellant, *v.* Carl Sherman, as Attorney General of the State of New York, et al.; and

No. 106. Harry Satz, appellant, *v.* Carl Sherman, as Attorney General of the State of New York, et al. Argument commenced by Mr. David L. Podell for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 21, will be as follows: Nos. 104 (and 105 and 106), 320 (and 547), 277 (and 278, 279, and 280), 162, 283, 343 (and 412), 351, 81, 345, 272, 401, 191 (and 192 and 193), 181, 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333, 334, and 335), 423, 316, 402, 83 (and 29), 77, and 338.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Frederic J. Faulks, of Newark, N. J.; Paul W. Crawford, of Leadville, Colo.; John William Bishop, jr., of Newark, N. J.; Lex Klintner, of Cleveland, Ohio.; and Philip Herman, of Washington, D. C.

No. 277. John H. Ford *v.* Guy Sturgis, Administrator of the Estate of Victor M. Sturgis, deceased;

No. 278. Union Iron Works *v.* Guy Sturgis, Administrator, etc., *v.* Guy Sturgis, Administrator, etc.;

No. 279. Reginald W. Geare *v.* Guy Sturgis, Administrator, etc.; and

No. 280. Frank L. Wagner *v.* Nicholas Appelbaum, Administrator, etc. Leave was granted to Mr. J. C. Gibson to appear and make oral argument herein for John H. Ford, Union Iron Works, and Reginald W. Geare, pro hac vice, on motion of Mr. J. C. Sullivan in that behalf.

No. 104. Hygrade Provision Company (Inc.) et al., appellants, *v.* Carl Sherman, as Attorney General of the State of New York, et al.;

No. 105. Lewis & Fox Company, appellant, *v.* Carl Sherman, as Attorney General of the State of New York, et al.;

No. 106. Harry Satz, appellant, *v.* Carl Sherman, as Attorney General of the State of New York, et al. Argument continued by Mr. David L. Podell for the appellants and by Mr. S. H. Hofstadter for the appellees and concluded by Mr. F. C. Benvenga for the appellees.

No. 277. John H. Ford *v.* Guy Sturgis, Administrator of the Estate of Victor M. Sturgis, deceased;

No. 278. Union Iron Works *v.* Guy Sturgis, as Administrator, etc.;

No. 279. Reginald W. Geare *v.* Guy Sturgis, Adminsitrator, etc.; and

No. 280. Frank L. Wagner *v.* Nicholas Appelbaum, Administrator, etc. Argument commenced by Mr. Daniel Thew Wright for Reginald W. Geare. The court declined to hear further argument. The case is dismissed for the reason that the form of certificate by the Court of Appeals of questions to be answered is not within the requirement of section 239 of the Judicial Code.

No. 162. Herman A. Wagner, plaintiff in error, *v.* The City of Milwaukee et al. Argument commenced by Mr. Leon B. Lamfrom for the plaintiff in error and continued by Mr. Benjamin Poss for the plaintiff in error. The court declined to hear further argument.

No. 283. The Michigan Public Utilities Commission et al., appellants, *v.* Coral W. Duke, doing business as Duke Cartage Company. Argued by Mr. H. E. Spalding for the appellants and submitted by Mr. Hal H. Smith and Mr. Percy J. Donovan for the appellee.

No. 351. The City of Newark et al., appellants, *v.* The Central Railroad Company of New Jersey et al. Argument commenced by Mr. George W. Wickersham for the appellants and continued by Mr. Richard V. Lindabury for the appellee, Central Railroad Company of New Jersey.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 24, will be as follows: Nos. 351, 320 (and 547), 343 (and 412), 81, 345, 272, 401, 191 (and 192 and 193), 181, 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333, 334 and 335), 423, 316, 402, 83 (and 29), 77, and 338.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Paul E. Hadlick, of Washington, D. C.; Briggs G. Simpich, of Washington, D. C.; Willis D. Nance, of Chicago, Ill.; Donald D. Shepard, of Washington, D. C.; Ward Loveless, of Birmingham, Ala.; Wallace Hervey Jackson, of Little Rock, Ark.; V. G. Holland, of Blytheville, Ark.; Joseph L. Verrillo, of Washington, D. C.; Rowena U. Compton, of Washington, D. C.; Albert T. Clark, of Detroit, Mich.; I. R. Blaisdell, of Deed Lodge, Mont.; Frank A. Huffer, of Seattle, Wash.; Louis H. Burns, of New Orleans, La.; Edward G. Ince, of Chicago, Ill.; Arthur Sullivan, of Hardy, Ark.; George G. Witter, of Missoula, Mont.; and Charles P. Taft, 2d, of Cincinnati, Ohio, were admitted to practice.

No. 70. Herman G. Gerdes, Trustee, etc., petitioner, *v.* Abraham Lustgarten. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decrees of the United States Circuit Court of Appeals for the Second Circuit and of the District Court of the United States for the Southern District of New York reversed with costs; and cause remanded to the said District Court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 63. James C. Davis, Agent of the President under Section 206 of the Transportation Act, 1920, petitioner, *v.* John O'Hara. On writ of certiorari to the Supreme Court of the State of Nebraska. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Butler.

No. 20. Samuel D. White, as Trustee of the Estate of Pete Stump, Bankrupt, petitioner, *v.* Veta Stump. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree reserved with costs; and cause remanded to the District Court of the United States for the District of Idaho for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 80. The United States of America, petitioner, *v.* Edward H. Childs, Trustee in Bankruptcy of J. Menist Company, Inc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 32, October term, 1923. William R. Warner & Company, petitioner, *v.* Eli Lilly & Company. Motion to retax costs in this case denied.

No. 581. Robert S. Lee et al., plaintiffs in error, *v.* The People of the State of Illinois ex rel. Louis L. Emmerson, Secretary of State. Motion to extend time within which to deposit the estimated costs in this case denied.

No. —, original. Ex parte In the matter of E. L. Smart, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein denied.

No. 443. Ray Consolidated Copper Company, appellant, *v.* The United States. Motion to advance granted; and cause assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 465. Joab H. Banton, District Attorney, appellant, *v.* Belt Line Railway Corporation. Motion to advance granted; and cause assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 417. Real Silk Hosiery Mills, Inc., appellant, *v.* City of Portland et al. Motion to advance granted; and cause assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 515. The United States of America et al., petitioners, *v.* Henry H. Kaufman, Trustee, etc.; and

No. 516. The United States of America et al., petitioner, *v.* Alfred C. Coxe, Jr., Receiver, etc. Motion to advance granted; and cases placed on the summary docket and assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 313. William Leather et al., appellants, *v.* Mark J. White. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, December 8 next.

No. 419. St. Bernard Cypress Company, Limited, petitioner, *v.* Louis Pfister. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 474. Missouri Pacific Railroad Company, petitioner, *v.* J. W. C. Bell, Jr., et al. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 553. Missouri Pacific Railroad Company, petitioner, *v.* P. O. Warrick. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 683. Columbia Ribbon Company, petitioner, *v.* Marshall's, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 685. John W. Worthington, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 699. Park Falls Lumber Company, petitioner, *v.* Everett H. Burlingame, former Acting Collector. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 707. Etha A. Dahlgren et al., etc., petitioners, *v.* Winthrop Dahlgren. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 711. South Fork Brewing Company et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 702. August Tammis, petitioner, *v.* Panama Railroad Company. Petition for a writ of certiorari to the Court of Appeals of the State of New York denied for failure to file within the time prescribed by the statute.

No. 698. United States of America ex rel. Pauline Fink, petitioner, *v.* Robert E. Tod, Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted; the case advanced and assigned for argument on Monday, December 8 next, after the case heretofore assigned for that day.

No. 416. Elkton Electric Company, Inc., plaintiff in error, *v.* Thomas W. Perkins et al., Receivers. In error to the Court of Appeals of the State of Maryland. Per curiam: Dismissed for the want of jurisdiction on the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. White-side*, 239 U. S. 144, 147.

No. 133. The United States of America ex rel. Dominick Didato, appellant, *v.* William C. Hecht, U. S. Marshal; and

No. 134. The United States of America ex rel. Abe Silverstein, appellant, *v.* William C. Hecht, U. S. Marshal Appeals the District Court of the United States for the Southern District of New York. Per curiam: Transferred to the United States Circuit Court of Appeals for the Second Circuit on authority of *Craig v. Hecht*, 263 U. S. 255; *Rodman v. Pothier*, 264 U. S. 399, 402.

No. 162. Herman A. Wagner, plaintiff in error, *v.* The City of Milwaukee et al. In error to the Supreme Court of the State of Wisconsin. Per curiam: Dismissed for the want of jurisdiction on the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195.

No. 117. Southern Pacific Company, appellant, *v.* The United States. In error to the Court of Claims. Judgment affirmed on the authority of *Horstmann v. The United States*, 257 U. S. 138; *Sanguinetti v. The United States*, 264 U. S. 164.

No. 713. Frank C. Ferguson, Individually and as Collector, etc., petitioner, *v.* Thomas Dickson et al., Executors. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Beck for the petitioner and by Mr. Jackson A. Dykmån and Mr. Thomas G. Haight for the respondents.

No. 733. Blakely D. McCaughn, Collector, petitioner, *v.* Charles H. Ludington. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Beck for the petitioner and by Mr. William D. Guthrie, Mr. Hugh Satterlee, Mr. William R. Perkins, and Mr. Ralph B. Evans for the respondent.

No. 382. R. H. Clemmer, Attorney in fact, petitioner, *v.* Arthur L. Ross et al. Mandate granted, on motion of Mr. H. H. Rumble in that behalf.

No. 40. The United States of America, petitioner, *v.* Gulf Refining Company. Motion to dismiss or affirm submitted by Mr. Frank M. Swacker, Mr. James B. Diggs, and Mr. R. L. Batts for the respondent in support of the motion and by Mr. Solicitor General Beck for the petitioner in opposition thereto.

No. 239. The Pittsburgh & West Virginia Railway Company et al., appellants, *v.* Interstate Commerce Commission et al. Appeal from the Court of Appeals of the District of Columbia. Dismissed with costs, on motion of Mr. F. M. Swacker for the appellants.

No. 235. John F. Steele, appellant, *v.* The United States of America; and

No. 636. John F. Steele, plaintiff in error, *v.* The United States of America. Motion to advance No. 636 and consolidate for hearing with No. 235, as one case, submitted by Mr. Meyer Kraushaar in that behalf.

No. 40. The United States of America, petitioner, *v.* Gulf Refining Company. Leave granted to file a brief herein as *amicus curiae*, on motion of Mr. J. F. Finnerty in that behalf.

No. 160. William M. Barrett, as President of the Adams Express Company, petitioner, *v.* Arthur H. Van Pelt. Leave granted to file a brief herein as *amicus curiae*, on motion of Mr. A. M. Hartung in that behalf. Motion of Mr. A. M. Hartung for leave to take part in the oral argument herein denied.

No. 716. Alexander Lumber Company, petitioner, *v.* Aetna Casualty & Surety Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Donald C. Dobbins for the petitioner.

No. 722. A. Shapiro & Son, Inc., petitioner, *v.* Max G. Cohen. Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Barnett E. Kopelman and Mr. Joseph G. M. Browne for the petitioner.

No. 725. Southern Railway Company, petitioner, *v.* Kate B. McAlister, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. H. O'B. Cooper, Mr. S. R. Prince, Mr. F. G. Tompkins, and Mr. L. E. Jeffries for the petitioner, and by Mr. D. W. Robinson for the respondent.

No. 166. John C. Brewer et al., plaintiffs in error, *v.* Railroad Commission of the State of California et al. In error to the Supreme Court of the State of California. Dismissed with costs, per stipulation.

No. 351. The City of Newark et al., appellants, *v.* The Central Railroad Company of New Jersey et al. Argument continued by Mr. R. V. Lindabury for the appellee, Central Railroad Company of New Jersey, and concluded by Mr. Julius Henry Cohen for the appellee, the Port of New York Authority.

No. 320. National Paper & Type Company, plaintiff in error, *v.* Frank K. Bowers, Collector, etc.; and

No. 547. Barclay & Company, Inc., plaintiff in error, *v.* William H. Edwards, Collector, etc. Argued by Mr. P. J. McCumber for the plaintiffs in error, and concluded by Mr. Solicitor General Beck for the defendants in error.

No. 343. Behn, Meyer & Company, Limited, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Motion for leave to intervene herein on behalf of Lazarus G. Joseph, receiver, etc., submitted by Mr. Marion Butler in that behalf; and motion denied.

No. 343. Behn, Meyer & Company, Limited, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Argued by Mr. William D. Guthrie for the appellant, and by Mr. Merrill E. Otis for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 25, will be as follows: Nos. 412, 81, 345, 272, 401, 191 (and 192 and 193), 181, 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333, 334, and 335), 423, 316, 402, 83 (and 29), 77, and 338.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandies, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

George W. P. Whip, of Baltimore, Md.; Henry Berger, of Malvern, Ark.; William L. Robinson, of Mount Vernon, Ohio; William R. Higgins, of Indianapolis, Ind.; and Clair McTurnan, of Indianapolis, Ind., were admitted to practice.

No. 661. Pennsylvania Railroad System and Allied Lines Federation No. 90, Executive Council of Pennsylvania Railroad System and Allied Lines Federation No. 90, et al., appellants, *v.* The Pennsylvania Railroad Company et al. Motion to advance submitted by Mr. David Wallerstein for the appellants.

No. 412. Compagnie Internationale de Produits Alimentaires, S. A., appellant, *v.* Thomas W. Miller, as Alien Property Custodian, etc., et al. Argued by Mr. Challen B. Ellis for the appellant, and by Mr. Merrill E. Otis for the appellees.

No. 81. In the matter of the petition of East River Towing Company, Inc., etc., petitioner. Leave granted to file a brief herein as amici curiae, on motion of Mr. James A. Gray for Frank P. Deering, Halsey L. Rixford, and Robert M. Jones. Argument commenced by Mr. E. C. Sherwood for the appellant, continued by Mr. William S. Butler and Mr. James A. Gray for the appellee, and concluded by Mr. John M. Woolsey for the appellant.

No. 345. A. J. Buck, appellant, *v.* E. V. Kuykendall, Director of Public Works of the State of Washington. Motion to dismiss submitted by Mr. John H. Dunbar and Mr. H. C. Brodie for the appellee in support of the motion. Argued by Mr. J. H. Dunbar for the appellee, and cause submitted by Mr. Merrill Moores for the appellant.

No. 272. Hubert Work, Secretary of the Interior, plaintiff in error, *v.* The United States of America ex rel. Logan Rives. Argument commenced by Mr. Merrill E. Otis for the plaintiff in error, and continued by Mr. Leslie C. Garnett for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 26, will be as follows: Nos. 272, 401, 191 (and 192 and 193), 181, 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333, 334, and 335), 423, 316, 402, 83 (and 29), 77, and 338.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Henry J. Darby, of Chicago, Ill.; O. Z. Ide, of Detroit, Mich.; and Jesse Kimball Smith, of Washington, D. C., were admitted to practice.

No. 272. Hubert Work, Secretary of the Interior, plaintiff in error, *v.* The United States of America *ex rel.* Logan Rives. Argument concluded by Mr. Leslie C. Garnett for the defendant in error.

No. 401. Hubert Work, Secretary of the Interior, appellant, *v.* The United States of America *ex rel.* Chestatee Pyrites & Chemical Corporation. Argued by Mr. Merrill E. Otis for the appellant and by Mr. Edgar Watkins for the appellee.

No. 191. George R. Meek, petitioner, *v.* Centre County Banking Company *et al.*;

No. 192. Florence F. Dale, petitioner, *v.* Centre County Banking Company *et al.*; and

No. 192. Andrew Breeze, petitioner, *v.* Centre County Banking Company *et al.* Reargued by Mr. Ellis L. Orvis and Mr. Mortimer C. Rhone for the petitioners and by Mr. S. D. Gettig and Mr. N. B. Spangler for the respondents.

No. 181. Ozark Pipe Line Corporation, appellant, *v.* Roy Monier *et al.*, constituting the State Tax Commission, *etc.*, *et al.* Argued by Mr. Truman Post Young for the appellant and by Mr. Jesse W. Barrett and Mr. C. Henry Caruthers for the appellees.

Adjourned until Monday next at 12 o'clock.

Day call for Monday, December 1, will be as follows: Nos. 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333, 334, and 335), 423, 316, 402, 83 (and 29), 77, 338, 295, 391, 596, 550, and 161.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

J. Louis Krupsaw, of Washington, D. C.; Franklin C. Parks, of Washington, D. C.; Eugene Underwood, jr., of New York City; James C. Ledbetter, of Dallas, Tex.; Henry Stewart McDonald, jr., of Omaha, Nebr.; John W. Barry, of Oklahoma City, Okla.; Charles Stanley Thompson, of Minneapolis, Minn.; Henry J. Richardson, of Washington, D. C.; Vincent D. Wyman, of Chicago, Ill.; Walter Byron Caughlan, of New York City; Frank H. Borden, of Philadelphia, Pa.; and James A. Dunn, of Washington, D. C., were admitted to practice.

No. 258. Luckenbach Steamship Company, Inc., and The United States of America *v.* Norwegian Barque *Thekla*, Her Tackle, etc. On certificate from the United States Circuit Court of Appeals for the Second Circuit. First question certified answered in the affirmative. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 40. The United States of America, petitioner, *v.* Gulf Refining Company. Further consideration of the motion to dismiss or affirm herein postponed until the hearing of the cause on the merits.

No. 235. John F. Steele, appellant, *v.* The United States of America; and

No. 636. John F. Steele, plaintiff in error, *v.* The United States of America. Motion to advance and consolidate granted; and cases consolidated and assigned for argument on Monday, February 23 next, after the cases heretofore assigned for that day.

No. 661. Pennsylvania Railroad System et al., appellants, *v.* The Pennsylvania Railroad Company et al. Motion to advance granted; and cause assigned for argument on Monday, January 5 next, with No. 629, heretofore assigned for that day.

No. —, original. *Ex parte* In the matter of Ivan Glavadanovic, petitioner. Motion for leave to proceed in forma pauperis, and to file a motion for a writ of mandamus without printing, herein denied.

No. 733. Blakely D. McCaughn, Collector, petitioner, *v.* Charles H. Ludington. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 700. Joe Williams et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 462. The Baltimore & Ohio Railroad Company, petitioner, *v.* Ezra A. Silger. Petition for a writ of certiorari to the Supreme Court of the State of Indiana denied.

No. 518. Missouri Pacific Railroad Company, petitioner. *v.* M. M. Cohn Company. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 533. James C. Davis, Director General, petitioner, *v.* M. A. Pharr Cotton Company. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia denied.

No. 577. John Beartail et al., petitioners, *v.* Pauline F. Halsell. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 713. Frank C. Ferguson, Individually and as Collector, etc., petitioner, *v.* Thomas Dickson et al., Executors. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 716. Alexander Lumber Company, petitioner, *v.* Aetna Casualty & Surety Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 722. A. Shapiro & Son, Inc., petitioner, *v.* Max G. Cohen, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 277. John H. Ford *v.* Guy Sturgis, Administrator;

No. 278. Union Iron Works Company *v.* Guy Sturgis, Administrator;

No. 279. Reginald W. Geare *v.* Guy Sturgis, Administrator; and

No. 280. Frank L. Wagner *v.* Nicholas Apfelbaum, Administrator. On a certificate from the Court of Appeals of the District of Columbia.

The order and judgment entered in these cases on November 21 last is modified to read as follows:

The certificate from the Court of Appeals of the District of Columbia in each case is dismissed for the reason that the questions or propositions of law certified therein are not such as may be certified under section 251 of the Judicial Code. See *Biddle v. Luvisch*, decided November 17 last, and cases there cited.

No. 116. The United States of America, plaintiff in error, *v. Rena Napoleon and Rosa Napoleon*. In error to the District Court of the United States for the Southern District of Florida. Dismissed, per stipulation, on motion of Mr. Solicitor General Beck for the United States.

No. 214. The United States of America ex rel. Thomas W. Miller, Alien Property Custodian, etc., plaintiff in error *v. C. L. Babcock*, as State Treasurer of the State of Washington. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed, on motion of Mr. Solicitor General Beck for the plaintiff in error.

No. 215. The United States of America ex rel. Thomas W. Miller, Alien Property Custodian, etc., plaintiff in error, *v. C. W. Clausen*, as State Auditor of the State of Washington. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed, on motion of Mr. Solicitor General Beck for the plaintiff in error.

No. 319. The United States, appellant, *v. P. Lorillard Company*. Motion to advance submitted by Mr. Solicitor General Beck for the appellant.

No. 698. The United States of America ex rel. Pauline Fink, petitioner, *v. Robert E. Tod*, Commissioner of Immigration. Reassigned for argument on Monday, January 12 next, on motion of Mr. Solicitor General Beck for the respondent.

No. 549. Thomas Kannellos, plaintiff in error, *v. Great Northern Railway Company*. Motion to advance and consolidate with cases Nos. 152 and 179 submitted by Mr. James A. Dunn in that behalf.

No. 720. Harold Taylor, Trustee under the Will of Mary E. Erskine, deceased, et al., petitioners, *v. Harry W. Voss*, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harold Taylor for the petitioner, and by Mr. Henry B. Walker for the respondent.

No. 727. Missouri Pacific Railroad Company, petitioner, *v.* Byrd J. Boone. Petition for a writ of certiorari to the St. Louis Court of Appeals of the State of Missouri submitted by Mr. Edward J. White, Mr. James F. Green, and Mr. Merritt U. Hayden for the petitioner.

No. 738. Herman L. Copeland, etc., petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Emanuel M. Hewlett for the petitioner.

No. 744. Lyda Fisher and Edward L. Cabell, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Raymond Gordon for the petitioners, and by Mr. Solicitor General Beck and by Assistant Attorney General Willebrandt for the respondent.

No. 549. Thomas Kannellos, plaintiff in error, *v.* Great Northern Railway Company. Motion to dismiss submitted by Mr. F. G. Dorety for the defendant in error in support of the motion, and by Mr. Frank L. Fawcett for the plaintiff in error in opposition thereto.

No. 433. Walter L. Stickel, appellant, *v.* John E. C. Kohlsaat et al. Appeal from the District Court of the United States for the Southern District of West Virginia. Dismissed with costs, on motion of counsel for the appellant.

No. 24, original. *Ex parte* In the matter of Philip Grossman, petitioner. Argument on the return to the rule to show cause commenced by Mr. Louis J. Behan for the petitioner, continued by Mr. Amos C. Miller for the respondents, by Mr. F. Bruce Johnstone for the respondents, and concluded by Mr. Attorney General Stone for The United States as *amicus curiae*.

No. 342. The Maple Flooring Manufacturers Association et al., appellant, *v.* The United States of America. Argument commenced by Mr. Edward R. Johnston for the appellants, and continued by Mr. James A. Fowler for the appellee.

Adjournment until to-morrow at 12 o'clock.

The day call for Tuesday, December 2, will be as follows: Nos. 342, 3 original, 12 original, 353, 25 (and 26), 332 (and 333, 334, and 335), 423, 316, 402, 83 (and 29), 77, 338, 295, 391, 596, 550, and 161.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Elton Watkins, of Portland, Oreg.; Edwin A. Price, of Nashville, Tenn.; William G. Heiner, of Pittsburgh, Pa.; John W. Palmer, of Memphis, Tenn.; Fred B. Silsbee, of Chicago, Ill.; and Arthur G. Cohen, of Seattle, Wash., were admitted to practice.

No. **342**. Maple Flooring Manufacturers Association et al., appellants, *v.* The United States of America. Argument continued by Mr. James A. Fowler for the appellee, and concluded by Mr. E. R. Johnston for the appellant.

No. **342**. Maple Flooring Manufacturers Association et al., appellants, *v.* The United States of America. Motion of appellants that the permanent injunction granted by the District Court of the United States for the Western District of Michigan in this cause be suspended until the determination of this appeal by this court, granted, on motion of Mr. E. R. Johnston for the appellant.

No. **3**, original. The State of New Mexico, complainant, *v.* The State of Texas. Argument commenced by Mr. Frank W. Clancy for the complainant, continued by Mr. W. A. Keeling for the defendant, and concluded by Mr. Thornton Hardie in behalf of L. M. Crawford as amicus curiae by special leave of court. Case ordered referred to a master for findings of facts to be reported to the court.

No. **12**, original. The State of New Mexico, complainant, *v.* The State of Colorado. Argument commenced by Mr. Frank W. Clancy for the complainant, and continued by Mr. Oliver Dean for the defendant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 3, will be as follows: Nos. **12** original, **353, 25** (and **26**), **332** (and **333, 334**, and **335**), **423, 316, 402, 83** (and **29**), **77, 338, 295, 391, 596, 550**, and **161**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

John V. Sees, of Huntington, Ind., and Richard S. Doyle, of Washington, D. C., were admitted to practice.

No. **12**, original. The State of New Mexico, complainant, *v.* The State of Colorado. Argument continued by Mr. Oliver Dean for the defendant, by Mr. W. C. Williams for the defendant, by Mr. Delph E. Carpenter for the defendant, and concluded by Mr. Frank W. Clancy for the complainant.

No. **353**. The United States, appellant, *v.* Fidelity & Deposit Company of Maryland. Argued by Mr. S. Duffield Mitchell for the appellant, and by Mr. Simon Lyon for the appellee.

No. **25**. The United States of America et al., appellants, *v.* The Village of Hubbard, Ohio; and

No. **26**. The United States of America et al., appellants, *v.* The City of Wellsville, Ohio. Argument commenced by Mr. Thomas H. Hogsett for the appellant The Steubenville, East Liverpool & Beaver Valley Traction Company, continued by Mr. Edmond H. Moore for the appellee The Village of Hubbard, Ohio, by Mr. Charles Boyd for the appellee The City of Wellsville, Ohio, and concluded by Mr. P. J. Farrell for The Interstate Commerce Commission.

No. **332**. Cranberry Creek Coal Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. **333**. Alliance Coal Mining Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. **334**. The Lehigh Coal & Navigation Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania; and

No. **335**. Philadelphia & Reading Coal & Iron Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Argument commenced by Mr. William Clarke Mason for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 4, will be as follows: Nos. **332** (and **333**, **334**, and **335**), **423**, **316**, **402**, **83** (and **29**), **77**, **338**, **295**, **391**, **596**, **550**, and **161**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

W. H. Mitchell, of Florence, Ala.; John P. Phillips, of Chillicothe, Ohio; Carl E. Glock, of Pittsburgh, Pa.; Webb I. Vorys, of Columbus, Ohio; D. C. Hull, of DeLand, Fla.; and Mark Townsend, jr., of Jersey City, N. J., were admitted to practice.

The Chief Justice announced the following order of the court:

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. It is ordered that this cause be referred to Charles Warren, Esq., as a special master, with directions that he make special findings on all material questions of fact and report the same to the court with his recommendations respecting the decree to be entered. The master shall accord to the parties a full hearing on all questions in the cause, whether of fact or of law, and shall base his findings and recommendations on the entire record as heretofore made and printed, including the several documents and papers mentioned in the stipulations appearing in the record. When the master's report is received, the clerk shall have the same printed, and the cause shall then be set down for hearing before the court on the findings and recommendations of the master and such exceptions thereto as may be presented by either State.

No. 332. Cranberry Creek Coal Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. 333. Alliance Coal Mining Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. 334. The Lehigh Coal & Navigation Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania; and

No. 335. Philadelphia & Reading Coal & Iron Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania. Argument continued by Mr. William Clarke Mason for the plaintiffs in error. The court declined to hear further argument.

No. 423. Gulf, Colorado & Santa Fe Railway Company, appellant, *v.* The Texas & Pacific Railway Company. Argument commenced by Mr. J. W. Terry for the appellant, continued by Mr. T. D. Gresham for the appellee, and concluded by Mr. T. J. Norton for the appellant.

No. 316. Robins Dry Dock & Repair Company, plaintiff in error, *v.* Lars Dahl. Argued by Mr. A. G. Maul for the plaintiff in error, and by Mr. Ralph G. Barclay for the defendant in error.

No. 402. The Palmer Brothers Company, appellant, *v.* D. E. Weaver, Chief of the Bureau of Inspection in Pittsburgh of the Department of Labor and Industry, etc. Argued by Mr. Edwin W. Smith for the appellant, and concluded by Mr. E. Lowry Humes for the appellee.

No. 83. Chicago, Milwaukee & St. Paul Railway Company, appellant, *v.* The United States; and

No. 29. The Louisville & Nashville Railroad Company, appellant, *v.* The United States. Argued by Mr. Benjamin Carter for the appellants, and submitted by Mr. Blackburn Esterline for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 5, will be as follows: Nos. 77, 295, 391, 596, 550, 161, 338, 136, 137, and 138.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Charles V. Barrett, of Chicago, Ill.; William A. Charters, of Gainesville, Ga.; Claude V. Birkhead, of San Antonio, Tex.; Clark C. Wren, of Houston, Tex.; and George E. Brammer, of Des Moines, Iowa, were admitted to practice.

No. 136. Riley Smith, plaintiff in error, *v.* The State of Nebraska. Continued, per stipulation.

No. 137. Ray A. Lower, plaintiff in error, *v.* The State of Nebraska. Continued, per stipulation.

No. 138. The United States of America, plaintiff in error, *v.* The Sioux Falls Coffee & Spice Company. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, on motion of Mr. Solicitor General Beck for the plaintiff in error.

No. 77. Frank S. Myers, appellant, *v.* The United States. Argued by Mr. Solicitor General Beck for the appellee, and submitted by Mr. Will R. King and Mr. Martin L. Pipes for the appellant.

No. 295. F. A. Cocke, plaintiff in error, *v.* Morgan's Louisiana & Texas Railroad & Steamship Company et al. Argued by Mr. Charles N. Burch for the defendants in error, and submitted by Mr. Frederick H. Lotterhos and Mr. George Butler for the plaintiff in error.

No. 391. The United States of America, plaintiff in error, *v.* Joseph Weissman, Jacob Anshelowitz, Maurice L. Estoff, et al. Argued by Mr. Assistant Attorney General Donovan for the plaintiff in error, and submitted by Mr. Benjamin Slade for the defendants in error.

No. 596. John J. McGrain, Deputy Sergeant at Arms of the United States Senate, appellant, *v.* Mally S. Daugherty. Argued by Mr. George W. Wickersham for the appellant, and by Mr. Charles I. Vorys and Mr. John P. Phillips for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 8, will be as follows: Nos. 550, 161, 338, 313, 139, 140, 141, 142, 143, and 146.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Arthur E. Brueckner, of Cleveland, Ohio; Joseph I. Eagleson, of Columbus, Ohio; Robert H. Ledbetter, of Ardmore, Okla.; Paul Carrington, of Dallas, Tex.; Wilbur F. Thayer, jr., of Boston, Mass.; Sidney D. Redmond, of Jackson, Miss.; S. W. Downey, of Sacramento, Calif.; Tom Poe, of Little Rock, Ark.; Ethan B. Stroud, jr., of Dallas, Tex.; Charles C. Murrah, of Herrin, Ill.; John Wallace Young, of New York City; Louis G. Caldwell, of Chicago, Ill.; Joseph B. Fleming, of Chicago, Ill.; and U. S. Lesh, of Indianapolis, Ind., were admitted to practice.

No. 73. John V. Campbell, plaintiff in error. *v.* The United States of America. In error to the District Court of the United States for the Southern District of Ohio: transferred from the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Mr. Justice Butler.

No. 81. In the matter of petition of East River Towing Company, Inc., for Limitation of Liability of Steam Tug *Edward*, Her Engines, etc. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. First question certified answered in the affirmative; second question certified answered in the negative. Opinion by Mr. Justice Holmes.

No. 102. Westinghouse Electric & Manufacturing Company, petitioner, *v.* The Formica Insulation Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of Ohio. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

ORDER

It is now here ordered by this court that the cases heretofore assigned for argument on Monday, February 23 next, be, and the same are hereby, reassigned for Tuesday, February 24 next.

No. 319. The United States, appellant, *v.* P. Lorillard Company. Motion to advance granted; and the cause placed on the summary docket and assigned for argument on Tuesday, February 24 next, after the cases heretofore assigned for that day.

No. 549. Thomas Kannellos, plaintiff in error, *v.* Great Northern Railway Company. In error to the Supreme Court of the State of Minnesota. Per curiam: Dismissed for want of jurisdiction, upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; Philadelphia & Reading Coal & Iron Co., 245 U. S. 162, 165, 166; Ireland *v.* Woods, 246 U. S. 323, 328; Stadelman *v.* Miner, 246 U. S. 544, 546; Chicago Great Western R. R. Co. *v.* Basham, 249 U. S. 164, 165; Citizens' Bank *v.* Opperman, 249 U. S. 448, 450; Jett Bros. Distilling Co. *v.* Carrollton, 252 U. S. 1, 6.

No. 353. The United States, appellant, *v.* Fidelity & Deposit Company of Maryland. Appeal from the Court of Claims. Per curiam: Judgment affirmed, upon the authority of United States *v.* Hvoslef, 237 U. S. 1.

No. 332. Cranberry Creek Coal Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. 333. Alliance Coal Mining Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania;

No. 334. The Lehigh Coal & Navigation Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania; and

No. 335. Philadelphia & Reading Coal & Iron Company, plaintiff in error, *v.* The Commonwealth of Pennsylvania. In error to the Supreme Court of the State of Pennsylvania. Per curiam: Judgments affirmed with costs, upon the authority of Heissler *v.* Thomas Colliery Co., 260 U. S. 245, 255; Oliver Mining Co. *v.* Lord, 262 U. S. 172, 177-179.

No. 402. The Palmer Brothers Company, appellant, *v.* D. E. Weaver, Chief of Bureau, etc. Appeal from the District Court of the United States for the Western District of Pennsylvania. Per curiam: Decree affirmed with costs, upon the authority of Chicago Great Western Railway Company et al. *v.* Kendall et al., decided November 17, 1924, and last paragraph of opinion therein.

No. 423. Gulf, Colorado & Santa Fe Railway Company, appellant, *v.* The Texas & Pacific Railway Company. Appeal from the District Court of the United States for the Southern District of Texas. Per curiam: Cause transferred to the United States Circuit Court of Appeals for the Fifth Circuit, upon authority of act of September 14, 1922, c. 305, 42 Stat. 827; Heitler *v.* The United States, 260 U. S. 438, 439; Dayton-Goose Creek Ry. Co. *v.* The

United States et al., 263 U. S. 456, 478; Railroad Commission *v.* Southern Pacific R. R. Co. et al., 264 U. S. 331, 344.

No. 295. F. A. Cocke, plaintiff in error, *v.* Morgan's Louisiana & Texas R. R. & S. S. Co. et al. In error to the District Court of the United States for the Southern District of Mississippi. Per curiam: Cause transferred to the United States Circuit Court of Appeals for the Fifth Circuit, upon authority of (1) act of September 14, 1922, c. 305, 42 Stat. 827; Heitler *v.* United States, 260 U. S. 438, 439; (2) Toop *v.* Ulysses Land Co., 237 U. S. 580, 583; Piedmont Power & Light Co. *v.* Graham, 253 U. S. 193, 195.

No. 502. Miller's Indemnity Underwriters, plaintiff in error, *v.* Mrs. Nellie Boudreaux Braud, etc., et al. Petition for a writ of certiorari herein denied.

No. 738. Herman L. Copeland, etc., petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 744. Lyda Fisher et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

The Chief Justice also announced that the court will take a recess from Monday, December 15, 1924, until Monday, January 5, 1925.

No. 48. Federal Trade Commission, plaintiff in error, *v.* Hammond, Snyder & Company;

No. 49. Federal Trade Commission, plaintiff in error, *v.* Baltimore Grain Company; and

No. 50. Federal Trade Commission, plaintiff in error, *v.* H. C. Jones Company, Inc. Joint request to restore case to the call for Monday, January 5 next, submitted by Mr. Solicitor General Beck in that behalf.

No. 120. The United States of America, appellant, *v.* T. H. Dunn et al. Joint request to restore case to the call for Monday, January 12 next, submitted by Mr. Solicitor General Beck in that behalf.

No. 129. Charles V. Duffy, Collector, etc., petitioner, *v.* The Central Railroad Company of New Jersey. Joint request to restore case to the call for Monday, January 12 next, submitted by Mr. Solicitor General Beck in that behalf.

No. 53. Joshua W. Miles, formerly U. S. Collector, plaintiff in error, *v.* Samuel J. Graham. Joint request to restore case to the call for Monday, January 5 next, submitted by Mr. Solicitor General Beck in that behalf.

No. 733. Blakely D. McCaughn, Collector, petitioner, *v.* Charles H. Ludington. Motion to advance submitted by Mr. Solicitor General Beck in behalf of counsel for the respondent.

No. 749. Pennsylvania Mining Company, petitioner, *v.* United Mine Workers of America et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Daniel Davenport and Mr. Walter Gordon Merritt for the petitioner and by Mr. Henry Warrum, Mr. G. L. Grant, and Mr. William A. Glasgow, jr., for the respondents.

No. —, original. *Ex parte* In the matter of William J. Veach, petitioner. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. Henry J. Richardson for the petitioner.

No. 354. William Ash Company et al., plaintiffs in error, *v.* The Reclamation Board of the State of California et al. Motion to dismiss submitted by Mr. Robert T. Devlin in behalf of Mr. Stephen W. Downey and Mr. Bradford M. Melvin for the defendants in error in support of the motion, and by Mr. J. W. Dorsey for the plaintiffs in error in opposition thereto.

No. 724. Willis H. Roberts, petitioner, *v.* Flora Taylor et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Robert T. Devlin and Mr. William H. Devlin for the petitioner, and by Mr. W. H. Metson for the respondents.

Nos. 709 and 710. James C. Davis, Director General of Railroads, etc., plaintiff in error, *v.* George B. Newton Coal Company. Motion to advance submitted by Mr. Allen S. Armsted in that behalf.

No. 680. Mariano Viamonte Fernandez, appellant, *v.* Perley B. Phillips, U. S. Marshal, etc. Motion to reduce bail submitted by Mr. John E. Benton for the appellant; with leave to Mr. H. B. Elgar to file a brief in opposition thereto on or before Friday next.

No. 583. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* The Society of the Sisters of the Holy Names of Jesus and Mary. Motion to advance submitted by Mr. Robert Ash in behalf of counsel.

No. 584. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* Hill Military Academy. Motion to advance submitted by Mr. Robert Ash in behalf of counsel.

No. 731. William J. Juneau, petitioner, *v.* The Wisconsin Tax Commission of the State of Wisconsin et al. Petition for a writ of certiorari to the Supreme Court of the State of Wisconsin submitted by Mr. Nelson Trottman for the petitioner.

No. 735. Clifford I. Vorhees et al., petitioners, *v.* Grinnell Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. John M. Enright for the petitioner and by Mr. John J. Stamler for the respondent.

No. 736. C. Levensaler et al., etc., petitioners. *v.* United States Shipping Board Emergency Fleet Corporation. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. J. Harry Covington and Mr. Spencer Gordon for the petitioners.

No. 745. Indian Refining Company, petitioner, *v.* John C. Taylor. Petition for a writ of certiorari to the Supreme Court of the State of Indiana submitted by Mr. James W. Noel for the petitioner and by Mr. U. S. Lesh for the respondent.

No. 753. The State Industrial Board of the State of New York, petitioner, *v.* U. S. Railroad Administration (New York Central Railroad Company), etc. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Carl Sherman and Mr. E. C. Aiken for the petitioner and by Mr. Robert E. Whalen for the respondent.

No. 219. Red Seal Oil Company, appellant, *v.* Albert Bittner et al. Submitted, pursuant to the provisions of the twentieth rule, by Mr. Edward H. S. Martin for the appellant and by Mr. O. W. Dynes and Mr. M. L. Bluhm for the appellees.

No. 590. J. C. Crowson, plaintiff in error, *v.* Michael Cody et al. Submitted, pursuant to the provisions of the twentieth rule, by Mr. W. A. Gunther for the plaintiff in error, and by Mr. Fred S. Ball for the defendants in error.

No. 494. A. A. Holmes, plaintiff in error, *v.* L. W. Bronaugh. Motion to dismiss submitted by Mr. C. C. Hatchett for the defendant in error in support of the motion, and by Mr. Reford Bond for the plaintiff in error in opposition thereto.

No. 140. J. L. Lancaster et al., receivers, etc., plaintiffs in error, *v.* O. R. Houghton. Submitted by Mr. T. D. Gresham and Mr. F. H. Prendergast for the plaintiffs in error. No brief filed for the defendant in error.

No. 146. L. B. Norton et al., appellants, *v.* Cheparney Larney, a minor, et al. Submitted by Mr. Nathan A. Gibson and Mr. Joseph L. Hull for the appellants, and by Mr. Elias J. Van Court for the appellees.

No. 550. DeWitt T. Law, plaintiff in error, *v.* The United States of America. Leave granted Mr. DeWitt T. Law to appear and present oral argument pro hac vice, on motion of Mr. Thomas J. Walsh in that behalf. Argued by Mr. DeWitt T. Law for the plaintiff in error, and by Mr. Assistant Attorney General Donovan for the defendant in error.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Five and one-half hours allowed for the oral argument of this case, on motion of Mr. Solicitor General Beck in that behalf. Argument commenced by Mr. Edmund D. Adcock for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 9, will be as follows: Nos. 161, 338, 313, 139, 141, 142, 143, 147, 148, and 149.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Edward J. Redington, of New York City; Edward A. Craighill, jr., of New York City; James A. Fee, jr., of Pendleton, Oreg.; Michael H. Cardozo, jr., of New York City; David Paine, of New York City; Charles R. Sercomb, of Chicago, Ill.; H. K. Toney, of Pine Bluff, Ark.; and W. B. Sorrells, of Pine Bluff, Ark., were admitted to practice.

No. 353. The United States, appellant, *v.* Fidelity & Deposit Company of Maryland. Mandate granted, on motion of Mr. Simon Lyon for the appellee.

No. 147. James C. Davis, Director General, etc., petitioner, *v.* A. E. Manry. Submitted by Mr. T. M. Cunningham, jr., and Mr. I. J. Hofmayer for the petitioner, and by Mr. Robert Douglas Feagan for the respondent.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Argument continued by Mr. Daniel N. Kirby for the Mississippi Valley States as amici curiae, by special leave; by Mr. Solicitor General Beck for the appellee; by Mr. Andrew B. Dougherty for the States of Michigan, Indiana, New York, Ohio, Pennsylvania, Wisconsin, and Minnesota as amici curiae, by special leave; by Mr. Harvey D. Goulder for the Great Lakes Carriers' Association as amicus curiae, by special leave; by Mr. Joseph B. Fleming for the appellee; and concluded by Mr. Edmund D. Adcock for the appellant.

No. 338. The United States of America et al., appellants, *v.* Butterworth-Judson Corporation et al. Argument commenced by Mr. William Marshall Bullitt for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 10, will be as follows: Nos. 338, 313, 139, 141, 142, 143, 148, 149, 150, and 151.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Allan C. Rowe, of Summit, N. J.; James J. Farnan, of Laporte, Ind.; Sidney H. Block, of Waukegan, Ill.; Arthur Bulkley, of Waukegan, Ill.; John J. O'Brien, of Sangus, Mass.; Everett E. Kirkpatrick, of Los Angeles, Calif.; Henry M. Holden, of Houston, Tex.; John F. Devitt, of Muscatine, Iowa; E. Raymond Tipton, of Muscatine, Iowa; William D. Burnett, of Portland, Oreg.; and Hervey L. Woodward, of Worcester, Mass., were admitted to practice.

No. 29. The Louisville & Nashville Railroad Company, appellant, *v.* The United States. Motion for further argument submitted by Mr. Benjamin Carter for the appellant.

No. 338. The United States of America et al., appellants, *v.* Butterworth-Judson Corporation et al. Argument continued by Mr. William Marshall Bullitt for the appellants, by Mr. William C. Breed for the appellee National Newark & Essex Banking Company of Newark, N. J., and concluded by Mr. David Paine for the appellees Chase National Bank et al.

No. 313. William Leather and Leon K. Leigh, appellants, *v.* Mark J. White. Argued by Mr. Oliver J. Cook for the appellants, and by Mr. Alfred A. Wheat for the appellee.

No. 139. The United States of America, appellant, *v.* Steamship *Panoil*. Argued by Mr. J. Frank Staley for the appellant, and by Mr. Walter Carroll for the appellee.

No. 141. Kunhardt & Company, Inc., appellant, *v.* The United States. Argument commenced by Mr. Raymond M. Hudson for the appellant. The court declined to hear further argument.

No. 142. L. Richardson & Company, Inc., appellant, *v.* The United States. Argument commenced by Mr. Raymond M. Hudson for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 11, will be as follows: Nos. 142, 143, 148, 149, 150, 151, 152 (and 179), 153, 154, and 155.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

P. L. Solether, of Minneapolis, Minn.; Charles F. Hutchins, of Los Angeles, Calif.; Byron C. Hanna, of Los Angeles, Calif.; Regene Freund Cohane, of Detroit, Mich.; Osborne Mitchell, of Youngstown, Ohio; Burk Mann, of Marianna, Ark.; and Thomas M. Hyndman, of Philadelphia, Pa., were admitted to practice.

No. 708. James H. DeVeuve et al., petitioners, *v.* Black Rock Power & Irrigation Company et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed as to remaining petitioners James H. DeVeuve and Mary C. DeVeuve, on motion of Mr. Dale A. Drain in that behalf.

No. 465. Joab H. Banton, District Attorney, etc., et al., appellants, *v.* Belt Line Railway Corporation. Motion to reassign submitted by Mr. Joseph F. Mulqueen in that behalf.

No. 142. L. Richardson & Company, Inc., appellant, *v.* The United States. Argument continued by Mr. Raymond M. Hudson for the appellant, and concluded by Mr. Alfred A. Wheat for the appellee.

No. 143. United States Bedding Company, appellant, *v.* The United States. Argued by Mr. Raymond M. Hudson for the appellant, and by Mr. Alfred A. Wheat for the appellee.

No. 148. J. L. Lancaster et al., Receivers, etc., plaintiffs in error, *v.* B. W. McCarthy et al. Submitted by Mr. T. D. Gresham and Mr. F. H. Prendergast for the plaintiffs in error. No brief was filed for the defendants in error.

No. 149. Nicholas Webster, appellant, *v.* Albert B. Fall, Secretary of the Interior, et al. Argument commenced by Mr. Preston A. Shinn for the appellant. The court declined to hear further argument.

No. 150. Muscatine Lighting Company, appellant, *v.* The City of Muscatine et al. Argument commenced by Mr. William Chamberlain for the appellant, continued by Mr. J. F. Devitt and Mr. E. Raymond Tipton for the appellees, and concluded by Mr. William Chamberlain for the appellant.

No. 151. The Board of County Commissioners of Barber County, State of Kansas, plaintiff in error, *v.* Carl J. Peterson, Bank Commissioner, etc. Argument commenced by Mr. Chester I. Long for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 12, will be as follows: Nos. 151, 152 (and 179), 153, 154, 155, 156, 157, 158, 159, and 160.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Allen P. Dodd, of Louisville, Ky.; Charles Green Smith, of New York City; Heber McHugh, of Seattle, Wash.; Willis H. Meredith, of Poplar Bluff, Mo.; Walter Biddle Saul, of Philadelphia, Pa.; and Kenneth Gardner, of New York City, were admitted to practice.

No. 91. Tampa-Inter-Ocean Steamship Company, Inc., plaintiff in error, *v.* The State of Louisiana. Motion for leave to reargue principles in No. 141, October term, 1923, submitted by Mr. J. Zach Spearing in that behalf.

No. 151. The Board of County Commissioners of Barber County, State of Kansas, plaintiff in error, *v.* Carl J. Peterson, Bank Commissioner, etc. Argument continued by Mr. Chester I. Long for the plaintiff in error, and concluded by Mr. John G. Egan for the defendant in error.

No. 152. Fullerton-Krueger Lumber Company, plaintiff in error, *v.* Northern Pacific Railway Company et al.; and

No. 179. Fullerton-Krueger Lumber Company, petitioner, *v.* Northern Pacific Railway Company et al. Argument commenced by Mr. P. L. Solether for the plaintiff in error and petitioner. The court declined to hear further argument.

No. 153. Edmund L. Ebert et al., petitioners, *v.* Harry P. Poston. Argument commenced by Mr. P. J. M. Hally for the petitioner, continued by Mrs. Regene Freund Cohane and Mr. Louis Cohane for the respondent, and concluded by Mr. E. H. Groefsema for the petitioners.

Adjourned until Monday next at 2.30 p. m.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

H. E. Crowley, of Fort Worth, Tex.; Charles T. Cowenhoven, jr., of New York City; Alfred Evens, of Greencastle, Ind.; J. H. Currie, of Meridian, Miss.; Frank B. Ober, of Baltimore, Md.; Bryan H. Tivnen, of Mattoon, Ill.; Robert Leyland Wilkins Thompson, of Dallas, Tex.; and F. A. Kern, of Ellensburg, Wash., were admitted to practice.

No. 62. Aetna Life Insurance Company et al., plaintiffs in error, *v.* Mrs. Pearl Stone Dunken, Administratrix, etc. In error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 33. Kansas City Southern Railway Company et al., plaintiffs in error, *v.* Road Improvement District No. 3 of Sevier County, Arkansas, et al. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 391. The United States of America, plaintiff in error, *v.* Joseph Weissman et al. In error to the District Court of the United States for the District of Connecticut. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 320. National Paper & Type Company, plaintiff in error, *v.* Frank K. Bowers, Collector, etc. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 547. Barclay & Company, Inc., plaintiff in error, *v.* William H. Edwards, Collector, etc. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. —, original. *Ex parte* In the matter of William J. Veach, petitioner. Motion for leave to file a petition for a writ of mandamus herein denied.

No. 680. Mariano Viamonte Fernandez, appellant, *v.* Perley B. Phillips, U. S. Marshal, etc. Motion to reduce bail in this cause denied.

No. 29. The Louisville & Nashville Railroad Company, appellant, *v.* The United States. Motion for a further argument in this cause denied.

No. 465. Joab H. Banton, District Attorney, etc., et al., appellants, *v.* Belt Line Railway Corporation. Motion to reassign this cause granted, and cause reassigned for argument on Tuesday, February 24 next, after the cases heretofore assigned for that day.

No. 48. Federal Trade Commission, plaintiff in error, *v.* Hammond Snyder & Company;

No. 49. Federal Trade Commission, plaintiff in error, *v.* Baltimore Grain Company; and

No. 50. Federal Trade Commission, plaintiff in error, *v.* H. Ç. Jones Company, Inc. On consideration of the motion to restore these cases to the call pursuant to section 9, Rule 26, it is now here ordered by this court that these cases be, and the same are hereby, restored for argument on Tuesday, February 24 next, after the cases heretofore assigned for that day.

No. 120. The United States of America, appellant, *v.* T. H. Dunn et al. On consideration of the motion to restore this cause to the call pursuant to section 9, Rule 26, it is now here ordered by this court that this cause be, and the same is hereby, restored for argument on Tuesday, February 24 next, after the cases heretofore assigned for that day.

No. 129. Charles V. Duffy, Collector, etc., petitioner, *v.* The Central Railroad Company of New Jersey. On consideration of the motion to restore this cause to the call pursuant to section 9, Rule 26, it is now here ordered by this court that this cause be, and the same is hereby, restored for argument on Tuesday, February 24 next, after the cases heretofore assigned for that day.

No. 53. Joshua W. Miles, formerly U. S. Collector, plaintiff in error, *v.* Samuel J. Graham. On consideration of the motion to restore this cause to the call pursuant to section 9, Rule 26, it is now here ordered by this court that this cause be, and the same is hereby, restored for argument on Tuesday, February 24 next, after the cases heretofore assigned for that day.

No. 733. Blakely D. McCaughn, Collector, petitioner, *v.* Charles H. Ludington. Motion to advance granted, and cause placed on the summary docket and assigned for argument on Monday, January 5 next.

Nos. 709 and 710. James C. Davis, Director General of Railroads, etc., plaintiff in error, *v.* George B. Newton Coal Company. Motion to advance granted, and cases placed on the summary docket and assigned for argument on Monday, January 5 next, after the cases heretofore assigned for that day.

No. 583. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* The Society of the Sisters of the Holy Name of Jesus and Mary; and

No. 584. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* Hill Military Academy. Motions to advance granted, and the cases assigned for argument on Thursday, February 24 next, after the cases heretofore assigned for that day.

No. 619. The Virginian Railway Company, petitioner, *v.* A. J. Mullens. Petition for a writ or certiorari to the Circuit Court of Wyoming County, State of West Virginia, granted.

No. 697. E. B. Engel, petitioner, *v.* J. O. Davenport et al. Petition for a writ of certiorari to the Supreme Court of the State of California granted.

No. 580. C. E. Schaff, as Receiver, etc., petitioner, *v.* Mrs. Beerah Ridlehuber, Administratrix, etc. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas denied.

No. 724. Willis H. Roberts, petitioner, *v.* Flora Taylor et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 735. Clifford I. Vorhees et al., petitioners, *v.* Grinnell Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 736. C. Levensaler et al., etc., petitioners, *v.* United States Shipping Board Emergency Fleet Corporation. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 749. Pennsylvania Mining Company, petitioner, *v.* United Mine Workers of America et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 753. The State Industrial Board of the State of New York, petitioner, *v.* U. S. Railroad Administration (New York Central Railroad Company). Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 354. William Ash Company et al., plaintiffs in error, *v.* The Reclamation Board of the State of California et al. In error to the Supreme Court of the State of California. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 219. Red Seal Oil Company, appellant, *v.* Albert Bittner et al. Appeal from the District Court of the United States for the Northern District of Illinois. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Hohorst v. Packet Co.*, 148 U. S. 262, 264; *Collins v. Miller*, 252 U. S. 364, 370; *Arnold v. United States*, 263 U. S. 427, 434.

No. 590. J. C. Crowson, plaintiff in error, *v.* Michael Cody et al. In error to the Supreme Court of the State of Alabama. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147.

No. 140. J. L. Lancaster et al., Receivers, etc., plaintiffs in error, *v.* O. R. Houghton. In error to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Stratton v. Stratton*, 239 U. S. 55; *Andrews v. Virginian Ry. Co.*, 248 U. S. 272, 275; *Chicago Great Western R. R. v. Basham*, 249 U. S. 164, 167.

No. 150. Muscatine Lighting Company, appellant, *v.* City of Muscatine et al. Appeal from the District Court of the United States for the Southern District of Iowa. Per curiam: Dismissed for the want of jurisdiction, upon the authority of *Heike v. United States*, 217 U. S. 423, 429; *Rexford v. Brunswick-Balke-Collender Co.*, 228 U. S. 339, 345, 346; *Lincoln Gas & Electric Co. v. Lincoln*, 253 U. S. 477.

No. 151. The Board of County Commissioners of Barber County, State of Kansas, plaintiff in error, *v.* Carl J. Peterson, Bank Commissioner, etc. In error to the Supreme Court of the State of Kansas. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Maryland v. Baltimore & Ohio R. R. Co.*, 3 How. 534, 550; *Pawhuska v. Pawhuska Oil Co.*, 250 U. S. 394, 399; *Trenton v. New Jersey*, 262 U. S. 182, 188; *Newark v. New Jersey*, 262 U. S. 192, 196.

No. 313. William Leather et al., appellants, *v.* Mark J. White. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Per curiam: Affirmed with costs, upon the authority of *Belknap v. Schild*, 161 U. S. 10, 16; *Stanley v. Schwalby*, 162 U. S. 255, 270.

No. 527. The United States, appellant, *v.* Harriet Rogers Flannery et al., Executors, etc. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Newell W. Ellison in behalf of Mr. Richard W. Hale and Mr. Reginald H. Smith.

No. 495. Georgine Iselin, appellant, *v.* The United States. Motion to advance submitted by Mr. Newell W. Ellison in that behalf.

No. 371. Northern Pacific Railway Company et al., plaintiffs in error, *v.* The Department of Public Works of Washington et al. Motion to dismiss submitted by Mr. Blaine Mallan in behalf of Mr. John H. Dunbar, Mr. Raymond W. Clifford, and Mr. Stephen V. Carey for the defendants in error in support of the motion, and by Mr. Charles W. Bunn for the plaintiffs in error in opposition thereto.

No. 485. The Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* Richard E. Collins et al., etc.; and

No. 486. Southern Pacific Company, appellant, *v.* Richard E. Collins et al., etc. Motion to advance submitted by Mr. C. F. R. Ogilby in that behalf.

No. 348. Realty Holding Company, appellant, *v.* Lavina B. Donaldson. Motion of appellee to dissolve injunction or to require appellant to give bond submitted by Mr. L. B. Gardner in behalf of counsel for the appellee, with leave to appellant to file opposition thereto on or before the 22d instant.

No. 624. Black Rock Power & Irrigation Company, appellant, *v.* W. R. Adamson et al. Motion to dismiss submitted by Mr. F. A. Kern in behalf of Mr. Carroll B. Graves for the appellees in support of the motion, and by Mr. George Donworth, Mr. Elmer E. Todd, and Mr. John C. Higgins for the appellant in opposition thereto.

No. 740. Frank S. Ashley, petitioner, *v.* C. Arthur Eby, Trustee of the Estate of Frank M. Young, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Charles G. Baldwin and Mr. G. Ridgely Sappington for the petitioner, and by Mr. Sylvan Hayes Lauchheimer for the respondent.

Nos. 746 and 747. Pullman Couch Company, petitioner, *v.* J. A. Eshelman, Trustee. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Jacob G. Grossberg for the petitioner, and by Mr. Aubrey L. Brooks for the respondent.

No. 748. Reading Company, Successor of Philadelphia & Reading Railway Company, petitioner, *v.* John L. Koons, Administrator. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Charles Heebner for the petitioner.

No. 751. Jacob H. Fink, petitioner, *v.* Frances F. Peck. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. J. L. Krupshaw and Mr. E. Hilton Jackson for the petitioner, and by Mr. Louis Ottenberg for the respondent.

No. 765. Franklin Trust Company, petitioner, *v.* Advance Oil Company, Bankrupt, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. R. T. M. McCready for the petitioner, and by Mr. William J. Breene for the respondents.

Adjourned until Monday, January 5, 1925, at 12 o'clock.

The day call for Monday, January 5, will be as follows: Nos. 154, 155, 156, 157, 158, 159, 160, 422, 671, 273, 509, 389, 676 (and 677), 597 (and 598), 527, 733, 444, 629 (and 661), 443, 417, 515 (and 516), and 709 (and 710).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Pablo G. Cornista, of Manila, P. I.; Rufino Luna, of Manila, P. I.; Harold E. Stiles, of Gary, Ind.; C. W. Strickling, of Huntington, W. Va.; Selig Edelman, of New York City; Theodore B. Benson, of Charlottesville, Va.; Lester Shields Parsons, of Norfolk, Va.; Willis Crane, of Washington, D. C.; William J. Berne, of Fort Worth, Tex.; Melvin G. Ely, of Jonesville, Va.; Walter Kenyon Lloyd, of Little Rock, Ark.; Myer Rosenbush, of Baltimore, Md.; Joseph Bernstein, of Baltimore, Md.; Riley Strickland, of Austin, Tex.; Frank Irvine, of Ithaca, N. Y.; John B. Putnam, of Cleveland, Ohio; John T. Loughran, of New York City; Alan N. Mann, of New York City; Walter H. Sprague, of Los Angeles, Calif.; W. B. Symmes, jr., of New York City; and Glenn Y. Wells, of Portland, Oreg., were admitted to practice.

No. 98. The United States, appellant, *v.* Charles A. Morrow. Appeal from the Court of Claims. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 141. Kunhardt & Company, Inc., appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sanford.

No. 142. L. Richardson & Company, Inc., appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sanford.

No. 78. Erie Coal & Coke Corporation, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler.

No. 113. Baltimore & Ohio Railroad Company, petitioner, *v.* Freda Groeger, Administratrix of the Estate of John C. Groeger, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Ohio. Opinion by Mr. Justice Butler.

No. 104. Hygrade Provision Company, Inc., et al., appellants, *v.* Carl Sherman, as Attorney General of the State of New York, et al.;

No. 105. Lewis & Fox Company, appellant, *v.* Carl Sherman, as Attorney General of the State of New York, et al.; and

No. 106. Harry Satz, appellant, *v.* Carl Sherman, as Attorney General of the State of New York, et al. Appeals from the District Court of the United States for the Southern District of New York. Decrees affirmed with costs. Opinion by Mr. Justice Sutherland. Mr. Justice Brandeis took no part in the consideration or decision of this case.

No. 487. Farmers & Mechanics National Bank of Fort Worth, Texas, appellant, *v.* W. W. Wilkinson, Trustee, et al. Appeal from the District Court of the United States for the Northern District of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Sutherland.

No. 149. Nicholas Webster, appellant, *v.* Albert B. Fall, Secretary of the Interior, et al. Appeal from the District Court of the United States for the Western District of Oklahoma. Decree reversed with costs; and cause remanded with directions to dismiss the bill for want of a necessary party. Opinion by Mr. Justice Sutherland.

No. 146. L. B. Norton et al., appellants, *v.* Cheparney Larney, a Minor, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 25. The United States of America et al., appellants, *v.* The Village of Hubbard, Ohio; and

No. 26. The United States of America et al., appellants, *v.* The City of Wellsville, Ohio. Appeals from the District Court of the United States for the Northern District of Ohio. Decrees reversed; and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds.

No. 112. John G. Morrison, Jr., et al., appellants, *v.* Hubert Work, Secretary of the Interior, et al. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 143. United States Bedding Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 550. De Witt T. Law, plaintiff in error, *v.* The United States of America. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment reversed; and cause remanded to the District Court of the United States for the District of Montana for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 139. The United States of America, appellant, *v.* Steamship *Panoil*. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree affirmed. Opinion by Mr. Justice McReynolds.

No. 152. Fullerton-Krueger Lumber Company, plaintiff in error, *v.* Northern Pacific Railway Company. In error to the Supreme Court of the State of Minnesota. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 179. Fullerton-Krueger Lumber Company, petitioner, *v.* Northern Pacific Railway Company et al. On writ of certiorari to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 212. The Delaware and Hudson Company et al., appellants, *v.* The United States of America et al. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed. Opinion by Mr. Justice McReynolds. Mr. Justice Butler took no part in the consideration or decision of this cause.

No. 316. Robins Dry Dock & Repair Company, plaintiff in error, *v.* Lars Dahl. In error to the Supreme Court of the State of New York. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 343. Behn, Meyer & Company, Limited, appellant, *v.* Thomas W. Miller, as Alien Property Custodian of the United States, and Frank White, as Treasurer of the United States. Appeal from the Court of Appeals of the District of Columbia. Decree reversed with costs; and cause remanded to the Supreme Court of the District of Columbia for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 412. Compagnie Internationale de Produits Alimentaires, S. A., appellant, *v.* Thomas W. Miller, as Alien Property Custodian of the United States of America et al. Appeal from the Court of Appeals of the District of Columbia. Decree reversed with costs; and cause remanded to the Supreme Court of the District of Columbia for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 161. The Sanitary District of Chicago, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Northern District of Illinois. Decree for injunction affirmed, to go into effect in sixty days—without prejudice to any permit that may be issued by the Secretary of War according to law. Opinion by Mr. Justice Holmes; announced by Mr. Chief Justice Taft.

No. 147. James C. Davis, as Director General of Railroads and Agent, etc., petitioner, *v.* A. E. Manry. On writ of certiorari to the Court of Appeals of the State of Georgia. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

The Chief Justice also announced the following orders of the court:

No. 91. Tampa-Inter-Ocean Steamship Company, Inc., plaintiff in error, *v.* The State of Louisiana. Motion to reargue principles of *Texas Transport & Terminal Company v. New Orleans* (264 U. S. 150) denied.

No. 371. Northern Pacific Railway Company et al., plaintiffs in error, *v.* The Department of Public Works of Washington et al. Motion to dismiss this cause denied.

No. 348. Realty Holding Company, appellant, *v.* Lavina B. Donaldson. Motion to dissolve injunction or require bond denied.

No. 494. A. A. Holmes, plaintiff in error, *v.* L. W. Bronaugh. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 22, 39 Stat. 726; *Philadelphia & Reading Coal & Iron Co. v. Gilbert*, 245 U. S. 162; *Ireland v. Woods*, 246 U. S. 323, 328; *Stadelman v. Miner*, 246 U. S. 544, 546; *Chicago Great Western R. R. Co. v. Basham*, 249 U. S. 164, 165; *Citizens' Bank v. Opperman*, 249 U. S. 448, 450; *Jett Bros. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 624. Black Rock Power & Irrigation Company, appellant, *v.* W. R. Adamson and Lyle Adamson, his wife, et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed for want of jurisdiction upon the authority of sec. 128, Judicial Code; *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 254 U. S. 712, 720; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 459, 444.

No. 495. Georgine Iselin, appellant, *v.* The United States. Motion to advance denied.

No. 485. The Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* Richard E. Collins et al. Motion to advance granted; and cause assigned for argument on Tuesday, February 24 next, after the cases heretofore assigned for that day.

No. 486. Southern Pacific Company, appellant, *v.* Richard E. Collins et al. Motion to advance granted; and cause assigned for argument on Tuesday, February 24 next, after the cases heretofore assigned for that day.

No. 34. George F. Shafer, as Attorney General of the State of North Dakota, et al., appellants, *v.* Farmers Grain Company of Embden et al. Appeal from the District Court of the United States for the District of North Dakota. This cause is restored to the docket for reargument on all the questions involved, particularly including the following:

No. 1. Whether the North Dakota statute of 1922 differs materially in its provisions and operations from the statute of 1919 which was held invalid by this court in *Lemke v. Farmers Grain Co.*, 258 U. S. 50, and *Lemke v. Homer Farmers Elevator Co.*, 258 U. S. 65.

No. 2. Whether and to what extent section 17 of the statute of 1922 gives effect to and continues in force the provisions of the statute of 1919.

No. 3. Whether and in what particulars the statute of 1922 encroaches upon the field of regulation occupied by the United States grain standards act or conflicts with that act or with its administration.

No. 34. George F. Shafer, as Attorney General of the State of North Dakota, et al., appellants, *v.* Farmers Grain Company of Embden et al.;

No. 77. Frank S. Myers, appellant, *v.* The United States;

No. 236. Walter L. Marr, appellant, *v.* The United States; and

No. 342. Maple Flooring Manufacturers Association et al., appellants, *v.* The United States of America. It is ordered that these cases be restored to the docket for reargument on Tuesday, February 24 next, at the head of the call for that day.

No. 727. Missouri Pacific Railroad Company, petitioner, *v.* Byrd J. Boone. Petition for a writ of certiorari to the St. Louis Court of Appeals of the State of Missouri granted.

No. 748. Reading Company, Successor of Philadelphia & Reading Railway Company, petitioner, *v.* John L. Koons, Administrator. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania granted.

No. 624. Black Rock Power & Irrigation Company, appellant, *v.* W. R. Adamson et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 656. Luisa Lim, petitioner, *v.* Tomas Cabigao. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 731. William J. Juneau, petitioner, *v.* The Wisconsin Tax Commission of the State of Wisconsin et al. Petition for a writ of certiorari to the Supreme Court of the State of Wisconsin denied.

No. 740. Frank S. Ashley, petitioner, *v.* C. Arthur Eby, Trustee of the Estate of Frank M. Young, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

Nos. 746 and 747. Pullman Couch Company, petitioner, *v.* J. A. Eshelman, Trustee. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 751. Jacob H. Fink, petitioner, *v.* Frances F. Peck. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 765. Franklin Trust Company, petitioner, *v.* Advance Oil Company, Bankrupt et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 704. Fidelity & Deposit Company of Maryland et al., petitioners, *v.* The State of Minnesota. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 745. Indian Refining Company, petitioner, *v.* John C. Taylor. Petition for a writ of certiorari to the Supreme Court of the State of Indiana denied.

No. 654. J. L. Lancaster et al., Receivers, etc., plaintiffs in error, *v.* H. L. Smith et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

The Chief Justice said:

"Gentlemen of the Bar: Mr. Justice McKenna has announced to us, his colleagues of the court, his purpose to retire from the bench. He has presented his resignation to the President, who has accepted it. As his associates we have expressed our feelings toward him in a personal letter which I shall now read."

JANUARY 5, 1925.

DEAR BROTHER MCKENNA: Your active membership in this court is ending after 27 years. The affectionate and charming intimacy of that relation is known only to those who have enjoyed it. Few have been permitted to share it as long as you have. Happy are you with such a retrospect of love, confidence, and usefulness.

What an extended and varied experience you have had! Going with your parents to California at the age of 12, you settled in the Golden State a little more than five years after the arrival of

the Forty-niners. Your youth and young manhood were spent in the atmosphere of that community's irrepressible enthusiasm and inspiring confidence in its great future.

Admitted to the bar in 1865, twice district attorney of your home county, for two years its representative in your State legislature, your upward steps carried you to the National House of Representatives, where during four Congresses you served with distinction. Put to the test in one of your electoral campaigns, you declined to yield your convictions on what you deemed sound monetary principles, and in the face of overwhelming adverse local sentiment, you carried again your congressional district. You attached your colleagues in the House to you by your proved character and won the admiration and trust of the two great rival Republican leaders of that day.

Against your inclination, President Harrison induced you to become a Federal circuit judge, and to begin your experience on the bench with the birth of a tribunal which has since done much to expedite the administration of national justice—the Circuit Court of Appeals. Five years you had served there when your former congressional colleague, William McKinley, called you to his Cabinet as Attorney General. Then he appointed you a Justice of this court.

For more than a quarter century you have borne the burden of intense judicial labor. More than half that time you have been the senior Associate Justice. Your opinions, found in 96 volumes of our reports, 170 to 266, number 633. In them you depart from conventional wording and adopt a distinctive style of your own, readily recognized by one familiar with the reports. It is characterized by clearness and force, with a grace of touch and aptness of phrase that stimulates the reader's interest. An examination of that array of judgments in cases, many of them of primary public importance, reveals how much of your trained mental energy, long experience with men and affairs, judicial and ethical spirit, and love of country have been poured into them.

Your pride in the court, its high traditions, and its courage has made deep impression on us who have enjoyed the benefit of your greater experience, example, and esprit de corps. Your fraternal nature, your loyalty toward each of us, your tenderness in times of strain and stress, endear you to us and make us feel deeply sensible of our loss.

May you have many years of happy and well-earned leisure, sweetened by thoughts of the affection and high regard of your associates, and still more by the knowledge of the good you have wrought in your great and honorable career. Farewell!

Affectionately yours,

WILLIAM H. TAFT.
 OLIVER WENDELL HOLMES.
 WILLIS VAN DEVANTER.
 JAMES C. McREYNOLDS.
 LOUIS D. BRANDEIS.
 GEORGE SUTHERLAND.
 PIERCE BUTLER.
 EDWARD T. SANFORD.

Mr. JUSTICE McKENNA.

JANUARY 5, 1925.

MY DEAR CHIEF JUSTICE AND MY DEAR BRETHREN: I thank you for your expressions of esteem. I accept and appreciate even their praise as impelled by personal friendship and as a mark of it. They mitigate the regret—indeed, sorrow—that I feel in separating from the work of a tribunal so necessary to the existence of a constitutional government—a work whose guiding and prompting considerations regarded, it has so adequately performed, and it is assured prediction, will continue to perform.

To this sorrow I shall have the more intimate personal one of a separation from the companionship of you, my dear Chief and brethren. Here, again, is the mitigation that I shall carry to my retirement, as you so feelingly remind me, abiding reminiscences of it, the honor conferred, the pleasure it gave. And to it will be added the recollection of the association with the eminent men who preceded you in the constitution of the court and its work. May I say in some emphasis of my service that it was under three Chief Justices—Chief Justice Fuller, Chief Justice White, and you, my dear Chief, which is yet in instance, though soon to become a memory.

I conclude, assured by your words of regard, that while our official relations are this day severed, our personal ones, their pleasure and honor, to me will be continued.

With these words of good-bye go my sincere and affectionate regards.

JOSEPH MCKENNA.

No. 40. The United States of America, petitioner, *v.* Gulf Refining Company. Joint request to restore case to the call submitted by Mr. Solicitor General Beck for the petitioner.

No. 509. The United States of America ex rel. Walter S. Kennedy et al., appellants, *v.* William F. Waldow, Sheriff, etc., et al. Passed on motion of Mr. Solicitor General Beck for the appellants.

No. 379. Charles Sherwin et al., petitioners, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Beck for the respondent.

No. 440. The United States, appellant, *v.* St. Louis, San Francisco & Texas Railway Company. Motion to advance submitted by Mr. Solicitor General Beck for the appellant.

No. 441. The United States, appellant, *v.* Wabash Railway Company. Motion to advance submitted by Mr. Solicitor General Beck for the appellant.

No. 524. William H. Edwards, Collector, etc., petitioner, *v.* Archibald Douglas, et al., Executors, etc. Motion to advance submitted by Mr. Solicitor General Beck for the petitioner.

No. 589. *American Steel Foundries v. Thomas E. Robertson, Commissioner of Patents, et al.* Motion to advance submitted by Mr. Solicitor General Beck for Thomas E. Robertson, Commissioner of Patents, et al.

No. 681. *C. G. Lewellyn, formerly Collector, plaintiff in error, v. Adelaide H. C. Frick, et al.* Motion to advance submitted by Mr. Solicitor General Beck for the plaintiff in error.

No. 768. *The United States of America, plaintiff in error, v. Walter S. Dickey et al.* Motion to advance submitted by Mr. Solicitor General Beck for the plaintiff in error.

No. —. *Ex parte* In the matter of Charles W. Straughan, petitioner. Motion for leave to proceed in forma pauperis; and petition for a writ of certiorari submitted by Mr. Charles W. Straughan, pro se.

No. 783. *James C. Davis, Agent, etc., plaintiff in error, v. Dexter & Carpenter, Inc., etc.* Motion to advance for hearing following Nos. 444, 709, and 710, submitted by Mr. W. B. Symmes, jr., in that behalf.

No. 755. *Egerton L. Winthrop, Jr., Executor, etc., et al., petitioners, v. The Farmers' Loan & Trust Company, Trustee, et al.* Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. John W. Davis and Mr. Henry L. Stimson for the petitioners, and by Mr. Charles Green Smith and Mr. William Ritchie for the respondents.

No. 13, original. *The State of Oklahoma, complainant, v. The State of Texas, defendant; The United States, intervener.* Second report of the commissioners submitted by Mr. Arthur D. Kidder and Mr. Arthur A. Stiles in that behalf.

No. 13, original. *The State of Oklahoma, complainant, v. The State of Texas, defendant; The United States, intervener.* The commissioners heretofore designated to run, locate, and mark upon the ground portions of the boundary line between the States of Texas and Oklahoma, where it follows the course of the Red River, having this day presented a report, with accompanying maps, showing that they have run, located and marked upon the ground the portion of the boundary along the Fort Augur area; that is to say, from the westerly end of the Big Bend area to a southerly extension of the west line of range sixteen west in Oklahoma;

And it appearing from such report that the said commissioners have transmitted copies of such report, with the accompanying maps, by registered mail to the Attorney General of the United States, the

Attorney General of the State of Texas, and the Attorney General of the State of Oklahoma, and have lodged with the clerk fifty additional copies of such report and maps for the use of such private interveners as may apply for them;

It is ordered that the said report, with the accompanying maps, be received and filed by the clerk.

And it is further ordered that all objections or exceptions to such report, if there be any such objections or exceptions, shall be presented to the court or filed with the clerk within a period of four weeks from this date; and the period heretofore fixed for presenting or filing such objections or exceptions is limited and modified accordingly.

No. 739. D. B. Robertson, appellant, *v.* Railroad Labor Board. Motion to advance submitted by Mr. Donald R. Richberg in that behalf.

No. 825. Warren Worth Bailey, petitioner, *v.* Anderson H. Walters. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. William A. Glasgow, jr., and Mr. William A. Maguire for the petitioner, and by Mr. Ira Jewell Williams for the respondent.

Nos. 786 and 787. James C. Davis, Federal Agent, etc., petitioner, *v.* E. H. Pringle, Trustee. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. A. A. McLaughlin and Mr. Augustine T. Smythe for the petitioner.

No. 818. Durez Company, Inc., petitioner, *v.* Bakelite Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George E. Cruse for the petitioner, and by Mr. Charles Neave for the respondent.

No. —, original. *Ex parte* In the matter of Durez Company, Inc., petitioner. Motion for leave to file a petition for a writ of mandamus and/or a writ of prohibition herein submitted by Mr. Alan N. Mann and Mr. George E. Cruse for the petitioner.

No. 527. The United States, appellant, *v.* Harriet Rogers Flannery et al., Executors, etc. Leave granted to file a brief herein as *amicus curiæ*, on motion of Mr. Otto Schlobohm in behalf of William G. Brantley.

No. 767. The United States of America, appellant, *v.* Board of County Commissioners of Osage County, Oklahoma et al. Motion to advance submitted by Mr. Preston A. Shinn for the appellees.

No. 729. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* The State of Oklahoma et al. Petition for a writ of certiorari herein submitted by Mr. Joseph M. Bryson, Mr. Charles S. Burg, and Mr. Maurice D. Green for the plaintiffs in error, in support of the petition.

No. 752. W. W. Jenkins, Trustee, etc., petitioner, *v.* North Pole Ice Company. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Lowrie C. Barton for the petitioner.

No. 758. Southern Railway Company, plaintiff in error, *v.* Commonwealth of Kentucky, etc.; and

No. 759. James C. Davis, Director General, plaintiff in error, *v.* Commonwealth of Kentucky. Petition for writs of certiorari herein submitted by Mr. Alex. P. Humphrey, Mr. L. E. Jeffries, and Mr. Charles W. Milner for the plaintiff in error in support of the petition, and by Mr. J. P. Hobson for the defendant in error in opposition thereto.

No. 761. The Baltimore & Ohio Southwestern Railway Company, petitioner, *v.* Gustav A. Berdon, Administrator. Petition for a writ of certiorari to the Supreme Court of the State of Indiana submitted by Mr. William A. Eggers, Mr. Morison R. Waite, and Mr. Cassius W. McMullin for the petitioner.

No. 763. William R. Shelby, petitioner, *v.* Fred E. Hummel, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Vincent D. Wyman for the petitioner and by Mr. Lewis J. Jacobson and Mr. E. C. Tourje for the respondent.

No. 771. James C. Davis, Agent, etc., petitioner, *v.* Abraham Weiss, Administrator, etc. Petition for a writ of certiorari to the Municipal Court of the City of Boston, State of Massachusetts, submitted by Mr. Arthur W. Blackman for the petitioner.

No. 773. Evansville Oil and Grease Company et al., appellants, *v.* Ivy L. Miller, as State Food and Drug Commissioner, etc. Petition for a writ of certiorari herein submitted by Mr. Charles D. Chamberlin and Mr. Hubert D. Fuller for the appellants in support of the petition.

No. 776. Western National Bank of Baltimore, petitioner, *v.* R. Bayly Chapman, Trustee. Petition for a writ of certiorari herein submitted by Mr. Stuart S. Janney for the petitioner, and by Mr. David A. Pine for the respondent.

No. 779. John Demos et al., petitioners, *v.* Chris Yegen et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. H. Lowndes Maury for the petitioners and by Mr. J. Bruce Kremer for the respondents.

No. 780. Jacques Rousso, petitioner, *v.* Reuben E. Barber et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Joshua R. H. Potts and Mr. George B. Parkinson for the petitioner, and by Mr. Moseley Arthur Keller for the respondents.

No. 781. L. R. Taylor, alias Bode Taylor, et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Thomas Stevenson for the petitioner.

No. 782. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Lester Brock. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. John E. Dolman, Mr. M. L. Bell, and Mr. W. F. Dickenson for the petitioner, and by Mr. Platt Hubbell for the respondent.

No. 783. James C. Davis, Agent, etc., plaintiff in error, *v.* Dexter & Carpenter, Inc., etc. Petition for a writ of certiorari herein submitted by Mr. Duncan K. Brent and Mr. Francis R. Cross for the plaintiff in error in support of the plaintiff in error in support of the petition, and by Mr. Otto A. Schlobohm and Mr. William B. Symmes, jr., for the defendant in error in opposition thereto.

No. 785. The I. T. S. Rubber Company, petitioner, *v.* The Essex Rubber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Melville Church and Mr. Charles A. Brown for the petitioner, and by Mr. Lucius E. Varney for the respondent.

No. 790. Maryland Casualty Company, petitioner, *v.* E. G. Simmons, Receiver. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Leonard Haas and Mr. Henry A. Alexander for the petitioner.

No. 800. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* A. N. Murphy et al., Partners, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. M. L. Bell, Mr. W. F. Dickenson, Mr. W. R. Bleakmore, Mr. A. T. Boys, and Mr. Thomas P. Littlepage for the petitioner.

No. 802. Kintyre Farmers' Co-operative Elevator Company et al., petitioners, *v.* The Midland National Bank of Minneapolis. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Victor E. Anderson for the petitioner, and by Mr. John Burke, Mr. Andreas Ueland, Mr. Thomas D. O'Brien, and Mr. Alexander E. Horn for the respondent.

No. 803. Kintyre Farmers Co-operative Elevator Company et al., petitioners, *v.* First National Bank of St. Paul. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Victor E. Anderson for the petitioner, Mr. John Burke, Mr. Andreas Ueland, Mr. Thomas D. O'Brien, and Mr. Alexander E. Horn for the respondent.

No. 804. Marmarth Co-operative Equity Exchange et al., petitioners, *v.* The Midland National Bank of Minneapolis. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Victor E. Anderson for the petitioner, and by Mr. John Burke, Mr. Andreas Ueland, Mr. Thomas D. O'Brien, and Mr. Alexander E. Horn for the respondent.

No. 805. Marmarth Co-operative Equity Exchange et al., petitioners, *v.* The First National Bank of St. Paul. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Victor E. Anderson for the petitioner, and by Mr. John Burke, Mr. Andreas Ueland, Mr. Thomas D. O'Brien, and Mr. Alexander E. Horn for the respondent.

No. 822. J. S. Schofield's Sons Company, et al., petitioners, *v.* The Citizens Bank of Moultrie. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Orville A. Park and Mr. Sam S. Bennett for the petitioner.

No. 484. Charles A. Patterson et al., plaintiffs in error, *v.* Martha Isabelle Patterson. Submitted pursuant to the twentieth rule by Mr. Theodore Martin for the plaintiffs in error, and by Mr. J. D. Fredericks and Mr. William C. Mullendore for the defendant in error.

No. 154. Crew Levick Company, plaintiff in error, *v.* The City of Philadelphia to the use of J. Joseph McHugh. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. David Wallerstein in behalf of counsel for the defendant in error.

No. 156. Ne-Kah-Wah-She-Tun-Kah, et al., appellants, *v.* Hubert Work, Secretary of the Interior, et al. Argument commenced by Mr. Preston A. Shinn for the appellants. The court declined to hear further argument.

No. 155. Harry A. Van Auken, plaintiff in error, *v.* Frank Smith, Sheriff of Larimer County, Colorado. Submitted by Mr. Paul W. Lee and Mr. George H. Shaw for the plaintiff in error. No brief filed for the defendant in error.

No. 158. The United States of America, plaintiff in error, *v.* George V. Halliday, et al. Argued by Mr. Assistant Attorney General Donovan for the plaintiff in error, and by Mr. A. Samuel Bender for the defendant in error.

No. 159. Henry Merritt, appellant, *v.* The United States. Argued by Mr. Alfred A. Wheat for the appellee, and case submitted by Mr. Louis B. Perkins for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 6, will be as follows: Nos. 157, 160, 422, 671, 273, 389, 676 (and 677), 597 (and 598), 527, 733, 444, 709 (and 710), 629 (and 661), 443, 417, and 515 (and 516).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Elmer E. Ritchie, of Valdez, Alaska; H. Earleton Hanes, of Herndon, Va.; Charles E. Orth, of Baltimore, Md.; C. Arthur Eby, of Baltimore, Md.; Charles H. Miller, of Seattle, Wash.; William A. Kemp, of Dallas, Tex.; and Robert A. Imlay, of Portland, Oreg., were admitted to practice.

No. 157. William Nahmeh, appellant, *v.* The United States of America. Argued by Mr. Silas Blake Axtell for the appellant and concluded by Mr. J. Frank Staley for the appellee.

No. 160. William M. Barrett, as President, etc., petitioner, *v.* Arthur H. Van Pelt. Argument commenced by Mr. K. E. Stockton for the petitioner, continued by Mr. Selig Edelman and Mr. Ralph Merriam for the respondent, and concluded by Mr. K. E. Stockton for the petitioner.

No. 422. Chicago Great Western Railroad Company, petitioner, *v.* A. D. Schendel, as Special Administrator of the Estate of Edmund Ludwig Ring, deceased. Argued by Mr. A. G. Briggs for the petitioner and by Mr. Tom Davis for the respondent.

Adjourned until to-morrow at 12 o'clock. •

The day call for Wednesday, January 7, will be as follows: Nos. 671, 273, 389, 676 (and 677), 597 (and 598), 527, 733, 444, 709 (and 710), 629 (and 661), 443, 417, and 515 (and 516).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

William Averell Brown, of New York City; Mahlon B. Doing, of New York City; Edwin S. Dixon, jr., of Philadelphia, Pa.; J. Shipley Dixon, of Philadelphia, Pa.; Morris D. Kopple, of New York City; William M. Simmes, of Vinita, Okla.; Abe D. Waldaner, of Memphis, Tenn.; George E. Elliott, of Washington, D. C.; Ben L. Shifrin, of St. Louis, Mo.; Henry H. Oberschelp, of St. Louis, Mo.; S. J. Montgomery, of Bartlesville, Okla.; Wade H. James, of Okmulgee, Okla.; and Hayes McCoy, of Bartlesville, Okla., were admitted to practice.

No. 671. Clyde H. Finley, Receiver, et al., plaintiffs in error, *v.* United Mine Workers of America et al. Three and one-half hours allowed for the argument of this cause. Argued by Mr. Henry S. Drinker, jr., for the plaintiffs in error and by Mr. William A. Glasgow, jr., for the defendants in error.

No. 273. Margaret C. Lynch, Executrix, etc., petitioner, *v.* Alworth-Stephens Company. Argument commenced by Mr. Solicitor General Beck for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 8, will be as follows: Nos. 273, 389, 676 (and 677), 597 (and 598), 527, 733, 444, 709 (and 710), 629 (and 661), 443, 417, and 515 (and 516).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Otis E. Maxey, of Springfield, Mo.; John B. Wright, of Tucson, Ariz.; Earl H. Jaynes, of Cleveland, Ohio; Samuel E. Jones, of Detroit, Mich.; Marion Henderson, of Pauls Valley, Okla.; Richard E. Shands, of Washington, D. C.; O. E. Gorman, of Springfield, Mo.; and Grace M. Eddy, of Washington, D. C., were admitted to practice.

No. 273. Margaret C. Lynch, Executrix, etc., petitioner, *v.* Alworth-Stephens Company. Argument continued by Mr. Solicitor General Beck and Mr. Merrill E. Otis for the petitioner, by Mr. W. D. Bailey and Mr. Horace Andrews for the respondents, and concluded by Mr. Solicitor General Beck for the petitioner.

No. 389. Guardian Savings & Trust Company, Trustee, petitioner, *v.* Road Improvement District No. 7 of Poinsett County, Arkansas. Argued by Mr. George B. Rose for the petitioner, and by Mr. Henry D. Ashley for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 9, will be as follows: Nos. 676, (and 677), 597 (and 598), 527, 733, 444, 709 (and 710), 629 (and 661), 443, 417, and 515 (and 516).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van
Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice
Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Glenn J. Fairbrook, of Seattle, Wash.; Frederic Coudert Bellinger,
of New York City; Charles Myers, of Philadelphia, Pa.; E. A.
Walker, of Oklahoma City, Okla.; Frank J. Looney, of Shreveport,
La.; and E. S. Broussard, of New Iberia, La., were admitted to
practice.

No. **676.** Direction der Disconto-Gesellschaft, appellant, *v.* United
States Steel Corporation et al.; and

No. **677.** Bank fur Handel und Industrie, appellant, *v.* United
States Steel Corporation et al. Argument commenced by Mr. John
Weld Peck for the appellants; continued by Mr. John Wilson Brown,
III, for the appellants; by Mr. Averel Brown for the appellee United
States Steel Corporation; and concluded by Mr. Frederick R. Coudert
for the appellee Public Trustee.

No. **597.** Benjamin W. Morse, appellant, *v.* The United States
of America; and

No. **598.** Harry F. Morse, appellant, *v.* The United States of
America. Argued by Mr. Nash Rockwood for the appellants, and
by Mr. Assistant Attorney General Donovan for the appellee.

No. **444.** The United States of America, plaintiff in error, *v.* The
Archibald McNeil & Sons Company, Inc. Argument commenced
by Mr. Alfred A. Wheat for the plaintiff in error, and continued
by Mr. George Deming for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 12, will be as follows: Nos.
444, 709 (and 710), 527, 733, 629 (and 661), 443, 417, 515
(and 516), 698, and 163.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Heartsill Ragon, of Clarksville, Ark.; Fred L. Wallace, of Fort Worth, Tex.; B. L. Agerton, of Fort Worth, Tex.; Ernest Michael Fuller, of Detroit, Mich.; John Kindred Gillette, of Long Island City, N. Y.; Morris Hillquit, of New York City; Isadore J. Berkson, of Chicago, Ill.; Carlyle R. Barnett, of New York City; Ada L. Sawyer, of Providence, R. I.; and Carroll A. Wilson, of New York City, were admitted to practice.

No. 283. The Michigan Public Utilities Commission et al., appellants, *v.* Coral W. Duke, doing business as Duke Cartage Company. Appeal from the District Court of the United States for the Eastern District of Michigan. Decree affirmed with costs. Opinion by Mr. Justice Butler.

No. 181. Ozark Pipe Line Corporation, appellant, *v.* Roy Monier et al., constituting the State Tax Commission of the State of Missouri, et al. Appeal from the District Court of the United States for the Western District of Missouri. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Sutherland. Dissenting: Mr. Justice Brandeis.

No. 153. Edmund L. Ebert et al., petitioners, *v.* Harry P. Poston. On writ of certiorari to the Supreme Court of the State of Michigan. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 95. Robert E. Tod, Commissioner of Immigration, petitioner, *v.* Szejua Waldman, and her minor children, et al. On petition for rehearing, the order of the Circuit Court of Appeals discharging the relators and releasing their bail is reversed; and the cause is remanded to the District Court. The relators are remanded to the custody of the Commissioner of Immigration, with the right to

appeal to the Secretary of Labor for a definite finding on the issues, first whether Mrs. Waldman is relieved from the test as to language because she is a refugee from religious persecution, second whether if Mrs. Waldman was subject to the language test in Yiddish, the test given complied with the statute, and third whether the lameness of Zenia Waldman is likely to make her a public charge. If the Secretary shall find the language test of Mrs. Waldman to be required and the one already had to be legally inadequate, another shall be ordered. Nothing herein shall prejudice application, first on behalf of Zenia Waldman to the discretion of the Secretary of Labor to accept satisfactory security against her becoming a public charge and on its being furnished to admit her to this country. Second, on behalf of all the respondents for their release on bail pending compliance with the foregoing by the Secretary of Labor and his subordinates. Failing the granting and hearing of the appeal to the Secretary above provided within 30 days after the coming down of this mandate, the relators and their bail are to be discharged. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

No. 322. North Carolina Railroad Company, petitioner, *v.* C. D. Story, Sheriff, etc. Further consideration of the motion to dismiss the writ of certiorari in this cause postponed until the hearing of the cause on the merits.

No. 40. The United States of America, petitioner, *v.* Gulf Refining Company. Motion to restore this cause to the call granted; the cause restored and assigned for argument on Monday, April 13, next.

No. —. *Ex parte* In the matter of ——— Straughan, petitioner. On consideration of the motion for leave to proceed in forma pauperis and for a petition for a writ of certiorari, it is ordered that both motions be, and the same are hereby, denied.

No. —, original. *Ex parte* In the matter of Durez Company, Inc., petitioner. Motion for leave to file a petition for a writ of mandamus and/or a writ of prohibition herein denied.

No. 379. Charles Sherwin et al., petitioners, *v.* The United States of America. Motion to advance granted; and cause assigned for argument on Monday, April 13, next, after the case heretofore assigned for that day.

No. 681. C. G. Llewellyn, formerly Collector, etc., plaintiff in error, *v.* Adelaide H. C. Frick et al. Motion to advance granted; and cause assigned for argument on Monday, April 13, next, after the cases heretofore assigned for that day.

No. 768. The United States of America, plaintiff in error, *v.* Walter S. Dickey and Ralph Ellis. Motion to advance granted; and cause assigned for argument on Monday, April 13, next, after the cases heretofore assigned for that day.

No. 440. The United States, appellant, *v.* St. Louis, San Francisco & Texas Railway Company. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, November 2, next.

No. 441. The United States, appellant, *v.* Wabash Railway Company. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, November 2, next.

No. 589. American Steel Foundries *v.* Thomas E. Robertson, Commissioner of Patents, et al. Motion to advance granted; and cause assigned for argument on Monday, November 2, next, after the cases heretofore assigned for that day.

No. 524. William H. Edwards, Collector, etc., petitioner, *v.* Archibald Douglas et al., Executors, etc. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, April 13 next, after the cases heretofore assigned for that day.

No. 739. D. B. Robertson, appellant, *v.* Railroad Labor Board. Motion to advance granted; and cause assigned for argument on Tuesday, February 24 next, after the cases heretofore assigned for that day.

No. 767. The United States of America, appellant, *v.* Board of County Commissioners of Osage County, Oklahoma, et al. Motion to advance granted; and cause assigned for argument on Monday, March 9 next.

No. 783. James C. Davis, Agent, etc., plaintiff in error, *v.* Dexter & Carpenter, Inc., etc. Motion to advance denied.

No. 772. William O'Hara et al., petitioners, *v.* Luckenbach Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 785. The I. T. S. Rubber Company, petitioner, *v.* Essex Rubber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 818. Durez Company, Inc., petitioner, *v.* Bakelite Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 458. J. L. Lancaster et al., Receivers, etc., plaintiffs in error, *v.* Bernice S. Graham. Petition for a writ of certiorari herein denied.

No. 725. Southern Railway Company, petitioner, *v.* Kate B. McAlister, Administratrix. Petition for a writ of certiorari herein denied.

No. 729. Missouri, Kansas & Texas Railway Company et al., plaintiffs in error, *v.* The State of Oklahoma et al. Petition for a writ of certiorari herein denied.

No. 752. W. W. Jenkins, Trustee, etc., petitioner, *v.* North Pole Ice Company. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 755. Egerton L. Winthrop, Jr., Executor, etc., et al., petitioners, *v.* The Farmers' Loan & Trust Company, Trustee, et al. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 761. The Baltimore & Ohio Southwestern Railway Company, petitioner, *v.* Gustav A. Berdon, Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Indiana denied.

No. 763. William R. Shelby, petitioner, *v.* Fred E. Hummel, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 776. Western National Bank of Baltimore, petitioner, *v.* R. Bayly Chapman, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 779. John Demos et al., petitioners, *v.* Chris Yegen et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 781. L. R. Taylor, alias Bode Taylor, et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 782. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Lester Brock. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 790. Maryland Casualty Company, petitioner, *v.* E. G. Simmons, Receiver. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 802. Kintyre Farmers Cooperative Elevator Company et al., petitioners, *v.* The Midland National Bank of Minneapolis. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 803. Kintyre Farmers Cooperative Elevator Company et al., petitioners, *v.* First National Bank of St. Paul. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 804. Marmarth Cooperative Equity Exchange et al., petitioners, *v.* The Midland National Bank of Minneapolis. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 805. Marmarth Cooperative Equity Exchange et al., petitioners, *v.* First National Bank of St. Paul. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 822. J. S. Schofield's Sons Company et al., petitioners, *v.* Citizens Bank of Moultrie. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 825. Warren Worth Bailey, petitioner, *v.* Anderson H. Walters. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 783. James C. Davis, Agent, etc., plaintiff in error, *v.* Dexter & Carpenter, Inc., etc. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 91. Tampa-Inter-Ocean Steamship Company, Inc., plaintiff in error, *v.* The State of Louisiana. In error to the Supreme Court of the State of Louisiana. Per curiam: Reversed with costs, upon the authority of Texas Transport & Terminal Co. *v.* New Orleans, 264 U. S. 150.

No. 484. Charles A. Patterson et al., plaintiffs in error, *v.* Martha Isabelle Patterson. In error to the District Court of Appeal, Second Appellate District, of the State of California. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; Jett Bros. Distilling Co. *v.* Carrollton, 252 U. S. 1, 5, 6.

No. 156. Ne-Kah-Wah-She-Tun-Kah et al., appellants, *v.* Hubert Work, Secretary of the Interior, et al. Appeal from the Court of Appeals of the District of Columbia. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195.

No. 155. Harry A. Van Auken, plaintiff in error, *v.* Frank Smith, Sheriff of Larimer County, Colorado. In error to the Supreme Court of the State of Colorado. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 257 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 158. The United States of America, plaintiff in error, *v.* George V. Halliday et al. In error to the District Court of the United States for the Eastern District of Missouri. Per curiam: Dismissed for the want of jurisdiction upon the authority of United States *v. Keitel*, 211 U. S. 370, 397; United States *v. Stevenson*, 215 U. S. 190, 195, 196; United States *v. Miller*, 223 U. S. 599, 602; United States *v. Carter*, 231 U. S. 492, 493.

No. 17, original. The State of New York, complainant, *v.* Harry M. Daugherty, Attorney General of the United States, et al. Dismissed, per stipulation, on motion of Mr. Solicitor General Beck in that behalf.

No. 551. Cement Manufacturers Protective Association et al., appellants, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Beck in behalf of the appellee.

No. 417. Real Silk Hosiery Mills, Inc., appellant, *v.* The City of Portland et al. Passed, to be restored to the call pursuant to section 9, Rule 26, on motion of Mr. Joseph W. Welch in behalf of counsel for the appellant.

No. 242. Forrest P. Tayloe, appellant, *v.* The United States. Motion to remand to the Court of Claims submitted by Mr. Harry Peyton for the appellant.

No. 21, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion for substitution of Commissioner herein, and that new testimony be admitted, submitted by Mr. A. L. Sawyer for the complainant.

No. 792. Sagamore Coal Company et al., petitioners, *v.* The Mountain Water Supply Company et al.;

No. 793. Sagamore Coal Company et al., petitioners, *v.* The Pennsylvania Railroad Company;

No. 794. Sagamore Coal Company et al., petitioners, *v.* Dunbar Water Supply Company;

No. 795. Sagamore Coal Company et al., petitioners, *v.* Commonwealth of Pennsylvania ex rel. The Attorney General;

No. 796. Sagamore Coal Company et al., petitioners, *v.* The Mountain Water Supply Company;

No. 797. Sagamore Coal Company et al., petitioners, *v.* Westmoreland Water Company et al.;

No. 798. Sagamore Coal Company et al., petitioners, *v.* Commonwealth of Pennsylvania ex rel. The Attorney General; and

No. 799. Sagamore Coal Company et al., petitioners, *v.* Westmoreland Water Company. Petition for writs of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Edwin W. Smith, Mr. E. C. Higbee, and Mr. William M. Robinson for the petitioners, and by Mr. George W. Woodruff, Mr. George E. Alter, and Mr. James S. Moorhead, for the respondents, in opposition thereto.

No. 723. John H. Morse, appellant, *v.* The United States. Motion that the rule as to printing record and briefs be waived submitted by Mr. John H. Morse, pro se.

No. —, original. Ex parte In the matter of Frank C. Mebane et al., petitioners. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. Benjamin Catchings for the petitioners.

No. —, original. The people of the United States ex rel. Benjamin Catchings, petitioner, *v.* The Chief Justice and Associate Justices of the Supreme Court of the District of Columbia. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. Benjamin Catchings, pro se.

No. 534. Ellis M. Black, plaintiff in error, *v.* Lura W. Black. Motion to dismiss submitted by Mr. Frank Davis, jr., for the defendant in error in support of the motion, and by Mr. John S. Black for the plaintiff in error in opposition thereto.

No. 195. John W. Murphy, Attorney General of the State of Arizona, et al., appellant, *v.* A. Sardell. Motion to reassign submitted by Mr. Alexander Britton in behalf of counsel.

No. 562. Corby Estate, plaintiff in error, *v.* The City of St. Joseph. Motion to dismiss submitted by Mr. Robert Ash in behalf of Mr. H. K. White for the defendant in error in support of the motion, and by Mr. John E. Dolman for the plaintiff in error in opposition thereto.

No. 778. Standard Oil Company, petitioner, *v.* The United States of America, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. George W. P. Whip for the petitioner, and by Mr. Solicitor General Beck, Mr. J. Frank Staley, Mr. Arthur M. Boal, and Mr. Frederick R. Conway, for the respondents, in opposition thereto.

No. 809. Henry S. MacPherson, Trustee, petitioner, *v.* Massachusetts Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Joseph Jacobs for the petitioner.

No. 830. Banco di Roma, plaintiff in error, *v.* Philippine National Bank. Petition for a writ of certiorari herein submitted by Mr. Carroll G. Walter for the plaintiff in error in support of the petition, and by Mr. John T. Loughran for the defendant in error in opposition thereto.

No. 444. The United States of America, plaintiff in error, *v.* The Archibald McNeil & Sons Company, Inc. Argument continued by Mr. George Demming for the defendant in error, and concluded by Mr. Alfred A. Wheat for the plaintiff in error.

No. 709. James C. Davis, Director General of Railroads, etc., plaintiff in error, *v.* George B. Newton Coal Company; and

No. 710. James C. Davis, Director General of Railroads, etc., plaintiff in error, *v.* George B. Newton Coal Company. Argued by Mr. William Clarke Mason for the plaintiff in error, and by Mr. Allen S. Olmsted, 2d, for the defendant in error.

No. 527. The United States, appellant, *v.* Harriet Rogers Flanery et al., Executors, etc. Leave granted to file brief herein as amicus curiae, on motion of Mr. Arthur Ballantine in that behalf.

No. 527. The United States, appellant, *v.* Harriet Rogers Flanery et al., Executors, etc. Argued by Mr. Solicitor General Beck for the appellant, and by Edward S. Burling for the appellees.

No. 733. Blakely D. McCaughn, Collector, petitioner, *v.* Charles H. Ludington. Argued by Mr. Solicitor General Beck for the petitioner, and by Mr. William D. Guthrie for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 13, will be as follows: Nos. 629 (and 661), 443, 515 (and 516), 698, 163, 164, 165, 168, 169, and 170 (and 171).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

George E. Cleary, of New York City; Walter Perry Johnson, of San Francisco, Calif.; Charles Hann, jr., of New York City; Loren F. Vaughn, of Phoenix, Ariz.; Scott M. Loftin, of Jacksonville, Fla.; and Frank Redd, of Sarasota, Fla., were admitted to practice.

No. 163. Edgar S. Appleby et al., etc., plaintiffs in error, *v.* The City of New York et al.; and

No. 164. Edgar S. Appleby et al., plaintiffs in error, *v.* John T. Delaney, as Commissioner of Docks, etc. Continued, per stipulation, on motion of Mr. John A. Kratz in that behalf.

No. 629. The Pennsylvania System Board of Adjustment of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, and Station Employees, appellant, *v.* The Pennsylvania Railroad Company et al.; and

No. 661. Pennsylvania Railroad System et al., appellants, *v.* The Pennsylvania Railroad Company et al. Argument commenced by Mr. Henry T. Hunt for the appellant in No. 629, continued by Mr. Morris Hillquit for the appellants in No. 661, by Mr. John Hampton Barnes for the appellees, and by Mr. Henry T. Hunt for the appellants in No. 629, and concluded by Mr. David Wallerstein for the appellants in No. 661.

No. 443. Ray Consolidated Copper Company, appellant, *v.* The United States. Argued by Mr. Arthur A. Ballantine for the appellant, and by Mr. Solicitor General Beck for the appellee.

No. 515. The United States of America et al., petitioners, *v.* Henry H. Kaufman, Trustee, etc.; and

No. 516. The United States of America et al., petitioners, *v.* Alfred C. Coxe, jr., Receiver, etc. Argued by Mr. Merrill E. Otis for the petitioners, and by Mr. J. M. Hartfield for the respondent in No. 516.

No. 698. The United States of America ex rel. Pauline Fink, petitioner, *v.* Robert E. Tod, Commissioner of Immigration, Ellis Island, Port of New York. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Southern District of New York with directions to discharge the petitioner, upon confession of error by Mr. Solicitor General Beck.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 14, will be as follows: Nos. 165, 168, 169, 170 (and 171), 172, 173, 174, 175, 176, and 177.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Charles D'Arcy Sandford, of Petersburg, Va.; Thomas R. Gress, of Atlanta, Ga.; Harry M. Kroon, of Chicago, Ill.; Josephus C. Trimble, of Chattanooga, Tenn.; Thomas L. Gibson, of Muskogee, Okla.; Oscar Thonander, of Chicago, Ill.; C. E. Lindley, of Lawrence, Kans.; Alfred M. Houghton, of Washington, D. C.; and Thomas T. Railey, of St. Louis, Mo.; were admitted to practice.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; and The United States, intervener. Thirteen Report of Receiver, and Auditors' Report on Accounts of Receiver, received and filed, on motion of Mr. John S. Flannery in that behalf.

No. 173. Walter Carr, appellant, *v.* A. Alexsen, Master, et al. Appeal from the District Court of the United States for the Eastern District of Virginia. Dismissed with costs, on motion of Mr. J. C. Matthews for the appellant.

No. 174. Stanley P. Hall et al., as Administrators, etc., appellants, *v.* F. Alexander Chandler et al., etc. Continued, per stipulation.

No. 177. William D. Stein et al., etc., plaintiffs in error, *v.* Tip-Top Baking Company. Submitted by Mr. Charles Carroll for the plaintiffs in error, and by Mr. Allen P. Dodd for the defendant in error.

No. 165. O. H. Chrisp, plaintiff in error, *v.* James C. Davis, Director General, as Agent. Submitted by Mr. Leslie C. Garnett for the plaintiff in error. No brief filed for the defendant in error.

No. 168. Missouri Pacific Railroad Company, petitioner, *v.* Roy Stroud. Argued by Mr. Thomas T. Railey for the petitioner, and submitted by Mr. George D. Moore for the respondent.

No. 169. Standard Oil Company of New Jersey, as Owner, etc., petitioner, *v.* The United States of America. Argued by Mr. Cletus Keating for the petitioner, and by Mr. J. Frank Staley for the respondent.

No. 170. Charles S. Bohler, Tax Collector, etc., et al., appellants, *v.* E. H. Callaway, as Executor, etc.; and

No. 171. E. H. Callaway, Executor, etc., appellant, *v.* Charles S. Bohler, Tax Collector, etc., et al. Argument commenced by Mr. E. H. Callaway for the appellee in No. 170 and the appellant in No. 171, and continued by Mr. Benjamin E. Pierce for the appellants in No. 170 and the appellees in No. 171.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 15, will be as follows: Nos. 170 (and 171), 172, 175, 176, 178, 184, 185, 186, 187, and 189.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Hugh Murphy, of Okmulgee, Okla.; Clyde E. Shorey, of Chicago, Ill.; and William C. Kinkead, of Cheyenne, Wyo., were admitted to practice.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Objections to Thirteenth Report of Receiver submitted by Mr. R. H. Ward for the defendant.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Objections to claim of defendant submitted by Mr. A. H. Carrigan in that behalf.

No. 186. Nicodemus B. Hurr et al., plaintiffs in error, *v.* Everett W. Davis and William H. Sands. Submitted by Mr. Robert C. Bell for the plaintiffs in error. No appearance for the defendants in error.

No. 189. Buffalo Union Furnace Company, plaintiff in error, *v.* United States Shipping Board Emergency Fleet Corporation. Continued, on motion of Mr. Alfred A. Wheat, for the defendant in error.

No. 170. Charles S. Bohler, Tax Collector, etc., et al., appellants, *v.* E. H. Callaway, as executor, etc.; and

No. 171. E. H. Callaway, Executor, etc., appellant, *v.* Charles S. Bohler, Tax Collector, etc., et al. Argument continued by Mr. Benjamin E. Pierce for the appellants in No. 170 and the appellees in No. 171, and concluded by Mr. E. H. Callaway for the appellee in No. 170 and the appellant in No. 171.

No. 172. Cowokochee, plaintiff in error, *v.* James A. Chapman and R. M. McFarlin. Argument commenced by Mr. Lewis C. Lawson for the plaintiff in error. The court declined to hear further argument. Writ of error dismissed.

No. 175. Sanford & Brooks Company, appellant, *v.* The United States. Argued by Mr. William L. Marbury for the appellant, and by Mr. Merrill E. Otis for the appellee.

No. 176. Robert F. Mitchell et al., etc., appellants, *v.* The United States. Argument commenced by Mr. Horace S. Whitman for the appellant, continued by Mr. Alfred A. Wheat for the appellee, and concluded by Mr. William L. Marbury for the appellants.

No. 184. Ephraim Lederer, Collector of Internal Revenue, etc., petitioner, *v.* Fidelity Trust Company. Argument commenced by Mr. Alfred A. Wheat for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 16, will be as follows: Nos. 184, 185, 187, 178, 190, 194, 197, 198, 199 (and 200 and 201), and 202.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

D. A. Barnett, of Okmulgee, Okla.; Rayburn L. Foster, of Henryetta, Okla.; Corwin Howell, of Newark, N. J.; A. D. Cochran, of Okmulgee, Okla.; John A. Hibbler, of Little Rock, Ark.; Isaac E. Ferguson, of Chicago, Ill.; W. Turner Logan, of Charleston, S. C.; and Theodore A. Knapp, of Saratoga Springs, N. Y., were admitted to practice.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; the United States, intervener. Motion of defendant for leave to file request for royalties submitted by Mr. T. Hardy Todd in that behalf.

No. 199. Austin Nichols & Company, petitioner, *v.* Steamship *Isla de Panay*, Her Engines, etc.;

No. 200. Eug. Sanchez et al., Copartners, etc., petitioners, *v.* Steamship *Isla de Panay*, Her Engines, etc.; and

No. 201. E. Tolibia & Company, petitioner, *v.* Steamship *Isla de Panay*, Her Engines, etc. Leave granted to file reply brief herein on or before Monday next, on motion of Mr. T. Catesby Jones for the petitioners.

No. 184. Ephraim Lederer, Collector of Internal Revenue, etc., petitioner, *v.* Fidelity Trust Company. Argument continued by Mr. Alfred A. Wheat for the petitioner, and concluded by Mr. H. Gordon McCouch for the respondent.

No. 185. George W. Bush & Company, plaintiff in error, *v.* William M. Maloy et al., etc. Argument commenced by Mr. William L. Rawls for the plaintiff in error, continued by Mr. Thomas H. Robinson and Mr. Edward H. Burke for the defendants in error, and concluded by Mr. George Weems Williams for the plaintiff in error.

No. 187. Isom Grayson et al., plaintiffs in error, *v.* James A. Harris et al. Argued by Mr. Robert M. Rainey for the plaintiffs in error, and by Mr. Robert F. Blair for the defendants in error.

No. 178. Central Union Trust Company of New York, appellant, *v.* Anderson County, Texas, et al. Argued by Mr. Nelson Phillips for the appellees, and submitted by Mr. S. B. Dabney and Mr. H. M. Garwood for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 19, will be as follows: Nos. 190, 194, 199 (and 200 and 201), 198, 197, 202, 203, 204, 205, and 206.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

W. W. Pryor, of Holdenville, Okla.; Allen G. Nichols, of Okemah, Okla.; Everett Jennings, of Chicago, Ill.; Walter F. George, of Vienna, Ga.; William E. Watkins, of Jackson, Ga.; Herbert W. Brackney, of Sioux City, Iowa; Burch D. Huggins, of Hillsboro, Ohio; S. M. Bone, of Batesville, Ark.; John W. Bricker, of Columbus, Ohio; John DeBerry Wheeler, of San Antonio, Tex.; Barton N. Grant, of St. Louis, Mo.; and Roland E. Stevens, of White River Junction, Vt., were admitted to practice.

No. 121. College Point Boat Corporation, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener.

On consideration of the thirteenth report of the receiver herein the court makes the following orders:

1. The receiver is instructed to pay the net proceeds derived from well 155 amounting to \$4,514.47, to the Kirby Petroleum Company by way of partly reimbursing it for expense incurred by it or its predecessor in drilling that well prior to the receivership—such payment to be in full discharge of all possible claims against the receivership by reason of that work and expense.

2. The receiver is instructed to pay a balance of \$1,097.76 out of the net proceeds of well 156 to the Kirby Petroleum Company on its claim for expense incurred by it or its predecessor in drilling that well prior to the receivership—such payment to be in full discharge of all possible claims against the receivership by reason of that work and expense.

3. Unless within 40 days from this date Tom Testerman shall accept the moneys directed to be paid to him by paragraph 11 of the order of June 9, 1924, in discharge of the claim therein described, he shall be deemed to have abandoned that claim and the moneys

reserved to cover the same shall be paid over by the receiver to the Secretary of the Interior, as the representative of the United States, as a part of the net impounded funds derived from the receiver's operations within the river-bed area. The receiver is instructed to deliver or transmit forthwith to Tom Testerman a copy of this order.

4. Unless within forty days from this date the operators who presented claims for reimbursement out of the proceeds of well 139 (known as the Burke-Senator well) for the cost of drilling that well prior to the receivership shall adjust the differences between them and accept reimbursement as contemplated in paragraph 13 of the order of June 9, 1924, they are directed to show cause, within five days after the expiration of that period, why those claims should not be denied and why the moneys reserved to cover them should not be paid over to the Secretary of the Interior, as the representative of the United States, as part of the net impounded funds derived from river-bed wells. The receiver is instructed to deliver or transmit forthwith to such claimants copies of this order.

5. Pursuant to a stipulation made and presented by the conflicting claimants thereto, the receiver is instructed to pay the balance of the net royalty interest in the proceeds of wells 97, 98, 99, 100, 102, 109, and 119 to A. H. Carrigan, as the joint agent and trustee of such claimants, to the end that he, according to such stipulation, may deposit such moneys in the First National Bank of Wichita Falls, Texas, there to be held to await the outcome of litigation now pending in the courts of Texas to determine the rights of such claimants in such royalty interest.

6. Pursuant to a stipulation made and presented by the conflicting claimants thereto, the receiver is instructed to pay to Rhea S. Nixon, Receiver of the Southwest Petroleum Company and trustee of certain claimants, $\frac{27}{6}$ of the net balance of the operating interest in the proceeds of well 180 (after deducting the overriding royalty belonging to C. J. Ferguson), and also to pay to the Security National Bank of Wichita Falls, Texas, $\frac{1}{6}$ of the said balance— $\frac{27}{6}$ to be held by Rhea S. Nixon, as receiver and trustee, to await the outcome of litigation now pending in the courts of Texas to determine the rights of those who are claiming interests therein, and the $\frac{1}{6}$ to be held by the Security National Bank to await the outcome of litigation now pending in those courts to determine the rights of those who are claiming interests therein.

7. The motion of the State of Texas presented January 16, 1925, for leave to file a claim for a royalty or owner's interest in a part of the impounded funds in the receiver's custody is denied—

because, as appears from the receiver's thirteenth report before mentioned, no claim thereto was presented by that State within the period prescribed by paragraph 18 of the order of June 9, 1924, because that period has long since expired, and because to permit such a claim by the State to be presented and entertained at this time would unreasonably prolong the receivership and would be inequitable to other claimants whose claims were seasonably presented.

8. The several conflicting claims to impounded funds derived from wells 152, 153, 154, 157, 159, 160, 162, 165, 169, 170, and 172 presented to the receiver under paragraph 18 of the order of June 9, 1924, and reported in his thirteenth report before mentioned, are referred to Joseph M. Hill, Esquire, of Fort Smith, Arkansas, as a special master, with directions that such special master take the evidence bearing on such claims and report the same to the court, together with his findings of fact, conclusions of law and recommendations in the premises, for the ultimate consideration and action of the court. The evidence shall be taken at Wichita Falls, Texas, and the taking thereof shall begin February 16, 1925, and shall proceed with reasonable expedition and be concluded not later than March 7, 1925. The report of the special master shall be filed with the clerk within thirty days after the evidence is taken, and shall be printed by the clerk. Claimants shall have fifteen days after the filing of the report within which to prepare, print, and file exceptions to it, accompanied by supporting briefs. The special master shall have authority to issue subpoenas to secure the attendance of witnesses, and also authority to employ competent stenographic and clerical assistance. Claimants shall be permitted to introduce and use in evidence any documents or other instruments appearing in the printed records in this cause without procuring new exemplifications thereof or presenting other proof of their authenticity or identification. The special master shall receive an allowance covering his actual expenses and a reasonable compensation for his service. This allowance, together with the cost of his stenographic and clerical assistance and the cost of printing his report, shall be charged against and be borne by the several claimants in such proportions and in such manner as the court hereafter may direct. Each claimant, however, shall make to the clerk an advance payment of fifty dollars towards such costs within twenty days from this date; and in default thereof the claimant shall be deemed to have abandoned his claim.

9. If, before the time fixed for taking evidence under the last paragraph, the several conflicting claimants to any particular fund make and present to the receiver a stipulation adjusting their differences and settling their rights to such fund, or providing that the

fund shall be paid over to a trustee of their selection to await an adjustment or adjudication of their claims through some medium other than this court, the receiver shall be authorized to give effect to such stipulation and to pay over the fund as therein provided, and the stipulation shall operate to withdraw the claims covered by it from the reference to the special master.

Order announced by Mr. Justice Van Devanter.

No. 389. Guardian Savings & Trust Company, Trustee, petitioner, *v.* Road Improvement District No. 7 of Poinsett County, Arkansas. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of Arkansas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 551. Cement Manufacturers' Protective Association et al., appellants, *v.* The United States of America. Motion to advance granted; and cause assigned for argument on Tuesday, February 24 next, immediately after No. 342.

No. 242. Forrest P. Tayloe, appellant, *v.* The United States. Motion to remand to the Court of Claims for further findings denied.

No. 21, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion for substitution of commissioner, etc., granted.

No. 723. John H. Morse, appellant, *v.* The United States. Motion of appellant with respect to printing record in this cause granted.

No. —, original. *Ex parte* In the matter of Frank C. Mebane, petitioner. Motion for leave to file a petition for a writ of mandamus herein denied.

No. —, original. *Ex parte* In the matter of Benjamin Catchings, petitioner. Motion for leave to file a petition for a writ of mandamus herein denied.

No. 195. John W. Murphy, Attorney General of the State of Arizona, et al., appellants, *v.* A. Sardell. Motion to reassign granted; and cause reassigned for argument on Monday, April 13 next, after the cases heretofore assigned for that day.

No. 534. Ellis N. Black, plaintiff in error, *v.* Lura W. Black. In error to the Supreme Court of the State of Ohio. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of section

237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 165. O. H. Chrisp, plaintiff in error, *v. James C. Davis, Director General*, as Agent. In error to the Supreme Court of the State of Arkansas. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 186. Nicodemus B. Hurr et al., plaintiffs in error, *v. Everett W. Davis et al.* In error to the Supreme Court of the State of Minnesota. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 172. Cowokochee, plaintiff in error, *v. James A. Chapman et al.* In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. (Judgment entered January 15, 1925).

No. 778. Standard Oil Company, petitioner, *v. The United States of America et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

Nos. 792 to 799. Sagamore Coal Company et al., petitioners, *v. The Mountain Water Supply Company and others.* Petition for writs of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 809. Henry S. McPherson, Trustee, petitioner, *v. Massachusetts Trust Company.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 830. Banco di Roma, plaintiff in error, *v. Philippine National Bank.* Petition for a writ of certiorari herein denied.

No. 264. Margaret W. Pearson et al., appellants, *v. The United States.* Motion to dismiss or affirm submitted by Mr. Alfred A. Wheat and Mr. Solicitor General Beck for the appellee in support of the motion, and by Mr. George Francis Williams and Mr. Henry C. Clark for the appellants in opposition thereto.

No. 694. H. P. Trusler, plaintiff in error, *v.* Noah Crooks et al. Motion to advance submitted by Mr. Alfred A. Wheat for the defendants in error.

No. 769. Cheung Sum Shee et al. *v.* John D. Nagle, as Commissioner of Immigration for the Port of San Francisco; and

No. 770. Chang Chan et al. *v.* John D. Nagle, as Commissioner of Immigration for the Port of San Francisco. Motion to advance submitted by Mr. Alfred A. Wheat for John D. Nagle, as commissioner, etc.

No. 454. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Northern States Power Company. Motion to dismiss submitted by Mr. Robert Ash in behalf of Mr. John E. Roemer and Mr. R. M. Campbell for the appellee in support of the motion, and by Mr. Benjamin I. Salinger for the appellants in opposition thereto.

No. 811. E. N. Moore et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Robert Ash for the petitioners.

No. 545. George William Mottram, appellant, *v.* The United States. Motion to remand to the Court of Claims for further findings submitted by Mr. Jennings C. Wise and Mr. John S. Wise, jr., for the appellant.

No. 227. Lucy Ward Stebbins et al., Executors, etc., plaintiffs in error, *v.* Ray L. Riley, Controller of the State of California. Leave granted to file a brief herein as amici curiæ, on motion of Mr. B. B. Pettus in that behalf.

No. 777. Chippewa Springs Corporation, petitioner, *v.* Morand Brothers, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. A. C. Paul and Mr. E. S. Rogers for the petitioner, and by Mr. George A. Chritton for the respondent.

No. 812. Glen C. Tobias, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Walter W. Stevens for the petitioner.

No. 813. Martin J. Cullen et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Harry A. Chamberlin for the petitioners.

No. 814. Thomas V. King, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Harry A. Chamberlin and Mr. Thomas P. White for the petitioner.

No. 820. David Crowther, petitioner, *v.* Winford P. Larson; and

No. 821. David Crowther, petitioner, *v.* Winford P. Larson. Petition for writs of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Frank A. Whiteley for the petitioner.

No. 823. Walbridge-Aldinger Company, petitioner, *v.* A. J. Rudd et al. Petition for a writ of certiorari to the United States Circuit Court of appeals for the Eighth Circuit submitted by Mr. Charles West and Mr. Everett Petry for the petitioner, and by Mr. I. L. Underwood, Mr. William F. Tucker, and Mr. Huletle F. Aby for the respondents.

No. 835. Central Leather Company, petitioner, *v.* Steamship *Goyoz*, Her Engines, etc., et al.; and

No. 836. Schmoll Fils & Company, petitioner, *v.* Steamship *Goyoz*, Her Engines, etc., et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. D. Roger Englar and Mr. Oscar R. Houston for the petitioners, and by Mr. William A. Purrington and Mr. Frank J. McConnell for the respondents.

No. 131. The St. Johns Electric Company, appellant, *v.* The City of St. Augustine, etc., et al. Appeal from the District Court of the United States for the Southern District of Florida. Dismissed, per stipulation.

No. 167. The St. Johns Electric Company, appellant, *v.* The City of St. Augustine et al. Appeal from the District Court of the United States for the Southern District of Florida. Dismissed, per stipulation.

No. 202. Capital City Water Company, plaintiff in error, *v.* The Public Service Commission of Missouri. Continued, per stipulation.

No. 205. William B. Thompson, plaintiff in error, *v.* The City of St. Louis et al. Continued, per stipulation.

No. 190. Proprietors of the Locks and Canals on the Merrimack River, plaintiff in error, *v.* Boston & Maine Railroad. Argument commenced by Mr. H. M. Davis for the plaintiff in error. The court declined to hear further argument.

No. 194. C. V. Browne, petitioner, *v.* The Union Pacific Railroad Company. Leave granted to file brief of Luther M. Walter as amicus curiæ, on motion of Mr. Ray Campbell in that behalf. Argued by Mr. Ray Campbell for the petitioner, and by Mr. Nelson H. Loomis for the respondent.

No. 199. Austin Nichols & Company, petitioner, *v.* Steamship *Isla de Panay*, Her Engines, etc.;

No. 200. Eug. Sanchez et al., Copartners, etc., petitioners, *v.* Steamship *Isla de Panay*, Her Engines, etc.; and

No. 201. E. Tolibia & Company, petitioner, *v.* Steamship *Isla de Panay*, Her Engines, etc. Argued by Mr. T. Catesby Jones for the petitioner, and by Mr. John W. Crandall for the respondent.

No. 198. Road Improvement District No. 1 of Clark County, Arkansas, et al., etc., appellants, *v.* Charles S. Thornton, et al. Continued on motion of Mr. Julian C. Hammack in behalf of counsel for the appellees.

No. 203. Matthew Lowe, plaintiff in error, *v.* Benjamin E. Dyson, United States Marshal, etc.; and

No. 204. William P. McCarthy, plaintiff in error, *v.* Benjamin E. Dyson, United States Marshal, etc. Argument commenced by Mr. Merwin S. Bobst for the plaintiffs in error. The court declined to hear further argument.

No. 197. Standard Oil Company of New Jersey, petitioner, *v.* Southern Pacific Company et al. Argument commenced by Mr. John M. Woolsey for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 20, will be as follows: Nos. 197, 206, 209, 210, 211, 213, 216, 217, 220, and 221.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

George R. Wallace, of Pittsburgh, Pa.; John S. Hogan, of Columbus, Ohio; L. R. Pugh, of Columbus, Ohio; Herbert H. Thompson, of Brooklyn, N. Y.; Walter J. Gill, of New York City; Oswald C. Grattan, of Detroit, Mich.; John H. Dohrman, of Detroit, Mich.; and Alonzo C. Owens, of Sullivan, Ind., were admitted to practice.

No. **216.** Wesley M. Smith, appellant, *v.* W. P. McCullough et al. Continued, per stipulation.

No. **197.** Standard Oil Company of New Jersey, petitioner, *v.* Southern Pacific Company et al. Argument continued by Mr. John M. Woolsey and Mr. W. H. McGrann for the petitioner, and concluded by Mr. C. C. Burlingham for the respondents.

No. **206.** J. B. Smyth et al., appellants, *v.* Asphalt Belt Railway Company et al. Argument commenced by Mr. Robert H. Kelley for the appellants, continued by Mr. Mason Williams and Mr. J. D. Wheeler for the appellees, and concluded by Mr. Robert H. Kelley for the appellants.

No. **211.** R. V. Mullen, appellant, *v.* J. P. Hurley et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed with costs, pursuant to the sixteenth rule, on motion of Mr. H. L. Johnson for the appellees.

No. **209.** Western Atlantic Railroad, appellant, *v.* Georgia Public Service Commission et al., etc., et al. Argued by Mr. Fitzgerald Hall for the appellant, and by Mr. W. E. Watkins for the appellee.

No. **210.** Ohio Utilities Company, plaintiff in error, *v.* Public Utilities Commission of Ohio. Argument commenced by Mr. Timothy S. Hogan for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 21, will be as follows: Nos. **210, 213, 217, 220, 221, 222, 223, 225, 226,** and **228.**

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Jake O. Rhyne, of Texarkana, Ark.; Ralph L. Carr, of Antonito, Colo.; Elmer Henry Bielfeldt, of Joliet, Ill.; George W. Dodd, of Fort Smith, Ark.; David O. Arnold, of Texarkana, Ark.; Staunton Selig, of New York City; and Charles L. Mullen, of Washington, D. C., were admitted to practice.

No. 210. Ohio Utilities Company, plaintiff in error, *v.* Public Utilities Commission of Ohio. Argument continued by Mr. Timothy S. Hogan for the plaintiff in error, and by Mr. J. W. Bricker and Mr. B. D. Huggins for the defendant in error, and concluded by Mr. J. C. Martin for the plaintiff in error.

No. 213. Board of Directors of Miller Levee District No. 2, appellant, *v.* Prairie Pipe Line Company. Argument commenced by Mr. Henry Moore, jr., for the appellant, and continued by Mr. W. H. Arnold, jr., for the appellee. The court declined to hear further argument.

No. 217. Bartlett & Kling, appellant, *v.* The United States. Argument commenced by Mr. Benjamin Carter for the appellant. The court declined to hear further argument.

No. 217. Bartlett & Kling, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed, without prejudice.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 22, will be as follows: Nos. 220, 221, 222, 223, 225, 226, 228, 229, 230, and 231.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Miguel A. Munoz, of San Juan, P. R.; Nye F. Morehouse, of Chicago, Ill.; William Walker Smith, of Cincinnati, Ohio; Sidney Wetmore Davidson, of New York City; George W. Willits, of Washington, D. C.; Horace G. Griffin, of Kansas City, Mo.; James W. S. Peters, of Kansas City, Mo.; and James F. Fulbright, of Doniphan, Mo., were admitted to practice.

No. 231. *Hidemitsu Toyota v. The United States of America.* Passed, on motion of Mr. Alfred A. Wheat in behalf of counsel.

No. 220. *Fort Smith Light & Traction Company, plaintiff in error, v. Fagan Bourland et al.* Argument commenced by Mr. R. M. Campbell for the plaintiff in error. The court declined to hear further argument.

No. 221. *John Clay et al., Copartners, etc., plaintiffs in error, v. The District Court of the Twelfth District of the State of Colorado, in and for the County of Conejos et al.* Argument commenced by Mr. P. A. Wells for the plaintiff in error. The court declined to hear further argument.

No. 222. *John Alden Lee, Individually and as Trustee, etc., appellant, v. Lehigh Valley Coal Company et al.* Argued by Mr. Charles W. Pierson for the appellees, and submitted by Mr. H. M. Hitchings and Mr. Frank Wolcott for the appellant.

No. 223. *Merchants Mutual Automobile Liability Insurance Company, plaintiff in error, v. Abraham B. Smart.* Argued by Mr. Anthony J. Ernest for the plaintiff in error, and by Mr. J. P. Bramhall for the defendant in error. Leave granted Mr. J. P. Bramhall to file an additional brief herein on or before Monday next.

No. 225. *Sig Samuels, plaintiff in error, v. J. A. McCurdy, Sheriff of DeKalb County, Georgia.* Argued by Mr. Hooper Alexander for the plaintiff in error, and submitted by the defendant in error on the printed record.

No. 226. Sallie Canard, plaintiff in error, *v.* R. E. Snell, jr., et al. Argument commenced by Mr. Lewis C. Lawson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 23, will be as follows: Nos. 226, 228, 229, 230, 233, 234, 240, 241, 242, and 243.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Ralph A. Smith, of Tulsa, Okla.; Samuel N. Hawkes, of Bartlesville, Okla.; H. Robert Mays, of Reading, Pa.; Robert L. Gordon, of Bartlesville, Okla.; and Shirley M. Moore, of New York City, were admitted to practice.

No. 243. Western Union Telegraph Company, plaintiff in error, *v.* The State of Georgia, as Owner of the Western & Atlantic Railroad et al., etc. Passed, on motion of Mr. Francis Raymond Stark in that behalf.

No. 234. The State of Colorado, appellant, *v.* Roger W. Toll, Superintendent of the Rocky Mountain National Park. Continued, per stipulation.

No. 240. Prince Tyner, plaintiff in error, *v.* Henry Buffington et al. Continued, per stipulation.

No. 226. Sallie Canard, plaintiff in error, *v.* R. E. Snell, Jr., et al. Argument continued by Mr. Lewis C. Lawson for the plaintiff in error, and concluded by Mr. Joseph C. Stone for the defendant in error.

No. 228. Ben C. Davisson, plaintiff in error, *v.* The State of New Mexico. Motion to dismiss submitted by Mr. Milton J. Helmick and Mr. John W. Armstrong for the defendant in error in support of the motion. No brief filed for the plaintiff in error.

No. 229. The St. Louis, Kennett & Southeastern Railroad Company, appellant, *v.* The United States of America et al. Argument commenced by Mr. S. S. Ashbaugh for the appellant, continued by Mr. Sidney F. Andrews and Mr. A. A. McLaughlin for the appellees, and concluded by Mr. S. S. Ashbaugh for the appellant.

No. 230. Cairo, Truman & Southern Railroad Company, appellant, *v.* The United States of America et al. Argued by Mr. S. S. Ashbaugh for the appellant, and Mr. A. A. McLaughlin for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 26, will be as follows: Nos. 233, 241, 242, 247, 248, 249, 250, 251, 252, and 253.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

E. K. Wilcox, of Valdosta, Ga.; Omer W. Franklin, of Valdosta, Ga.; Harold N. Marsh, of Washington, D. C.; John H. Mark, of Wadena, Minn.; William R. Watkins, of Wichita Falls, Tex.; Everett M. Sweeley, of Twin Falls, Idaho; Thurman B. Dixon, of Bowling Green, Ky.; Lane Summers, of Seattle, Wash.; Simon M. Williamson, of Waynesburg, Pa.; Herman L. Arterberry, of Fort Worth, Tex.; Gillis A. Johnson, of Fort Worth, Tex.; Charles W. Tillett, jr., of Charlotte, N. C.; Pat H. Eager, jr., of Jackson, Miss.; Dennis G. Brummett, of Raleigh, N. C.; Earl W. Vincent, of Guthrie Center, Iowa; John A. McCann, of Denver, Colo.; Robert M. Sohngen, of Hamilton, Ohio; Andrew Nickas, of Canton, Ohio; and James M. Shields, of San Francisco, Calif., were admitted to practice.

No. 12, original. The State of New Mexico, complainant, *v.* The State of Colorado. Bill of the State of New Mexico dismissed; cross bill of the State of Colorado sustained; and ordered that commissioners be appointed to run the boundary line. Opinion by Mr. Justice Sanford.

No. 184. Ephraim Lederer, Collector, etc., petitioner, *v.* Fidelity Trust Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 676. Direction der Disconto-Gesellschaft, appellant, *v.* United States Steel Corporation, Public Trustee, etc., et al., etc.; and

No. 677. Bank fur Handel und Industrie, appellant, *v.* United States Steel Corporation, Public Trustee, etc., et al., etc. Appeals from the District Court of the United States for the Southern District of New York. Decrees affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 264. Margaret W. Pearson et al., appellants, *v.* The United States. Motion to dismiss or affirm herein postponed until the hearing of the cause on the merits.

No. 454. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Northern States Power Company. Motion to dismiss herein denied.

No. 694. H. P. Trusler, plaintiff in error, *v.* Noah Crooks et al. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 769. Cheung Sum Shee et al. *v.* John D. Nagle, Commissioner of Immigration; and

No. 770. Chang Chan et al. *v.* John D. Nagle, Commissioner of Immigration. Motion to advance granted; and cases assigned for argument on Monday, April 13 next, after the cases heretofore assigned for that day, to be heard as one case.

Order.—It is ordered by this court that the cases heretofore assigned for Tuesday, February 24 next, viz: Nos. 34, 77, 236, 342, 551, 126, 128, 135, 144, 166, 180, 182, 183, 196, 227, 238 and 259, 244, 245, 256, 281, 294, 309, 321, 330, 356, 364, 365, 371, 235 and 636, 465, 319, 48 and 49 and 50, 120, 129, 53, 583 and 584, 485 and 486, 739, be, and the same are hereby, reassigned for argument on Monday, March 2 next.

No. 767. The United States of America, appellant, *v.* Board of County Commissioners of Osage County, Okla., et al. Ordered that this cause be reassigned for argument on Monday, March 16 next.

No. 771. James C. Davis, Agent, etc., petitioner, *v.* Abraham Weiss, Administrator, etc. Petition for a writ of certiorari to the Municipal Court of the City of Boston, State of Massachusetts, granted.

No. 777. Chippewa Springs Corporation, petitioner, *v.* Morand Brothers, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 811. E. N. Moore et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 812. Glen C. Tobias, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 813. Martin J. Cullen et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 814. Thomas V. King, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 820. David Crowther, petitioner, *v.* Winford P. Larson. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 821. David Crowther, petitioner, *v.* Winford P. Larson. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 823. Walbridge-Aldinger Company, petitioner, *v.* A. J. Rudd et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 835. Central Leather Company, petitioner, *v.* Steamship *Goyaz*, Her Engines, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 836. Schmoll Fils & Company, petitioner, *v.* Steamship *Goyaz*, Her Engines, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 190. Proprietors of the Locks and Canals on Merrimack River, plaintiff in error, *v.* Boston and Maine Railroad. In error to the Land Court of the State of Massachusetts. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Hulbert v. Chicago*, 202 U. S. 275, 280; *Cleveland & Pittsburgh R. R. Co. v. Cleveland*, 235 U. S. 50, 53; *Hiawassee River Power Co. v. Carolina-Tennessee Power Co.*, 252 U. S. 341, 344.

No. 213. Board of Directors of Miller Levee District No. 2, appellant, *v.* Prairie Pipe Line Company. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed for the want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561, 569; *Southern Pacific Co. v. Stewart*, 245 U. S. 359, 362; *Barnett v. Kunkel*, 264 U. S. 16, 21.

No. 221. John Clay et al., Copartners, etc., plaintiffs in error, *v.* The District Court of the Twelfth District of the State of Colorado, etc. In error to the Supreme Court of the State of Colorado. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 228. Ben C. Davisson, plaintiff in error, *v.* The State of New Mexico. In error to the Supreme Court of the State of New Mexico. Per curiam: Dismissed for the want of jurisdiction upon the authority of (1) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; (2) *Hurtado v. California*, 110 U. S. 516.

No. 203. Matthew Lowe, plaintiff in error, *v.* Benjamin E. Dyson, U. S. Marshal; and

No. 204. William P. McCarthy, plaintiff in error, *v.* Benjamin E. Dyson, U. S. Marshal. In error to the District Court of the United States for the Southern District of Florida. Per curiam: Affirmed, upon the authority of *Riddle v. Dyche*, 262 U. S. 333, 335; *Goto v. Lane*, 265 U. S. 393, 401.

Order.—The court will take a recess from Monday, February 2 next, until Monday, March 2 next.

No. 111. The United States of America, petitioner, *v.* James J. Johnston. Joint request and motion to restore case to the call submitted by Mr. Solicitor General Beck in that behalf.

No. 340. The United States of America ex rel. Hyman Patton, etc., petitioner, *v.* Robert E. Tod, as Commissioner of Immigration. Dismissed, per stipulation, on motion of Mr. Solicitor General Beck for the respondent.

No. 827. Charles V. Duffy, Former Collector, etc., petitioner, *v.* John O. H. Pitney et al., Executors; and

No. 828. Frank C. Ferguson, Collector, petitioner, *v.* John O. H. Pitney et al., Executors. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Beck for the petitioner, and by Mr. Corwin Howell for the respondents.

No. 154. Crew Levick Company, plaintiff in error, *v.* The City of Philadelphia to the use of J. Joseph McHugh. Joint request and motion to restore case to the call submitted by Mr. Walter Biddle Saul in that behalf.

No. 546. Domenico Dumbra et al., plaintiffs in error, *v.* The United States of America. Motion to advance submitted by Mr. Frederick Milverton in that behalf.

No. 760. Indian Refining Company, plaintiff in error, *v.* John C. Taylor. Motion to dismiss submitted by Mr. U. S. Lesh for the defendant in error in support of the motion, and by Mr. James W. Noel, Mr. John Wallace Young, and Mr. Richmond Wied for the plaintiff in error in opposition thereto.

No. 622. Vincent L. Knewel, Sheriff, etc., appellant, *v.* George W. Egan. Motion to substitute George Boardman, present sheriff, etc., as the party appellee herein submitted by Mr. Samuel Herrick for the appellant.

No. 622. Vincent L. Knewel, Sheriff, etc., appellant, *v.* George W. Egan. Motion of the State of South Dakota for leave to intervene submitted by Mr. Samuel Herrick in that behalf.

No. 624. Black Rock Power & Irrigation Company, appellant, *v.* W. R. Adamson et al. Mandate granted, on motion of Mr. Robert Ash in that behalf.

No. 667. D. D. Roberts et al., plaintiffs in error, *v.* The Town of Perry, Florida, et al. Motion for leave to amend assignment of errors and directions for printing the transcript of record, submitted by Mr. Henry C. Clark for the plaintiffs in error in support of the motion, and by Mr. Giles J. Patterson for the defendants in error in opposition thereto.

No. 791. New York Central Railroad Company et al., plaintiffs in error, *v.* New York & Pennsylvania Company. Petition for a writ of certiorari herein submitted by Mr. Henry Wolfe Bikle and Mr. Parker McCollester for the plaintiffs in error in support of the petition and by Mr. T. R. White for the defendant in error in opposition thereto.

No. 801. Murphy Wall Bed Company et al., petitioners, *v.* Rip Van Winkle Wall Bed Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William K. White for the petitioners and by Mr. A. W. Boyken for the respondent.

No. 817. The William M. Hardie Company, petitioner, *v.* Arthur H. Lamborn et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Samuel Williston and Mr. H. A. Hauxhurst for the petitioner and by Mr. Louis O. Van Doren for the respondents.

No. 842. T. A. Evans, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. E. W. Bradford for the petitioner.

No. 846. Harry Dodd, Trustee, etc., petitioner, *v.* Eugenia S. Westmoreland. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Walter S. Dillon for the petitioner and by Mr. Robert C. Alston for the respondent.

No. 850. Leslie Waldeck et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Ronald C. Oldham for the petitioners.

No. 248. Oluf O. Gilseth, plaintiff in error, *v.* A. G. Risty et al. Continued per stipulation.

No. 249. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Sloss-Sheffield Steel & Iron Company. Passed, to be restored to the call pursuant to section 9, Rule 26, on motion of Mr. W. P. Houghton for the defendant in error.

No. 253. Seaboard Air Line Railway Company, plaintiff in error, *v.* O. T. Belshe. In error to the Supreme Court of the State of North Carolina. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 233. Reading Steel Casting Company, plaintiff in error, *v.* The United States of America. Argued by Mr. Paul C. Wagner for the plaintiff in error, and by Mr. Merrill E. Otis for the defendant in error. Leave granted Mr. Paul C. Wagner to file motion of the plaintiff in error to remand.

No. 241. Esther Kaplan, appellant, *v.* Robert E. Tod, Commissioner of Immigration, etc. Argued by Mr. James Marshall for the appellant, and by Mr. Assistant Attorney General Donovan for the appellee.

No. 242. Forrest P. Tayloe, appellant, *v.* The United States. Argued by Mr. Harry Peyton for the appellant, and by Mr. Alfred A. Wheat for the appellee.

No. 247. Joseph O'Mara, plaintiff in error, *v.* Harry C. Crampton. Argument commenced by Mr. Henry W. Moore for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 27, will be as follows: Nos. 247, 250, 251, 252, 254, 255, 257, 260, 261, and 262.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

James A. Taylor, of Washington, D. C.; John J. Dowdle, of Chicago, Ill.; and F. M. Shannonhouse, of Charlotte, N. C., were admitted to practice.

No. 254. Joseley Tiger, plaintiff in error, *v.* Aaron Drumright et al. Leave granted to file a brief for the defendant in error herein within 10 days, on motion of Mr. F. W. Clements in behalf of Mr. Malcolm E. Rosser, the defendant in error.

No. 257. Henry F. Mueller et al., appellants, *v.* Samuel W. Adler et al. Motion to dismiss submitted by Mr. Francis W. Clements in behalf of counsel for the appellee; and motion denied. Case continued on motion of Mr. Henry J. Richardson in behalf of counsel for the appellants.

No. 260. Fulton National Bank of Atlanta, petitioner, *v.* I. S. Hoosier et al., Receivers of Imbrie Company. Submitted by Mr. Marion Smith, Mr. John D. Little, Mr. Arthur G. Powell, and Mr. Max F. Goldstein for the petitioner, and by Mr. Arthur Heyman for the respondents.

No. 261. The Piqua Hosiery Company, appellant, *v.* The United States. Continued, per stipulation.

No. 262. The United States, appellant, *v.* Boston Insurance Company. Passed on motion of Mr. Assistant Attorney General Donovan for the appellant.

No. 247. Joseph O'Mara, plaintiff in error, *v.* Harry C. Crampton. Argument concluded by Mr. H. W. Moore for the plaintiff in error, and submitted by Mr. Henry Adamson for the defendant in error.

No. 250. Yadkin Railroad Company et al., petitioners, *v.* Ada Sigmon, Administratrix, etc. Argued by Mr. S. R. Prince for the petitioners, and by Mr. T. D. Maness for the respondent.

No. 251. G. L. Center, plaintiff in error, *v.* The United States of America. Argued by Mr. Assistant Attorney General Donovan for the defendant in error, and submitted by Mr. Richard A. Ford for the plaintiff in error.

No. 252. First National Bank of Guthrie Center, Iowa, plaintiff in error, *v.* L. B. Anderson, County Auditor, etc., et al., etc. Argument commenced by Mr. J. G. Gamble for the plaintiff in error, continued by Mr. Ben J. Gibson for the defendants in error, and concluded by Mr. Earl W. Vincent for the defendants in error.

No. 254. Joseley Tiger, plaintiff in error, *v.* Aaron Drumright et al. Argument commenced by Mr. Lewis C. Lawson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 28, will be as follows: Nos. 254, 255, 263, 264, 265, 266, 267, 268, 269, and 270.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Pickens Neagle, of Washington, D. C.; Harry H. Flemming, of New York City; Nelson A. Mason, of Bismarck, N. Dak.; J. Austin Barnes, of Beaumont, Tex.; Alexander Holtzoff, of New York City; Osmond K. Fraenkel, of New York City; and Daniel O. Hastings, of Wilmington, Del., were admitted to practice.

No. 263. Burnard Whitten, plaintiff in error, *v.* The State of Florida. In error to the Supreme Court of the State of Florida. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 266. Fort Smith Smelter Company, plaintiff in error, *v.* Clear Creek Oil & Gas Company. Submitted on briefs to come, by Mr. Tom M. Mehaffy, Mr. J. W. Mehaffy, and Mr. James S. Holt for the plaintiff in error, and by Mr. J. M. Hill and Mr. H. L. Fitzhugh for the defendant in error.

No. 270. Eastman Kodak Company of New York, plaintiff in error, *v.* Southern Photo Materials Company. Passed, on motion of Mr. C. P. Moser in that behalf.

No. 254. Joseley Tiger, plaintiff in error, *v.* Aaron Drumright et al. Argument concluded by Mr. Lewis C. Lawson for the plaintiff in error, and cause submitted by Mr. Malcolm E. Rosser for the defendant in error, on briefs to be filed hereafter by leave of Court. Leave granted Mr. Lewis C. Lawson to file a brief for the plaintiff in error within ten days.

No. 255. Cannon Manufacturing Company, plaintiff in error, *v.* Cudahy Packing Company. Argued by Mr. C. W. Tillett, jr., for the plaintiff in error, and by Mr. J. Harry Covington for the defendant in error.

No. 264. Margaret W. Pearson et al., appellants, *v.* The United States. Argument commenced by Mr. Henry C. Clark for the appellant and continued by Mr. George F. Williams for the appellant. The Court declined to hear further argument.

No. 265. The United States, appellant, *v.* Cornell Steamboat Company. Leave granted to file an additional brief for the appellant, on motion of Mr. J. Frank Staley in that behalf. Argument commenced by Mr. J. Frank Staley for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 29, will be as follows: Nos. 265, 267, 268, 269, 271, 274, 275, 276, 282, and 284.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

Edward M. Freeman, of Denver, Colo.; John S. Harris, of Oklahoma City, Okla.; John S. Terry, of Terrell, Tex.; and Hugo L. Black, of Birmingham, Ala., were admitted to practice.

No. 274. James C. Davis, Agent, etc., petitioner, *v.* L. D. Alexander et al. Continued.

No. 275. Dennis B. Chapin, appellant, *v.* D. A. Walker, U. S. Marshal. Continued.

No. 276. James H. Blundell, Executor, etc., et al., plaintiffs in error, *v.* William R. Wallace. Submitted by Mr. Reford Bond for the plaintiffs in error, and by Mr. John B. Dudley for the defendant in error.

No. 282. The People of the State of New York, etc., plaintiff in error, *v.* Public Service Commission of the State of New York. Continued.

No. 284. Henry Lewis, petitioner, *v.* Davis Roberts, jr., Trustee, etc. Leave granted to present oral argument herein without printed record, on motion of Mr. Hugh L. Black for the petitioner.

No. 265. The United States, appellant, *v.* Cornell Steamboat Company. Argument continued by Mr. J. Frank Staley for the appellant, and concluded by Mr. Robert S. Erskine for the appellee.

No. 267. W. C. Singleton, plaintiff in error, *v.* The State of Georgia. Submitted by Mr. G. Y. Harrell for the plaintiff in error. No brief filed for the defendant in error.

No. 268. American Railway Express Company, petitioner, *v.* The Commonwealth of Kentucky. Leave granted to file an additional brief herein for the petitioner on or before Saturday next, on motion of Mr. Kenneth E. Stockton for the petitioner. Argued by Mr. Kenneth E. Stockton for the petitioner. No brief filed for the respondent.

No. 269. Missouri Pacific Railroad Company, plaintiff in error, *v.* Walnut Ridge-Alicia Road Improvement District. Continued.

No. 271. Anthony Colora, plaintiff in error, *v.* The State of New Jersey. Submitted by Mr. E. A. Hayes for the plaintiff in error, and by Mr. Joseph E. Stricker for the defendant in error.

No. 284. Henry Lewis, petitioner, *v.* David Roberts, jr., as Trustee, etc. Argued by Mr. Hugo L. Black for the petitioner. No appearance for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 30, will be as follows: Nos. 286, 288, 289, 290, 291, 292, 293, 296, 297 (and 298), and 300.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

George P. Hahn, of Toledo, Ohio; Herman L. Falk, of New York City; Joseph Dickson, jr., of St. Louis, Mo.; Oscar Habenicht, of St. Louis, Mo.; Horace G. Knowles, of Wilmington, Del., and W. H. Sadler, jr., of Birmingham, Ala., were admitted to practice.

No. 275. Dennis B. Chapin, appellant, *v.* D. A. Walker, U. S. Marshal. Continuance set aside, on motion of Mr. Assistant Attorney General Donovan for the appellee. Case submitted by Mr. C. M. Chambers for the appellant, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Donovan and Mr. Harry S. Ridgely for the appellee.

No. 296. Harry B. Stilz, appellant, *v.* The United States. Continued, on motion of Mr. H. E. Knight for the appellee.

No. 284. Henry Lewis, petitioner, *v.* Davis Roberts, jr., as Trustee, etc. Leave granted to respondent to file brief herein within one week, on motion of Mr. William H. Sadler, jr., in that behalf.

No. 289. Thomas W. Miller, Alien Property Custodian, et al., appellants, *v.* Edwin W. Poe et al. Continued.

No. 290. Frank L. Smith et al., appellants, *v.* Illinois Bell Telephone Company. Continued.

No. 291. L. H. Myers et al., petitioners, *v.* Charles H. Anderson et al., etc. Continued.

No. 292. Pere Marquette Railway Company, appellant, *v.* The United States. Continued, on motion of Mr. Lawrence H. Cake for the appellant.

No. 293. Central Union Telephone Company, plaintiff in error, *v.* The City of Edwardsville, Illinois. Continued.

No. 286. Rae Brooks, plaintiff in error, *v.* The United States of America. Argued by Mr. Joe Kirby for the plaintiff in error, and by Mr. Assistant Attorney General Donovan for the defendant in error.

No. 288. The First National Bank of Mobile, Alabama, appellant, *v.* The United States of America. Argued by Mr. Merrill E. Otis for the appellee, and submitted by Mr. Gregory L. Smith for the appellant.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

A. W. Brown, of Hempstead, N. Y.; James C. Davis, of Atlanta, Ga.; Robert H. Holt, of Boston, Mass.; M. E. Harby, of New York City; Edwin F. A. Morgan, of Baltimore, Md.; Charles S. Cutting, of Chicago, Ill.; Charles D. Fox, jr., of Roanoke, Va.; George T. Cann, of Savannah, Ga.; Chester W. Kingsley, of Kingston, N. Y.; Arthur W. Beer, of Washington, D. C.; John D. McPhee, of Cheboygan, Mich.; W. J. Smith, of Franklin, Tenn.; Mary Jane Raymond, of Washington, D. C.; Bertha E. Pabst, of Washington, D. C.; Harriet M. Barbour, of Washington, D. C.; Louis E. Flye, of Boston, Mass.; Roland J. Lehman, of Washington, D. C.; and John O. Davies, of Butte, Mont., were admitted to practice.

No. 597. Benjamin W. Morse, appellant, *v.* The United States of America; and

No. 598. Harry F. Morse, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Southern District of New York. Final orders affirmed; and ordered that the mandates issue forthwith. Opinion by Mr. Justice Sutherland.

No. 169. Standard Oil Company of New Jersey, as Owner, etc., of the Steamship *Llama*, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree of the United States Circuit Court of Appeals for the Third Circuit reversed; and decree of the District Court of the United States for the District of New Jersey modified and affirmed; and cause remanded to the said District Court. Opinion by Mr. Justice Holmes. Mr. Justice McReynolds is of the opinion that the decree of the Circuit Court of Appeals should be affirmed. Mr. Justice Sutherland took no part in the consideration or decision of this cause.

No. 132. Swiss National Insurance Company, Limited, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft. Mr. Justice McKenna participated and concurred in the opinion prior to his resignation. Dissenting: Mr. Justice McReynolds.

No. 111. The United States of America, petitioner, *v.* James J. Johnston. Motion to restore to the call granted; and cause assigned for argument on Monday, April 13 next, after the cases heretofore assigned for that day.

No. 154. Crew Levick Company, plaintiff in error, *v.* The City of Philadelphia, to the use of J. Joseph McHugh. Motion to restore to the call granted; and cause assigned for argument on Monday, April 13 next, after the cases heretofore assigned for that day.

No. 622. Vincent L. Knewel, as Sheriff of Minnehaha County, South Dakota, appellant, *v.* George W. Egan. Further consideration of the motions to substitute and for leave to intervene on behalf of The State of South Dakota postponed to the hearing of the cause on the merits. Cause advanced and assigned for argument on Monday, April 13 next, after the cases heretofore assigned for that day.

No. 667. D. D. Roberts et al., plaintiffs in error, *v.* The Town of Perry, Florida, et al. Motion to amend specifications of points and directions for printing record granted. Parts of record designated by each of the parties shall be printed, the question of costs to await the disposition of the cause.

No. 546. Domenico Dumbra et al., plaintiffs in error, *v.* The United States of America. Motion to advance granted; and cause assigned for argument on Monday, April 13 next, after the cases heretofore assigned for that day.

No. 801. Murphy Wall Bed Company et al., petitioners, *v.* Rip Van Winkle Wall Bed Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 817. The William M. Hardie Company, petitioner, *v.* Arthur H. Lamborn et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 827. Charles V. Duffy, Former Collector, etc., petitioner *v.* John O. H. Pitney et al., Executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 828. Frank C. Ferguson, Collector, etc., petitioner, *v.* John O. H. Pitney et al., Executors, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 842. T. A. Evans, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 846. Harry Dodd, Trustee in bankruptcy, etc., petitioner, *v.* Eugenia S. Westmoreland. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 850. Leslie Waldeck et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 863. Mary Kuras, Administratrix, etc., petitioner, *v.* The Michigan Central Railroad Company. Motion for leave to proceed in forma pauperis denied. Petition for a writ of certiorari to the Court of Appeals of Lucas County, State of Ohio, denied.

No. 760. Indian Refining Company, plaintiff in error, *v.* John C. Taylor. In error to the Supreme Court of the State of Indiana. Per curiam: Dismissed for want of jurisdiction, upon the authority of (1) *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195; (2) *Texas Co. v. Brown*, 258 U. S. 466, 477, 478.

No. 247. Joseph O'Mara, plaintiff in error, *v.* Harry C. Crampton. In error to the Supreme Court of the State of Indiana. Per curiam: Dismissed for want of jurisdiction upon the authority of *Missouri & Kansas Interurban Ry. Co. v. Olathe*, 222 U. S. 185, 186; *Haseltine v. Bank*, 183 U. S. 130, 131; *Schlosser v. Hemphill*, 198 U. S. 173, 175.

No. 251. G. L. Center, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of South Carolina. Per curiam; Affirmed, upon the authority of *Bordeau v. McDowell*, 256 U. S. 465, 475.

No. 242. Forrest P. Tayloe, appellant, *v.* The United States. Appeal from the Court of Claims. Per curiam: Affirmed, upon the authority of *Brawley v. United States*, 96 U. S. 168, 173; *Willard Co. v. United States*, 262 U. S. 489, 494.

No. 271. Anthony Colora, plaintiff in error, *v.* The State of New Jersey. In error to the Court of Errors and Appeals of the State of New Jersey. Per curiam: Affirmed, upon the authority of *Viglotti v. Pennsylvania*, 258 U. S. 403; *Molinari v. Maryland*, 263 U. S. 685.

No. 288. First National Bank of Mobile, Alabama, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Southern District of Alabama. Per curiam: Affirmed, upon the authority of *Essgee v. United States*, 262 U. S. 151, 155; *Hale v. Henkel*, 201 U. S. 43, 69; *Wilson v. United States*, 221 U. S. 361, 382; *Wheeler v. United States*, 226 U. S. 478, 490.

No. —, original. Ex parte Barker. Per curiam: Application for leave to file petition for a writ of habeas corpus denied, upon the authority of section 338 of the Criminal Code; *United States v. Pridgeon*, 153 U. S. 48, 63; Application for leave to proceed in forma pauperis denied.

No. 250. Yadkin Railroad Company et al., petitioners, *v.* Ada Sigmon, Administratrix, etc. On writ of certiorari to the Supreme Court of the State of North Carolina. Per curiam: Reversed, and remanded for further proceedings, upon the authority of *Davis & Kennedy*, decided November 17, 1924; *Frese v. Chicago, Burlington & Quincy R. R. Co.*, 263 U. S. 1, 3.

No. 275. Dennis B. Chapin, appellant, *v.* D. A. Walker, United States Marshal for the Western District of Texas. Appeal from the District Court of the United States for the Western District of Texas. Per curiam: Cause transferred to the United States Circuit Court of Appeals for the Fifth Circuit, upon the authority of the act of September 14, 1922, c. 305, 42 Stat. 837; *Heitler v. United States*, 260 U. S. 438.

No. 77. Frank S. Myers, appellant, *v.* The United States. It is ordered that this case be reassigned for argument on Monday, March 16 next, in order that George Wharton Pepper, Esq., at the invitation of the court, may address an argument to it as amicus curiae, on behalf of the appellant.

No. 39. Hubert Work, Secretary of the Interior, appellant, *v.* The State of Louisiana. Joint request to restore case to the call, pursuant to section 9, rule 26, submitted by Mr. Solicitor General Beck in that behalf.

No. 244. The United States of America, plaintiff in error, *v.* DeWitt T. Law. In error to the District Court of the United States for the District of Montana. Dismissed, on motion of Mr. Solicitor General Beck for the plaintiff in error.

No. 509. The United States of America *ex rel.* Walter S. Kennedy *et al.*, appellants, *v.* William F. Waldow, as Sheriff of Erie County, New York, *et al.* Joint request to restore case to the call, pursuant to section 9, rule 26, submitted by Mr. Solicitor General Beck in that behalf.

No. 653. The United States of America, petitioner, *v.* O. B. Fish. Motion to advance submitted by Mr. Solicitor General Beck for the petitioner.

No. 824. The Oliver American Trading Company, Inc., petitioner, *v.* The Government of the United States of Mexico, *et al.* Suggestion of the Secretary of State submitted by Mr. Solicitor General Beck in that behalf.

No. 861. The United States of America, petitioner, *v.* Maurice P. Davidson, Trustee in Bankruptcy, *etc.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Chauncey G. Parker, Mr. E. M. Allison, jr., and Mr. Henry M. Ward for the petitioner, and by Mr. John M. Woolsey, Mr. John S. Shepperd, Mr. Delbert M. Tibbetts, and Mr. Alvin C. Cass for the respondent.

No. 834. Joseph L. Lackner, Administrator *de bonis non* with the will annexed of the Estate of Frederic C. Wier, deceased, petitioner, *v.* Merritt Starr, Surviving Partner of the firm of Miller & Starr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles S. Cutting, Mr. Charles H. Aldrich, and Mr. Donald F. McPherson for the petitioner.

No. 420. Thomas W. Miller, Alien Property Custodian, *et al.*, petitioners, *v.* Benjamin Guinness *et al.*; and

No. 421. Benjamin Guinness *et al.*, petitioners, *v.* Thomas W. Miller, Alien Property Custodian, *et al.* Motion to advance submitted by Mr. M. Carter Hall in that behalf.

No. 45. Thomas Agnello *et al.*, petitioners, *v.* The United States of America. Joint request to restore case to the call, pursuant to section 9, rule 26, submitted by Mr. Swagar Sherley in that behalf.

No. 845. Robeson Process Company, petitioner, *v.* Jacob S. Robeson *et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Alfred M. Houghton, Mr. Julius M. Mayer, and Mr. F. P. Warfield for the petitioner, and by Mr. Clair W. Fairbank and Mr. Irving M. Obrecht for the respondents.

No. —, original. *Ex parte* in the matter of Ivan Glavadanovic, petitioner. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. Robert Ash in that behalf.

No. 865. Perry Browning et al., appellants, *v.* E. M. Hooper et al. Motion to advance submitted by Mr. Robert Ash in behalf of counsel.

No. 249. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Sloss-Sheffield Steel & Iron Company. Joint request to restore case to the call, pursuant to section 9, rule 26, submitted by Mr. Woodson P. Houghton in that behalf.

No. 824. The Oliver American Trading Company, Inc., petitioner, *v.* The Government of the United States of Mexico et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert F. Greacen and Mr. Alfred Hayes for the petitioner, and by Mr. Jerome S. Hess and Mr. Harold B. Elgar for the respondents.

No. 831. William J. Read, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Harold Harper and Mr. Eugene Underwood, jr. for the petitioner.

No. 843. Clyde Hunter, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Clair McTurnan, Mr. William R. Higgins, Mr. Charles M. McCabe, and Mr. Merrill Moores for the petitioner and by Mr. Solicitor General Beck and by Assistant Attorney General Willebrandt for the respondent.

No. 858. Joseph P. Margolin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Benjamin S. Kirsh for the petitioner.

No. 860. Mary H. Selvage, petitioner, *v.* Brockenbrough Lamb, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Robert H. Talley for the petitioner, and by Mr. James E. Cannon for the respondent.

Adjourned until Monday, March 2 next, at 12 o'clock.

The day call for Monday, March 2, will be as follows: Nos. 34, 236, 342, 551, 126, 128, 135, 144, 180, 182, 183, 196, 227, 238 (and 259), 245, 256, 281, 294, 309, 321, 330, 356, 364, 365, 371, 235 (and 636), 465, 319, 48 (and 49 and 50), 120, 129, 53, 583 (and 584), 485 (and 486), and 739.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Valentine Worthington, of New York City; John S. Sheffard of New York City; John C. Veatch, of Portland, Oreg.; Hall S. Lusk, of Portland, Oreg.; Ward H. Peck, of Detroit, Mich.; R. D. Colmery, of Mount Gilead, Ohio; Joseph Kraemer, of Newark, N. J.; Joseph Siegler, of Newark, N. J.; Frederick D. Anderson, of Denver, Colo.; Eugene P. Ledbetter, of Oklahoma City, Okla.; Emily Dashiell, of Baltimore, Md.; Charles L. Richards, of Reno, Nev.; Katharine Lloyd Campbell, of Washington, D. C.; William C. McCoy, of Cleveland, Ohio; William Donald Campbell, of Forsyth, Mont.; William Louis Boatright, of Golden, Colo.; Henry H. Asher, of Lawrence, Kans.; Preston Rucko Calvert, of Pawnee, Okla.; Victor Levine, of Boston, Mass.; Carle L. Hunter, of Piggott, Ark.; Lois Dale, of Texarkana, Ark.; Frank L. Guereña, of San Francisco, Calif.; Charles P. Cutten, of San Francisco, Calif.; Carl I. Wheat, of San Francisco, Calif.; Arthur W. Hill, of Eureka, Calif.; Thomas W. Y. Clark, of Baltimore, Md.; George W. DesJardins, of Lapeer, Mich.; Fred R. Salway, of Portland, Oreg.; Robert E. Acorn, of Washington, D. C.; Olive Evalyn Geiger, of Washington, D. C.; Charles L. Guerin, of Philadelphia, Pa.; O. A. Neal, of Portland, Oreg.; Algeron Crofton, of San Francisco, Calif.; and Clarence J. McLeod, of Detroit, Mich., were admitted to practice.

The Chief Justice announced the appointment of Hon. Harlan Fiske Stone to be an Associate Justice of this court. Mr. Stone is present, and the clerk will read the commission. The clerk read the commission, as follows:

CALVIN COOLIDGE

PRESIDENT OF THE UNITED STATES OF AMERICA

To all who shall see these presents, greeting:

Know ye, that, reposing special trust and confidence in the wisdom, uprightness, and learning of Harlan Fiske Stone, of New York, I

have nominated and, by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfill the duties of that office according to the Constitution and laws of the said United States, to have and to hold the said office, with all the powers, privileges, and emoluments to the same of right appertaining unto him, the said Harlan Fiske Stone, during his good behavior.

In testimony whereof, I have caused these letters to be made patent, and the seal of the Department of Justice hereunto affixed.

Done at the city of Washington this 5th day of February, in the year of our Lord one thousand nine hundred and twenty-five, and of the Independence of the United States of America the one hundred and forty-ninth.

CALVIN COOLIDGE.

By the President:

JAMES M. BECK,

Acting Attorney General.

The oath of office was administered by the Chief Justice, and Mr. Justice Stone was escorted by the marshal to his seat on the bench.

No. 515. The United States of America et al., petitioners, *v.* Henry H. Kaufman, Trustee in Bankruptcy of Abraham Finkelstein, et al.; and

No. 516. The United States of America et al., petitioners, *v.* Alfred C. Coxe, Jr., Receiver of Jones and Baker, Alleged Bankrupts. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Sanford.

No. 14. William T. Price et al., plaintiffs in error, *v.* Magnolia Petroleum Company et al. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion of Mr. Justice Sanford.

No. 264. Margaret W. Pearson et al., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sanford.

No. 351. The City of Newark et al., appellants, *v.* The Central Railroad Company, of New Jersey et al. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice Butler.

No. 338. The United States of America et al., appellants, *v.* Butterworth-Judson Corporation et al. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree reversed; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 29. The Louisville & Nashville Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler.

No. 83. Chicago, Milwaukee & St. Paul Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler.

No. 168. Missouri Pacific Railroad Company, petitioner, *v.* Roy Stroud. On writ of certiorari to the Springfield Court of Appeals of the State of Missouri. Judgment reversed with costs; and cause remanded to the said Springfield Court of Appeals for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Butler.

No. 187. Isom Grayson et al., plaintiffs in error, *v.* James A. Harris et al. In error and on writ of certiorari to the Supreme Court of the State of Oklahoma. Writ of error dismissed for want of jurisdiction. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 210. Ohio Utilities Company, plaintiff in error, *v.* Public Utilities Commission of Ohio. In error to the Supreme Court of the State of Ohio. Judgment reversed with costs; and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 273. Margaret C. Lynch, Executrix of the Last Will and Testament of E. J. Lynch, deceased, petitioner, *v.* Alworth-Stephens Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the District of Minnesota. Opinion by Mr. Justice Sutherland.

No. 276. James H. Blundell, Executor of the Last Will and Testament of Patsy Paff, deceased, et al., plaintiffs in error, *v.* William R. Wallace. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 345. A. J. Buck, appellant, *v.* E. V. Kuykendall, Director of Public Works of the State of Washington. Appeal from the District Court of the United States for the Western District of Washington. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds.

No. 185. George W. Bush & Sons Company, plaintiff in error, *v.* William M. Maloy et al., etc. In error to the Court of Appeals of the State of Maryland. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds.

No. 206. J. B. Smyth et al., appellants, *v.* Asphalt Belt Railway Company et al. Appeal from the District Court of the United States for the Western District of Texas; transferred from the United States Circuit Court of Appeals for the Fifth Circuit. Cause remanded to the said Circuit Court of Appeals with directions to proceed. Opinion by Mr. Justice Brandeis.

No. 220. Fort Smith Light & Traction Company, plaintiff in error, *v.* Fagan Bourland et al. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 255. Cannon Manufacturing Company, plaintiff in error, *v.* Cudahy Packing Company. In error to the District Court of the United States for the Western District of North Carolina. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 159. Henry Merritt, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 176. Robert F. Mitchell et al., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 229. The St. Louis, Kennett & Southeastern Railroad Company appellant, *v.* The United States of America et al. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 230. Cairo, Truman & Southern Railroad Company, appellant, *v.* The United States of America et al. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 194. C. V. Browne, petitioner, *v.* The Union Pacific Railroad Company. On writ of certiorari to the Supreme Court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 199. Austin Nichols & Company, petitioner, *v.* Steamship *Isla de Panay*, Her Engines, etc., Compañia Trasatlantica;

No. 200. Eug. Sanchez and Jose Gilde Sagredo, Copartners, Trading as E. Sanchez & Company, petitioners, *v.* Steamship *Isla de Panay*, Her Engines, etc., Compañia Trasatlantica; and

No. 201. E. Tolibia & Company, petitioner, *v.* Steamship *Isla de Panay*, Her Engines, etc., Compañia Trasatlantica. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgments affirmed with costs; and causes remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Sutherland, Mr. Chief Justice Taft, and Mr. Justice Van Devanter.

No. 260. Fulton National Bank of Atlanta, petitioner, *v.* I. S. Hoosier et al., etc. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Georgia for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 265. The United States, appellant, *v.* Cornell Steamboat Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McReynolds.

No. 422. Chicago Great Western Railroad Company, petitioner, *v.* A. D. Schendel, as Special Administrator of the Estate of Edmund Ludwig Ring, deceased. On writ of certiorari to the Supreme Court of the States of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 709. James C. Davis, Director General of Railroads, as Agent of the President, operating Philadelphia & Reading Railway Company, plaintiff in error, *v.* George B. Newton Coal Company; and

No. 710. James C. Davis, Director General of Railroads, Agent, operating the Pennsylvania Railroad, plaintiff in error, *v.* George B. Newton Coal Company. In error to the Supreme Court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 444. The United States of America, plaintiff in error, *v.* The Archibald McNeil & Sons Company, Inc. In error to the District Court of the United States for the Eastern District of Pennsylvania. Judgment affirmed. Opinion by Mr. Justice McReynolds.

No. 101. The A. B. Small Company, plaintiff in error, *v.* The American Sugar Refining Company. In error to the District Court of the United States for the Southern District of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 100. The A. B. Small Company, plaintiff in error, *v.* Lam-born & Company. In error to the District Court of the United States for the Southern District of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 47. The United States of America *v.* Steamship *Coamo*, Her Engines, etc., New York & Porto Rico Steamship Company, Claimant. On certificate from the United States Circuit Court of Appeals for the Second Circuit. Question certified answered in the affirmative. Opinion by Mr. Justice Holmes.

No. 75. John D. Flanagan, petitioner, *v.* Federal Coal Company. On writ of certiorari to the Supreme Court of the State of Tennessee. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 177. William D. Stein et al., plaintiffs in error, *v.* Tiptop Baking Company. In error to the District Court of the United States for the Western District of Kentucky. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 241. Esther Kaplan, appellant, *v.* Robert E. Tod, Commissioner of Immigration, Ellis Island, Port of New York. Appeal from the District Court of the United States for the Southern District of New York. Final order affirmed with costs. Opinion by Mr. Justice Holmes.

No. 266. Fort Smith Spelter Company, plaintiff in error, *v.* Clear Creek Oil & Gas Company. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 42. James Shewan & Sons, Inc., appellant, *v.* The United States. Appeal from the District Court of the United States for the Southern District of New York. Costs of this appeal assessed against The United States, with directions to the District Court to assess also the costs of the suit in that court and interest as that court shall order it in accordance with the statute. Opinion by Mr. Chief Justice Taft.

No. 24, original. *Ex parte* in the matter of the Application of Philip Grossman, petitioner. On petition for a writ of habeas corpus. Rule made absolute, and the petitioner discharged. Opinion by Mr. Chief Justice Taft.

No. 157. William Nahmeh, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Eastern District of New York. Decree reversed with costs;

and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 223. Merchants Mutual Automobile Liability Insurance Company, plaintiff in error, *v.* Abram B. Smart. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 15. George Carroll et al., plaintiffs in error, *v.* The United States. In error to the District Court of the United States for the Western District of Michigan. Judgment affirmed. Opinion by Mr. Chief Justice Taft. Separate opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice McReynolds and Mr. Justice Sutherland. Mr. Justice McKenna, before his retirement, concurred in this opinion.

No. 272. Hubert Work, Secretary of the Interior, plaintiff in error. *v.* The United States of America, ex rel. Logan Rives. In error to the Court of Appeals of the District of Columbia. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 401. Hubert Work, Secretary of the Interior, appellant, *v.* The United States of America ex rel, Chestatee Pyrites & Chemical Corporation. In error to the Court of Appeals of the District of Columbia. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 225. Sig Samuels, plaintiff in error, *v.* J. A. McCurdy, Sheriff of DeKalb County, Georgia. In error to the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Chief Justice Taft. Dissenting: Mr. Justice Butler.

No. 661. Pennsylvania Railroad System and Allied Lines Federation No. 90, Executive Council of Pennsylvania Railroad System and Allied Lines Federation No. 90 et al., appellants, *v.* The Pennsylvania Railroad Company et al. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 629. The Pennsylvania System Board of Adjustment of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, appellant, *v.* The Pennsylvania Railroad Company et al. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:

No. 341. The United States of America, plaintiff in error, *v.* Lucia Naponiello et al. In error to the District Court of the United States for the Northern District of Illinois. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Farmers and Mechanics National Bank v. Wilkinson*, decided January 5, 1925; *Union Trust Co. v. Westhus*, 228 U. S. 519, 522-524; *Brown v. Alton Water Co.*, 222 U. S. 325, 331-334.

No. 562. Corby Estate, plaintiff in error, *v.* The City of St. Joseph. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for the want of jurisdiction, upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 226. Sallie Canard, plaintiff in error, *v.* R. E. Snell, Jr., et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. Petition for a writ of certiorari herein denied.

No. 254. Joseley Tiger, plaintiff in error, *v.* Aaron Drumright et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 267. W. C. Singleton, plaintiff in error, *v.* The State of Georgia. In error to the Supreme Court of the State of Georgia. Per curiam: Dismissed for the want of jurisdiction, upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 590. J. C. Crowson, plaintiff in error, *v.* Michael Cody et al. In error to the Supreme Court of the State of Alabama. Petition for rehearing denied. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6; *Ireland v. Woods*, 246 U. S. 323, 328; *Stadelman v. Miner*, 246 U. S. 544, 546; *Chicago Great Western R. R. Co. v. Basham*, 249 U. S. 164, 165; *Citizens' Bank v. Opperman*, 249 U. S. 448, 450.

No. 545. George William Mottram, appellant, *v.* The United States. Motion to remand to the Court of Claims for further findings of fact denied.

No. — Ex parte in the matter of Ivan Glavadanovic, petitioner. Motion for leave to file a petition for a writ of mandamus herein denied.

No. 39. Hubert Work, Secretary of the Interior, appellant, *v.* The State of Louisiana. Joint request to restore to the call denied.

No. 509. The United States of America ex rel. Walter S. Kennedy et al., appellants, *v.* William F. Waldow, Sheriff, etc., et al. Joint request to restore to the call granted; and the cause assigned for argument on Monday, April 20 next.

No. 45. Thomas Agnello et al., petitioners, *v.* The United States of America. Joint request to restore to the call granted; and the cause assigned for argument on Monday, April 20 next.

No. 249. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Sloss-Sheffield Steel & Iron Company. Joint request to restore to the call granted; and the cause assigned for argument on Monday, April 20 next.

No. 653. The United States of America, petitioner, *v.* O. B. Fish. Motion to advance granted; and cause assigned for argument on Monday, April 20 next, after the cases heretofore assigned for that day.

No. 420. Thomas W. Miller, Alien Property Custodian, et al., petitioners, *v.* Benjamin Guinness et al.; and

No. 421. Benjamin Guinness et al., petitioners, *v.* Thomas W. Miller, Alien Property Custodian, et al. Motion to advance denied.

No. 865. Perry Browning et al., appellants, *v.* E. M. Hooper et al. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 663. The Chesapeake & Ohio Railway Company, petitioner, *v.* The A. F. Thompson Manufacturing Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia granted.

No. 720. Harold Taylor, Trustee under the Will of Mary E. Erskine, deceased, et al., petitioners, *v.* Harry W. Voss, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

Nos. 786 and 787. James C. Davis, Federal Agent, etc., petitioner, *v.* E. H. Pringle, Trustee. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 858. Joseph P. Margolin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 791. New York Central Railroad Company et al., plaintiffs in error, *v.* New York & Pennsylvania Company. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 780. Jacques Rouso, petitioner, *v.* Reuben E. Barber et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 824. The Oliver American Trading Company, Inc., petitioner, *v.* The Government of the United States of Mexico et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 831. William J. Read, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 843. Clyde Hunter, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 845. Robeson Process Company, petitioner, *v.* Jacob S. Robeson et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 860. Mary H. Selvage, petitioner, *v.* Brockenbrough Lamb, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 861. The United States of America, petitioner, *v.* Maurice P. Davidson, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 389. Guardian Savings & Trust Company, Trustee, petitioner, *v.* Road Improvement District No. 7 of Poinsett County, Arkansas.

ORDER. It is ordered by this court that the direction in the opinion heretofore filed to send the case back to the District Court of the United States for the Eastern District of Arkansas is changed, and the case sent back to the United States Circuit Court of Appeals for the Eighth Circuit for further proceedings, and the mandate already issued shall be amended accordingly.

No. 487. Farmers & Mechanics National Bank of Fort Worth, Texas, appellant, *v.* W. W. Wilkinson et al.

ORDER. It is ordered by this court that the opinion heretofore filed be amended by striking from the sixth line the word "appellant," and from the seventh line the words "in the meantime, having," and by inserting in the seventh line between the word "note," and the word "appellant," the words "and, thereafter."

No. 268. American Railway Express Company, petitioner, *v.* The Commonwealth of Kentucky. Restored to the docket for reargument; and assigned for Monday, November 2 next, after the cases heretofore assigned for that day. The clerk is directed to notify the Attorney General of the State of Kentucky of the restoration of this case to the docket for reargument.

No. 231. Hidemitsu Toyota *v.* The United States of America. Joint request to restore case to the call submitted by Mr. Solicitor General Beck in that behalf.

No. 262. The United States, appellant, *v.* Boston Insurance Company. Joint request to restore case to the call submitted by Mr. Solicitor General Beck in that behalf.

No. 296. Harry B. Stilz, appellant, *v.* The United States. Joint request to restore case to the call submitted by Mr. Solicitor General Beck in that behalf.

No. 330. The United States of America, plaintiff in error, *v.* Herbert H. McGovern. In error to the District Court of the United States for the District of Montana. Dismissed, on motion of Mr. Solicitor General Beck for the plaintiff in error.

No. 847. The United States of America, plaintiff in error, *v.* The Baltimore Post. Motion to advance submitted by Mr. Solicitor General Beck for the plaintiff in error.

No. 867. George D. Provost et al., Copartners, etc., appellants, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Beck for the appellee.

No. 77. Frank S. Myers, appellant, *v.* The United States. Death of Frank S. Myers suggested, and Lois P. Myers, Administratrix of the Estate of Frank S. Myers, deceased, ordered substituted as the party appellant herein.

No. 840. James D. Barton, petitioner, *v.* Leyte Asphalt & Mineral Oil Company, Limited. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Augustus T. Seymour for the petitioner, and by Mr. John Walsh for the respondent.

No. 12, original. The State of New Mexico, complainant, *v.* The State of Colorado. Petition for modification of opinion, and proposed form of decree, submitted by Mr. A. A. Jones in behalf of Mr. Frank W. Clancy for the complainant.

No. 216. Wesley M. Smith, appellant, *v.* W. P. McCullough et al. Death of Paul A. Ewert, one of the appellees herein, suggested, and motion to revive in the name of Sidney T. Ewert as executrix of Paul A. Ewert, deceased, submitted by Mr. W. W. Hastings in behalf of Mr. A. Scott Thompson for the appellant.

No. 705. Axel W. Hallenborg, plaintiff in error, *v.* Green Consolidated Copper Company et al. Motion to dismiss submitted by Mr. Samuel Brennan for the defendants in error.

No. 342. Maple Flooring Manufacturers' Association et al., appellants, *v.* The United States of America. Leave granted to file brief of Mr. Herbert Pope as amicus curiae herein granted, on motion of Mr. E. Barrett Prettyman in that behalf.

No. —, original. Ex parte In the matter of Nicholas J. Curtis, petitioner. Motion for leave to file petition for a writ of mandamus here submitted by Mr. Nicholas J. Curtis, pro se.

No. 292. Pere Marquette Railway Company, appellant, *v.* The United States. Motion to remand to the Court of Claims for further findings submitted by Mr. Lawrence H. Cake for the appellant, and by Mr. Solicitor General Beck and Mr. Blackburn Esterline for the appellee in opposition thereto.

No. 289. Thomas W. Miller, Alien Property Custodian, et al., appellants, *v.* Edwin W. Poe, et al. Joint request to restore case to the call submitted by Mr. Hartwell Cabell and Mr. Daniel O. Hastings for the appellant, and by Mr. Stuart S. Janney and Mr. J. Kemp Bartlett for the appellees.

No. 869. Compania General de Tabacos de Filipinas, petitioner, *v.* The Insular Collector of Customs. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Harry W. Van Dyke for the petitioner, and by Mr. A. W. Brown for the respondent.

No. 583. Walter M. Pierce, as Governor of the State of Oregon, et al, appellants, *v.* The Society of Sisters of the Holy Names of Jesus and Mary; and

No. 584. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* Hill Military Academy. Leave granted to file brief of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church, herein, as amicus curiae, on motion of Mr. Woodson P. Houghton in that behalf.

No. 721. Frank Moore, President of the Odd Lot Cotton Exchange of New York, appellant, *v.* The New York Cotton Exchange et al. Motion to advance submitted by Mr. John M. Coleman for the appellant, and by Mr. Henry W. Taft for the appellees in opposition thereto.

No. 764. J. W. Patterson, Doing Business as J. W. Patterson Commission Company et al., plaintiffs in error, *v.* Louisville & Nashville Railroad Company et al. Motion to advance submitted by counsel in that behalf.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Report of commissioners as to time employed and expenses incurred in the survey, received and filed, on motion of Mr. Arthur D. Kidder in behalf of the commissioners.

No. —, Original. Ex parte In the matter of A. A. Sanders, petitioner. Motion for leave to file petition for a writ of habeas corpus herein submitted by Mr. Robert Ash for the petitioner.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Motion of the Supreme Oil Company et al. to require receiver to pay certain sums of money submitted by Mr. Robert Ash in behalf of Mr. K. C. Barkley.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Motion of National Petroleum & Refining Company to recharge expenses of well No. 169, submitted by Mr. Robert Ash in behalf of Mr. K. C. Barkley.

No. 144. Charles E. Wells, appellant, *v.* Patrick H. Bodkin et al. Death of Charles E. Wells suggested; and Susie Wells, administratrix of the estate of Charles E. Wells, deceased, ordered substituted as the party appellant herein, on motion of Mr. Robert Ash in behalf of counsel for the appellant.

No. 681. C. G. Lewellyn, formerly Collector of Internal Revenue, plaintiff in error, *v.* Adelaide H. C. Frick et al. Leave granted to file a brief herein as amicus curiae, on motion of counsel in that behalf.

No. 12, original. The State of New Mexico, complainant, *v.* The State of Colorado. Proposed form of decree on behalf of the State of Colorado submitted by Mr. William L. Boatright for the defendant.

No. 829. Manuel J. Jacobs, petitioner, *v.* Myra F. Jacobs. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. Carlos P. Griffin and Mr. Eugene C. Brown for the petitioner.

No. 837. John Mullen et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. C. B. Tinkham for the petitioner.

No. 844. Pacific American Fisheries, petitioner, *v.* Territory of Alaska. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. E. S. McCord, Mr. Warren Gregory, and Mr. R. E. Robertson for the petitioner, and by Mr. John Rustgard for the respondent.

No. 854. Minnie M. Williams, etc., Executrix, etc., et al, petitioners, and Freeman B. Christopher. Petition for a writ of certiorari to the Court of Appeals of Franklin County, State of Ohio, submitted by Mr. David F. Pugh for the petitioners, and by Mr. James N. Linton for the respondent.

No. 855. William A. Greene, Trustee, etc., petitioner, *v.* J. L. Booth, Trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals from the Ninth Circuit submitted by Mr. Walter B. Allen for the petitioner, and by Mr. Challen B. Ellis for the respondents.

No. 859. James C. Davis, Director General, etc., petitioner, *v.* Catherine Lind, Administratrix. Petition for a writ of certiorari to the Court of Appeals of Hamilton County, State of Ohio, submitted by Mr. George Hoadly, Mr. Judson Harmon, and Mr. Edward Colston for the petitioner, and by Mr. Edward M. Ballard for the respondent.

No. 862. J. W. Patt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Bryan H. Tivnen and Mr. Michael M. Doyle for the petitioner.

No. 864. Oscar Thornton et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. K. Wilcox and Mr. John W. Bennett for the petitioner.

No. 866. Chicago & North Western Railway Company, petitioner, *v.* Alvin R. Durham Company et al. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. R. N. Van Doren for the petitioner, and by Mr. Julius J. Patek for the respondents.

No. 868. The Chicago & Alton Railroad Company, petitioner, *v.* Mary Ambrose, Administratrix. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri submitted by Mr. Charles M. Miller and Mr. Silas H. Strawn for the petitioner, and Mr. Mont T. Prewitt for the respondent.

No. 871. Ella Foley, Administratrix, etc., petitioner, *v.* New York, Ontario & Western Railway Company. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. John W. Townsend for the petitioner.

No. 872. Panama Railroad Company, petitioner, *v.* Agapito Vasquez, Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Richard Reid Rogers for the petitioner, and by Mr. Frederick R. Graves for the respondent.

No. 876. St. Louis-San Francisco Railway Company, petitioner, *v.* Odell Mills, as Administrator. Petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Forney Johnston for the petitioner.

No. 877. Howard S. Mellot, petitioner, *v.* Charles R. Mabee et al., Trustees. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Donald F. Melhorn for the petitioner.

No. 878. Clyde A. Davis, Trustee, petitioner, *v.* Charles R. Mabee et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George White for the petitioner.

No. 880. Terrell M. Ragan, Trustee, petitioner, *v.* Allan Forbes, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Jacob J. Kaplan for the petitioner, and by Mr. William D. Turner for the respondent.

No. 882. France and Canada Steamship Corporation, as Owner etc., petitioner, *v.* Midland Linseed Products Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Carroll G. Walter and Mr. Charles D. Francis for the petitioner, and by Mr. Herman S. Hertwig for the respondent.

No. 883. George L. Moore et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Bryan H. Tivnen and Mr. Michael M. Doyle for the petitioners.

No. 885. James C. Davis, Director General of Railroads, etc., petitioner, *v.* Frank Griffith et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. M. L. Bell, Mr. Thomas P. Littlepage, Mr. W. F. Dickinson, Mr. W. R. Bleakmore, and Mr. A. T. Boys for the petitioner, and by Mr. Fred E. Suits for the respondents.

No. 886. Louis Brownstein et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. Archibald Palmer for the petitioners.

No. 889. Alden W. Bohm, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. F. M. Miner for the petitioner, and by Mr. F. W. Root and Mr. O. W. Dynes for the respondent.

No. 890. Christina M. Hoeffner, Administratrix, petitioner, *v.* National Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, submitted by Mr. C. S. Mauk for the petitioner.

No. 891. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* Edith F. Coogan, Special Administratrix. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota, submitted by Mr. F. W. Root and Mr. O. W. Dynes for the petitioner, and by Mr. Lyle Pettijohn for the respondent.

No. 895. C. W. Johnson, Trustee, etc., petitioner, and Sallie B. Duncan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr. Emile Steinfeld for the petitioner.

No. 897. James C. Davis, Director General, appellant, *v.* Michigan Trust Company, Receiver, etc. Petition for a writ of certiorari herein submitted by Mr. A. A. McLaughlin for the appellant in support of the petition.

No. 898. The Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Homer W. Davis and Mr. John G. Drennan for the petitioner.

No. 900. Samuel Reich, Trustee, petitioner, *v.* Kenneth W. Mc-Niel. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William H. Comley for the petitioner.

No. 917. Edward Smale, Jr., et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Everett Jennings for the petitioner.

No. 922. Hartford Accident & Indemnity Company of Hartford, petitioner, *v.* Southern Pacific Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. C. Brandenburg for the petitioner.

No. 929. Jaybird Mining Company, plaintiff in error, *v.* Joe Weir, as County Treasurer of Ottawa County, Oklahoma. Petition for a writ of certiorari herein submitted by Mr. A. Scott Thompson, Mr. A. C. Wallace, Mr. Vern E. Thompson, and Mr. Ray McNaughton for the plaintiff in error in support of the petition.

No. 941. Morris M. Becher, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles H. Tuttle and Mr. Frank J. Hogan for the petitioner.

No. 942. Morray E. Birnbaum, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Otho S. Bowling for the petitioner.

No. 245. A. R. McCullough et al., Copartners, etc., plaintiffs in error, *v.* Olaf Anton Janson. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed with costs, on motion of the plaintiff in error.

No. 291. L. H. Myers et al., petitioners, *v.* Charles H. Anderson et al., Copartners, etc., et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs, per stipulation of counsel.

No. 485. The Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* Richard E. Collins et al., etc.; and

No. 486. Southern Pacific Company, appellant, *v.* Richard E. Collins et al., etc. Appeals from the District Court of the United States for the Northern District of California. Dismissed, per stipulation.

No. 788. Winchester Cooley, plaintiff in error, *v.* C. C. Ozment, Receiver. In error to the District Court of the United States for the District of New Mexico. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 789. T. M. Wingo, plaintiff in error, *v.* C. C. Ozment, Receiver. In error to the District Court of the United States for the District of New Mexico. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 830. Banco di Roma, plaintiff in error, *v.* The Philippine National Bank. Motion to dismiss submitted by Mr. John P. Loughran for the defendant in error in support of the motion, and by Mr. Carroll G. Walter for the plaintiff in error in opposition thereto.

No. 879. Continental Casualty Company, etc., et al., petitioners, *v.* Alfred W. Agee, Administrator, etc. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, on motion of counsel for the petitioners.

No. 888. Patrick J. O'Shaughnessy et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of Alabama. Writ of error dismissed as to plaintiffs in error Benjamin Cody and Percy H. Kearnes, on motion in that behalf.

No. 180. A. J. Oliver, as Trustee, etc., et al., petitioners, *v.* The United States of America et al. Submitted by Mr. Louis V. Crowley for the petitioners, and by Mr. Solicitor General Beck and Mr. Merrill E. Otis for the respondents.

No. 309. Frank Durand et al., plaintiffs in error, *v.* The First State Bank of Philipsburg. Submitted by Mr. H. L. Maury for the plaintiffs in error, and by Mr. R. E. McHugh and Mr. Milton S. Gunn for the defendant in error.

No. 364. North Pacific Steamship Company, plaintiff in error, *v.* William T. Soley. Submitted by Mr. Ernest Clewe for the plaintiff in error, and by Mr. Henry Heidelberg and Mr. Warren H. Pillsbury for the defendant in error.

No. 34. George F. Shafer, as Attorney General of the State of North Dakota, et al., appellants, *v.* Farmers' Grain Company of Embden et al. Reargument commenced by Mr. Seth W. Richardson for the appellants, and continued by Mr. David F. Simpson for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 3, will be as follows: Nos. 34, 342, 551, 126, 128, 135, 144, 182, 183, 196, 227, 238 (and 259), 256, 281, 294, 321, 356, 365, 371, 236, 235 (and 636), 465, 319, 48 (and 49 and 50), 120, 129, 53, 583, 584, and 739.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

August H. Andresen, of Red Wing, Minn.; Allen J. Furlow, of Rochester, Minn.; F. Dickinson Letts, of Davenport, Iowa; Everett Kent, of Bangor, Me.; Charles O'Connor, of Tulsa, Okla.; Wayne Francis Lee, of Dayton, Ohio; Godfrey G. Goodwin, of Cambridge, Minn.; Vincent Starzinger, of Des Moines, Iowa; Andrew Veleber, jr., of New York City; John Blaine Gilbreath, of Ada, Okla.; H. S. Roberts, of Kansas City, Kans.; Frederic M. Sackett, of Louisville, Ky.; Edwin Brown, of Troy, Kans.; Nathan L. Strong, of Brookville, Pa.; Samuel Norman Nichols, of Minneapolis, Minn.; James O. Campbell, of Butler, Pa.; Nathan D. Perlman, of New York City; J. P. Kavanaugh, of Portland, Oreg.; Chester J. Morse, of Detroit, Mich.; Royal H. Weller, of New York City; Edward McCrossin, of New York City; Harry A. Estep, of Pittsburgh, Pa.; Samuel H. Gardner, of Pittsburgh, Pa.; Harry J. Thomas, of Pittsburgh, Pa.; W. Halverson Farr, of Salt Lake City, Utah; C. H. Calloway, of Kansas City, Mo.; George B. Neville, of Meridian, Miss.; LeRoy Albert Foot, of Helena, Mont.; Cliton E. Bell, of Springfield, Mass.; Richard J. Barr, of Joliet, Ill.; and George A. Barr, of Joliet, Ill., were admitted to practice.

No. 240. Prince Tyner, plaintiff in error, *v.* Henry Buffington et al. Joint request to restore case to the call submitted by Mr. F. A. Whiteley in that behalf.

No. 34. George F. Shafer, as Attorney General of the State of North Dakota, et al., appellants, *v.* Farmers Grain Company of Embden et al. Argument concluded by Mr. David F. Simpson for the appellees.

No. **342**. Maple Flooring Manufacturers Association et al., appellants, *v.* The United States of America. Reargued by Mr. Edward R. Johnston for the appellants, and by Mr. James A. Fowler for the appellee.

No. **551**. Cement Manufacturers Protective Association et al., appellants, *v.* The United States of America. Three hours allowed for the argument of this cause. Argument commenced by Mr. John W. Davis for the appellants,

Adjourned until to-morrow at 11.30 o'clock.

The day call for Thursday, March 5, will be as follows: Nos. **551, 126, 128, 135, 144, 182, 183, 196, 227, 238** (and **259**), **256, 281, 294, 321, 356, 365, 371, 236, 235** (and **636**), **465, 319, 48** (and **49 and 50**), **120, 129, 53, 583, 584, and 739**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

The Chief Justice announced that the court will take a recess to attend the inauguration of the President of the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 5, will be as follows: Nos. 551, 126, 128, 135, 144, 182, 183, 196, 227, 238 (and 259), 256, 281, 294, 321, 356, 365, 371, 236, 235 (and 636), 465, 319, 48 (and 49 and 50), 120, 129, 53, 583, 584, and 739.

13836-25-65

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

John A. Bennett, of Providence, R. I.; Edward J. Noons, of Providence, R. I.; Benton S. Oppenheimer, of Cincinnati, Ohio; Maximilian K. Margolis, of Dayton, Ohio; Henry P. Fielding, of Boston, Mass.; Lytton R. Taylor, of El Paso, Tex.; Leland Stanford, of Stoneville, N. C.; Robert Hamilton Eberle, of Chicago, Ill.; Sam G. Bratton, of Santa Fe, N. Mex.; Oscar E. Carlstrom, of Aledo, Ill.; Harry H. Talcott, of Chicago, Ill.; Frank P. Weaver, of Morgantown, W. Va.; Vincent P. Pace, of Chicago, Ill.; George A. Berry, jr., of Chicago, Ill.; and Hugh E. McElroy, of Boise, Idaho, were admitted to practice.

No. 144. Charles E. Wells, appellant, *v.* Patrick H. Bodkin et al. Death of Patrick H. Bodkin suggested; and Jesse Bodkin and Arabella Bodkin, heirs-at-law of Patrick H. Bodkin, deceased, ordered substituted as parties appellees herein on motion of Mr. Patrick H. Loughran in that behalf.

No. 551. Cement Manufacturers Protective Association et al., appellants, *v.* The United States of America. Argued by Mr. John W. Davis for the appellants and by Mr. James A. Fowler for the appellee.

No. 126. A. L. May, Trustee, etc., petitioner, *v.* J. M. Henderson, jr., et al. Argued by Mr. H. A. Jacobs for the petitioner and by Mr. A. A. DeLigne for the respondents.

No. 128. Perry S. Olson et al., Doing Business, etc., as Olson Brothers, etc., plaintiffs in error, *v.* United States Spruce Production Corporation. Argument commenced by Mr. O. A. Neal for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 6, will be as follows: Nos. 128, 135, 144, 182, 183, 196, 227, 238 (and 259), 256, 281, 294, 321, 356, 365, 371, 236, 235 (and 636), 465, 319, 48 (and 49 and 50), 120, 129, 53, 583, 584, and 739.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Homer H. Cooper, of Chicago, Ill.; George J. Coleman, of Memphis, Tenn.; Albert A. Jones, of Washington, D. C.; Francis Reed, of Washington, D. C.; George W. Yancey, of Birmingham, Ala.; Allen Evarts Foster, of New York City; John F. Garner, of Quincy, Ill.; Edgar T. Noble, of Okmulgee, Okla.; and John Ladner, of Tulsa, Okla., were admitted to practice.

No. 128. Perry S. Olson et al., Doing Business, etc., as Olson Bros., etc., plaintiffs in error, *v.* United States Spruce Production Corporation. Argument continued by Mr. O. A. Neal for the plaintiffs in error, and by Mr. Alfred A. Wheat for the defendant in error, and concluded by Mr. O. A. Neal for the plaintiffs in error.

No. 135. Nampa & Meridian Irrigation District, appellant, *v.* J. B. Bond, Project Manager, etc., et al. Argument commenced by Mr. H. E. McElroy for the appellant, continued by Mr. W. W. Dyar for the appellee J. B. Bond, by Mr. J. B. Eldridge for the appellee Payette-Boise Water Users Association, Limited, and concluded by Mr. Will R. King for the appellant.

No. 144. Susie Wells, Administratrix of Charles E. Wells, deceased, appellant, *v.* Jesse Bodkin and Arabella Bodkin, Heirs-at-Law of Patrick H. Bodkin, deceased, et al. Argued by Mr. Patrick H. Loughran for the appellees, and case submitted by Mrs. Susie Wells, Administratrix, *pro se.*

No. 182. W. A. Cockrill and S. Idada, plaintiffs in error, *v.* The People of the State of California. Argued by Mr. Algernon Crofton for the plaintiffs in error, and by Mr. F. L. Guereña for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 9, will be as follows: Nos. 183, 196, 227, 238 (and 259), 256, 281, 294, 321, 356, 365, 371, 236, 235 (and 636), 465, 319, 48 (and 49 and 50), 120, 129, 53, 583, 584, and 739.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Albert Baldwin, of Duluth, Minn.; George A. Schneider, of Chicago, Ill.; Joseph D. Peeler, of Louisville, Ky; George E. Holmes, of New York City; Randolph E. Paul, of New York City; Edith Leval Marshall, of Washington, D. C.; Daniel Waters, of Washington, D. C.; David L. Grannis, of South St. Paul, Minn.; Sidney V. Lowell, of New York City; Charles H. Smith, of Knoxville, Tenn.; and Witt H. Thompson, of Omaha, Nebr., were admitted to practice.

No. 74. Max M. Horowitz, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sanford.

No. 175. Sanford & Brooks Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Report of boundary commissioners showing location and marking of boundary through Fort Augur area approved and confirmed and decree announced establishing the commissioners' line as the interstate boundary through that area.

Report of boundary commissioners showing time employed and expenses incurred in locating interstate boundary through Big Bend and Fort Augur areas approved; commissioners' compensation fixed; and expenses and compensation directed to be charged as costs and paid by the parties according to prior decree.

Motion of National Petroleum Company to recharge expenses relating to well 169 denied.

Motion of Supreme Petroleum Company et al. for special relief respecting funds in receiver's custody denied.

Response of Kirby Petroleum Company to fourth paragraph of order of January 19, 1925, partly sustained, and receiver instructed to pay to Kirby Petroleum Company \$2,904.13 out of net proceeds of well 139 in satisfaction of claim of that company and its predecessor for work done and expense incurred by them in drilling such well prior to the receivership.

Receiver instructed to pay over to the State of Texas unclaimed net proceeds derived from wells in that State and remaining in his custody so unclaimed on April 15, 1925.

Receiver instructed to pay over to the Secretary of the Interior, as representing the United States, \$1,100,000 within ten days out of the net funds remaining credited to river-bed wells.

Receiver instructed to proceed with disbursements under prior orders and otherwise to prepare for closing up the receivership during the present term.

Order made fixing final compensation of the receiver and his counsel.

Orders announced by Mr. Justice Van Devanter.

No. 148. J. L. Lancaster and Charles L. Wallace, Receivers of the Texas & Pacific Railway, plaintiffs in error, *v.* B. W. McCarty et al. In error to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 286. Rae Brooks, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of South Dakota. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

No. 547. Barclay & Company, Inc., plaintiff in error, *v.* William H. Edwards, as Collector of Internal Revenue for the Second District of New York. In error to the District Court of the United States for the Southern District of New York. Petition for rehearing denied. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

No. 231. Hidemitsu Toyota *v.* The United States of America. Motion to restore to the call granted; and cause assigned for argument on Monday, March 16 next, after the cases heretofore assigned for that day.

No. 262. The United States, appellant, *v.* Boston Insurance Company. Motion to restore to the call denied.

No. 296. Harry B. Stilz, appellant, *v.* The United States. Motion to restore to the call denied.

No. 289. Thomas W. Miller, Alien Property Custodian et al., appellants, *v.* Edwin W. Poe et al. Motion to restore to the call denied.

No. 240. Prince Tyner, plaintiff in error, *v.* Henry Buffington et al. Motion to restore to the call denied.

No. 847. The United States of America, plaintiff in error, *v.* The Baltimore Post. Motion to advance granted; and cause assigned for argument on Monday, April 13 next, after the cases heretofore assigned for that day.

No. 867. George D. Provost et al., Copartners, etc., appellants, *v.* The United States. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 764. J. W. Patterson, doing business as J. W. Patterson Commission Company et al., plaintiffs in error, *v.* Louisville & Nashville Railroad Company et al. Motion to advance granted; and cause assigned for argument on Monday, April 20 next, after the cases heretofore assigned for that day.

No. 721. Frank Moore, President of the Odd-Lot Cotton Exchange of New York, appellant, *v.* The New York Cotton Exchange et al. Motion to advance denied. Motion for a stay of injunction denied.

No. 12, original. The State of New Mexico, complainant, *v.* The State of Colorado. Petition for modification of opinion in this cause denied.

No. —, original. Ex parte In the matter of Nicholas J. Curtis, petitioner. Motion for leave to file petition for mandate herein denied.

No. 292. Pere Marquette Railway Company, appellant, *v.* The United States. Motion to remand this cause to the Court of Claims for further findings postponed to the hearing of the cause on the appeal.

No. 705. Axel W. Hallenborg, plaintiff in error, *v.* Green Consolidated Copper Company et al. In error to the Supreme Court of the State of New York. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 309. Frank Durand et al., plaintiffs in error, *v.* First State Bank of Philipsburg. In error to the Supreme Court of the State

of Montana. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 364. North Pacific Steamship Company, plaintiff in error, *v.* William T. Soley. In error to the Supreme Court of the State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. —, original. Ex parte In the matter of A. A. Sanders, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein denied.

No. 844. Pacific American Fisheries, petitioner, *v.* Territory of Alaska. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 864. Oscar Thornton et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 872. Panama Railroad Company, petitioner, *v.* Agapito Vasquez, as Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of New York granted.

No. 876. St. Louis-San Francisco Railway Company, petitioner, *v.* Odell Mills, as Administratrix of the Estate of Ira S. Mills, deceased. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 837. John Mullen et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 855. William A. Greene, as Trustee in Bankruptcy, etc., petitioner, *v.* J. L. Booth, as Trustee in Bankruptcy, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 862. J. W. Patt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 868. The Chicago & Alton Railroad Company, petitioner, *v.* Mary Ambrose, Administratrix, etc. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri denied.

No. 869. Compania General de Tabacos de Filipinas, petitioner, *v.* The Insular Collector of Customs. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 877. Howard S. Mellot, petitioner, *v.* Charles R. Mabee et al., Trustees in Bankruptcy, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 878. Clyde A. Davis, Trustee in Bankruptcy, etc., petitioner, *v.* Charles R. Mabee et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 880. Terrell M. Ragan, Trustee, petitioner, *v.* Allan Forbes, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 882. France and Canada Steamship Corporation, as Owner of the Schooner *Oakley C. Curtis*, etc., petitioner, *v.* Midland Linseed Products Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 883. George L. Moore et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 884. Traylor Engineering and Manufacturing Company, petitioner, *v.* Worthington Pump and Machinery Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 886. Louis Brownstein et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 889. Alden W. Bohm, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 890. Christina M. Hoeffner, as Administratrix, etc., petitioner, *v.* National Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 895. C. W. Johnson, Trustee in Bankruptcy of Johnson & Company, Bankrupts, petitioner, *v.* Sallie B. Duncan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 900. Samuel Reich, Trustee in Bankruptcy, etc., petitioner, *v.* Kenneth W. McNeil. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 920. The United States, appellant, *v.* Swift & Company. Motion to remand to the Court of Claims for further findings, and to embrace in the transcript of record certain motions made in the

Court of Claims prior to the entry of final judgment, submitted by Mr. Solicitor General Beck in that behalf; and reply thereto submitted by Mr. G. Carroll Todd in that behalf.

No. 413. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* Ernest J. Goneau. Motion to dismiss or transfer to the summary docket submitted by Mr. R. M. Hudson in behalf of Mr. Samuel A. Anderson for the respondent in support of the motion, and by Mr. Marshall A. Spooner and Mr. John E. Palmer for the petitioner in opposition thereto.

No. 851. Henderson Water Company, appellant, *v.* The Corporation Commission of the State of North Carolina et al. Motion to advance and transfer to the summary docket submitted by Mr. James H. Bridgers for the appellant, and by Mr. B. H. Perry for the appellee.

No. 839. The Alabama & Vicksburg Railway Company et al., plaintiffs in error, *v.* Jackson & Eastern Railway Company. Petition for a writ of certiorari herein submitted by Mr. J. Blanc Monroe, Mr. Robert H. Thompson, Mr. Monte M. Lemann, Mr. A. S. Bozeman, and Mr. S. L. McLaurin for the plaintiffs in error in support of the petition, and by Mr. Marcellus Green for the defendant in error in opposition thereto.

No. 892. Pere Marquette Railway Company, petitioner, *v.* Loveland and Hinyan and Fremont Canning Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John C. Shields for the petitioner, and by Mr. Clare J. Hall and Mr. Joseph R. Gillard for the respondent.

No. 904. P. W. Ewing, petitioner, *v.* E. B. Shauver et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John E. Semmes, jr., for the petitioner, and by Mr. Harry William Hart for the respondents.

No. 906. The Butterick Company et al., petitioners, *v.* The Federal Trade Commission. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Herbert Noble, Mr. Julius M. Mayer, Mr. Scott Scammell, and Mr. Hartwell P. Heath for the petitioners, and by Mr. Solicitor General Beck and Mr. W. H. Fuller for the respondent.

No. 919. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Board of Railroad Commissioners of the State of South Dakota. Petition for a writ of certiorari herein submitted by Mr. O. W. Dynes, Mr. J. N. Davis, and Mr. H. H. Field for the

plaintiff in error in support of the petition, and by Mr. Raymond L. Dillman for the defendant in error in opposition thereto.

No. 928. William Stevens, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. George S. Brengle and Mr. D. Roger Englar for the petitioner, and by Mr. Gardiner Lathrop, Mr. Homer W. Davis, and Mr. S. G. Bristow for the respondent.

No. 945. Tan Pho et al., petitioners, *v.* Faustino Lichauco, as Guardian ad litem of the minors Luis and Julita Lichauco et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Frederick C. Fisher and Mr. Clyde A. DeWitt for the petitioners.

No. 248. Oluf O. Gilseth, plaintiff in error, *v.* A. G. Risty et al. Motion to dismiss submitted by Mr. William G. Porter for the defendant in error in support of the motion, and by Mr. C. O. Bailey for the plaintiff in error in opposition thereto.

No. 924. T. Frank Smith, petitioner, *v.* Sam L. Gross. U. S. Marshal for the Northern District of Texas. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed, on motion of counsel for the petitioner.

No. 925. L. J. Robling, petitioner, *v.* Sam L. Gross, U. S. Marshal for the Northern District of Texas. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed on motion of counsel for the petitioner.

No. 183. C. O. Linder, petitioner, *v.* The United States of America. Submitted by Mr. George Turner for the petitioner, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Donovan, and Mr. Harry S. Ridgely for the respondent.

No. 196. Bacon & Matheson Forge Company et al., appellants, *v.* The United States of America. Argued by Mr. Alfred A. Wheat for the appellee, and submitted by Mr. William H. Gorham and Mr. James Kiefer for the appellants.

No. 227. Lucy Ward Stebbins et al., Executrix and Executor, etc., plaintiffs in error, *v.* Ray L. Riley, Controller of the State of California. Argued by Mr. Carey Van Fleet for the plaintiffs in error, and by Mr. R. W. Smith for the defendant in error.

No. 238. A. Brambini and Isadore Maffia, plaintiff in error, *v.* The United States of America et al.; and

No. 259. A. Brambini and Isadore Maffia, plaintiffs in error, *v.* The Superior Court of the State of California, etc., et al. Argu-

ment commenced by Mr. Robert Ash for the plaintiffs in error. The court declined to hear further argument.

No. 256. Mid-Northern Oil Company, plaintiff in error, *v.* J. W. Walker, as Treasurer of the State of Montana et al. Argument commenced by Mr. F. D. Anderson for the plaintiff in error. The court declined to hear further argument.

No. 281. County of Tuolumne et al., plaintiffs in error, *v.* Railroad Commission of the State of California et al. Argument commenced by Mr. William Grant for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 10, will be as follows: Nos. 281, 294, 321, 356, 371, 236, 235 (and 636), 465, 319, 48 (and 49 and 50), 120, 129, 53, 583, 584, and 739.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

James H. Van Horn, of Washington, D. C.; Ralph O. Stauber, of St. Joseph, Mo.; Edward J. Hennessy, of Chicago, Ill.; Thomas D. Nash, of Chicago, Ill.; and Michael J. Ahern, of Chicago, Ill., were admitted to practice.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas.

ORDER.—It is ordered that the order heretofore made in this case, dated December 4, 1924, appointing Charles Warren, Esq., as special master, be amended by adding the following: "The master may in his discretion receive a brief of an amicus curiae whom the court has already permitted to file a brief in this cause."

No. 281. County of Tuolumne et al., plaintiffs in error, *v.* Railroad Commission of the State of California et al. Argument continued by Mr. William Grant for the plaintiff in error, by Mr. A. P. Cutten and Mr. Carl I. Wheat for the defendant in error, and concluded by Mr. William Grant for the plaintiff in error.

No. 294. Alaska Steamship Company *v.* Bernard McHugh. Submitted by Mr. William H. Bogle and Mr. R. E. Robertson for Alaska Steamship Company, and by Mr. James Wickersham for Bernard McHugh.

No. 321. E. E. McCalla Company et al., plaintiffs in error, *v.* The People of the State of California. Argued by Mr. F. L. Guereña for the defendant in error, and case submitted by Mr. Samuel Herrick for the plaintiff in error.

No. 356. Cattina Sala, plaintiff in error, *v.* A. Crane et al. Motion to dismiss submitted by Mr. A. T. Vogelsang in behalf of counsel for the defendant in error. Case submitted by Mr. C. C. Moore, by Mr. Cyrus Happy, and Mr. Dale D. Drain for the plaintiff in error, and by Mr. John P. Gray for the defendants in error.

No. 365. Industrial Association of San Francisco, California, et al., appellants, *v.* The United States of America. Argued by Mr. H. H. Phleger for the appellants, and by Mr. Assistant to the Attorney General Seymour for the appellee.

No. 371. Northern Pacific Railway Company et al., plaintiffs in error, *v.* The Department of Public Works of Washington et al. Suggestion of resignation of E. V. Kuykendall, Director of Public Works of the State of Washington, and motion to substitute Walter B. Whitcomb, his successor in office, as a party defendant in error herein, submitted by Mr. C. W. Bunn in that behalf. Three hours and five minutes allowed for the argument of this case, on motion of Mr. C. W. Bunn in that behalf. Argument commenced by Mr. C. W. Bunn for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 11, will be as follows: Nos. 371, 236, 235 (and 636), 465, 319, 48 (and 49 and 50), 120, 129, 53, 583, 584, and 739.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ashby Tolson, of Baltimore, Md.; Theodore H. Schrieber, of Baltimore, Md.; Levi Ginsburg, of Elmira, N. Y.; Addison B. Scoville, of New York City; Arthur Van Meter, of Washington, D. C.; William A. Williams, of Portland, Oreg.; and Ralph R. Molster, of Washington, D. C., were admitted to practice.

No. **234.** The State of Colorado, appellant, *v.* Roger W. Toll, Superintendent of the Rocky Mountain National Park. Joint request to restore case to the call submitted by Mr. John S. Barbour in that behalf.

No. **371.** Northern Pacific Railway Company et al., plaintiffs in error, *v.* The Department of Public Works of the State of Washington et al. Argument continued by Mr. C. W. Bunn for the plaintiffs in error; by Mr. F. M. Dudley for the plaintiff in error, the Chicago, Milwaukee & St. Paul Railway Company; by Mr. Raymond W. Clifford for the defendants in error; and by Mr. Scott C. Henderson for the defendants in error; and concluded by Mr. C. W. Bunn for the plaintiffs in error.

No. **235.** John F. Steele, appellant, *v.* The United States of America; and

No. **636.** John F. Steele, plaintiff in error, *v.* The United States of America. Argument commenced by Mr. Meyer Kraushaar for the appellant and plaintiff in error. The court declined to hear further argument.

No. **465.** Joab H. Banton, District Attorney, etc., et al., appellants, *v.* Belt Line Railway Corporation. Argument commenced by Mr. Howard Thayer Kingsbury for the appellants, and continued by Mr. M. M. Fertig for the appellants and by Mr. A. T. Davison for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 12, will be as follows: Nos. **465, 236, 48** (and **49** and **50**), **319, 120, 129, 53, 583, 584,** and **739.**

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Alex. U. Puckitt, of Dallas, Tex.; Robert N. Golding, of Chicago, Ill.; and Paul F. Myers, of Washington, D. C., were admitted to practice.

No. **338**. The United States of America et al., appellants, *v.* Butterworth-Judson Corporation et al. Mandate granted, on motion of Mr. Solicitor General Beck in that behalf.

No. **75**. John D. Flanagan, petitioner, *v.* Federal Coal Company. Motion for mandate postponed until service of notice on opposing counsel.

No. **583**. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* The Society of the Sisters of the Holy Names of Jesus and Mary; and

No. **584**. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* Hill Military Academy. Leave granted to file brief of William A. Williams herein as *amicus curiae*.

No. **236**. Walter L. Marr, appellant, *v.* The United States. Leave granted to file brief of James Byrne and Arthur A. Ballentine herein as *amici curiae*, on motion of Mr. James Byrne in that behalf.

No. **465**. Joab H. Banton, District Attorney, etc., et al., appellants, *v.* Belt Line Railway Corporation. Argument continued by Mr. A. T. Davison for the appellee, and concluded by Mr. Howard Thayer Kingsbury for the appellants. Leave granted counsel to file additional memoranda by to-morrow.

No. **236**. Walter L. Marr, appellant, *v.* The United States. Re-argument commenced by Mr. William L. Frierson for the appellant, continued by Mr. James Byrne, for the appellant, and concluded by Mr. Solicitor General Beck for the appellee.

No. 48. Federal Trade Commission, plaintiff in error, *v.* Hammond, Snyder & Company;

No. 49. Federal Trade Commission, plaintiff in error, *v.* Baltimore Grain Company; and

No. 50. Federal Trade Commission, plaintiff in error, *v.* H. C. Jones Company (Inc.). Argument commenced by Mr. James A. Fowler for the plaintiff in error and continued by Mr. R. E. Lee Marshall for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 13, will be as follows: Nos. 48 (and 49 and 50), 319, 120, 129, 53, 583, 584, 739, 297 (and 298), and 300.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Zaidee E. Green, of New Haven, Conn.; John H. Connaughton, of Washington, D. C.; David Bennett Sain, of Nashville, Ark.; and Joe J. Manlove, of Joplin, Mo., were admitted to practice.

No. 297. Marianna Matthews, plaintiff in error, *v.* Louis J. Huwe, as Treasurer, etc.; and

No. 298. Mortimer Matthews, plaintiff in error, *v.* Louis J. Huwe, as Treasurer, etc. Continued, per stipulation.

No. 300. Samuel Freshman, petitioner, *v.* W. S. Atkins. Continued, on motion of Mr. Robert Ash in that behalf.

No. 48. Federal Trade Commission, plaintiff in error, *v.* Hammond, Snyder & Company;

No. 49. Federal Trade Commission, plaintiff in error, *v.* Baltimore Grain Company; and

No. 50. Federal Trade Commission, plaintiff in error, *v.* H. C. Jones Company, Inc. Argument concluded by Mr. R. E. Lee Marshall for the defendants in error.

No. 319. The United States, appellant, *v.* P. Lorillard Company. Argued by Mr. Merrill E. Otis for the appellant, and by Mr. M. C. Elliott for the appellee.

No. 120. The United States of America, appellant, *v.* T. H. Dunn et al. Argument commenced by Mr. Walter A. Ledbetter for the appellant, continued by Mr. George S. Ramsey for the appellees T. H. Dunn and N. E. Dunn, by Mr. William G. Davisson for the appellees J. Robert Gillam and wife, and concluded by Mr. W. W. Dyar for the appellant.

No. 129. Charles V. Duffy, Collector, etc., petitioner, *v.* The Central Railroad Company of New Jersey. Argument commenced by Mr. Alfred A. Wheat for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 16, will be as follows: Nos. 129, 53, 583, 584, 739, 767, 77, 231, 301, and 302.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Joseph O'Brien, of Scranton, Pa.; Gerard J. Pilliod, of Cleveland, Ohio; Walter E. Burke, of Los Angeles, Calif.; Francis G. Awalt, of Laurel, Md.; Allen Charlton, of Dallas, Tex.; Laurence M. Lombard, of Winchester, Mass.; John M. Lewis, of Seymour, Ind.; Robert F. Leach, jr., of Baltimore, Md.; Antoinette D. Hechmer, of Washington, D. C.; Constantine A. Tsangadas, of Cleveland, Ohio; Ray L. Selden, of Daytona Beach, Fla.; E. Willoughby Middleton, of Charleston, S. C.; and Thomas Richard Callahan, of Boston, Mass., were admitted to practice.

No. 284. Henry Lewis, petitioner, *v.* Davis Roberts, Jr., Trustee, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Alabama for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 128. Perry S. Olson et al., doing business, etc., as Olson Bros., etc., plaintiffs in error, *v.* United States Spruce Production Corporation. In error to the District Court of the United States for the District of Oregon. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes; announced by Mr. Chief Justice Taft.

The Chief Justice announced the following orders:

No. 851. Henderson Water Company, appellant, *v.* The Corporation Commission of the State of North Carolina et al. Motions to advance and place this cause on the summary docket granted; and the cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 234. The State of Colorado, appellant, *v.* Roger W. Toll, Superintendent, etc. Motion to restore this cause to the call granted; and the cause assigned for argument on Monday, April 20 next, after the cases heretofore assigned for that day.

No. 248. Oluf O. Gilseth, plaintiff in error, *v.* A. G. Risty et al. In error to the Circuit Court of Minnehaha County, South Dakota. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6; (2) *Champion Lumber Co. v. Fisher*, 227 U. S. 445, 450, 451; *Muse v. Arlington Hotel Co.*, 168 U. S. 430, 435; *United States v. Lynch*, 137 U. S. 280, 285.

No. 238. A. Brambini et al., plaintiffs in error, *v.* The United States of America et al.; and

No. 259. A. Brambini et al., plaintiffs in error, *v.* The Superior Court of the State of California, etc., et al. In error to the Supreme Court of the State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 281. County of Tuolumne et al., plaintiffs in error, *v.* Railroad Commission of the State of California et al. In error to the Supreme Court of the State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6; (2) *Schuyler National Bank v. Bollong*, 150 U. S. 85, 88; *Erie R. R. Co. v. Purdy*, 185 U. S. 148, 154; *Louisville & Nashville R. R. Co. v. Woodford*, 234 U. S. 46, 51.

No. 321. E. E. McCalla Company et al., plaintiffs in error, *v.* The People of the State of California. In error to the District Court of Appeal, Second Appellate District, of the State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 356. Cattina Sala, plaintiff in error, *v.* A. Crane et al. In error to the Supreme Court of the State of Idaho. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 196. Bacon & Matheson Forge Company et al., appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Per curiam: Judgment affirmed upon the authority of *Hill v. The United States*, 149 U. S. 593, 598; *Tempel v. United States*, 248 U. S. 121, 130; *Horstman*

Co. *v.* United States, 257 U. S. 138, 146; Klebe *v.* United States, 263 U. S. 188, 191; Pearson *v.* United States, decided March 2, 1925.

No. 48. Federal Trade Commission, plaintiff in error, *v.* Hammond, Snyder & Company;

No. 49. Federal Trade Commission, plaintiff in error, *v.* Baltimore Grain Company; and

No. 50. Federal Trade Commission, plaintiff in error, *v.* H. C. Jones Company, Inc. In error to the District Court of the United States for the District of Maryland. Per curiam: Judgments affirmed upon the authority of Federal Trade Commission *v.* American Tobacco Co., 264 U. S. 298.

No. 891. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* Edith F. Coogan, Special Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 922. Hartford Accident & Indemnity Company of Hartford, petitioner, *v.* Southern Pacific Company, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 396. John C. Ross, plaintiff in error, *v.* The State of South Dakota. Petition for a writ of certiorari herein denied.

No. 834. Joseph L. Lackner, Administrator, petitioner, *v.* Merritt Starr, Surviving Partner of the Firm of Miller & Starr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 892. Pere Marquette Railway Company, petitioner, *v.* Loveland & Hinyan et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 904. P. W. Ewing, petitioner, *v.* E. B. Shauver et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 906. The Butterick Company et al., petitioners, *v.* The Federal Trade Commission. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 917. Edward Smale, Jr., et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 941. Morris M. Becher, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 942. Morray E. Birnbaum, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 945. Tan Pho et al., petitioners, *v.* Faustino Lichauco, as Guardian, etc. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

ORDER.—It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this court among the circuits agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Oliver Wendell Holmes, Associate Justice.

For the Second Circuit, Harlan Fiske Stone, Associate Justice.

For the Third Circuit, Louis Dembitz Brandeis, Associate Justice.

For the Fourth Circuit, William H. Taft, Chief Justice.

For the Fifth Circuit, Edward T. Sanford, Associate Justice.

For the Sixth Circuit, James C. McReynolds, Associate Justice.

For the Seventh Circuit, Pierce Butler, Associate Justice.

For the Eighth Circuit, Willis Van Devanter, Associate Justice.

For the Ninth Circuit, George Sutherland, Associate Justice.

ORDER.—The court will take a recess from Monday, March 23, until Monday, April 13 next.

No. 734. The United States of America *v.* Jose Candelaria et al. Motion to advance submitted by Mr. Solicitor General Beck for The United States of America.

No. 931. Henry P. Keith, Late Collector, etc., petitioner, *v.* Emma B. Johnson, as Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck for the petitioner, and by Mr. Sidney V. Lowell for the respondent.

No. 939. The United States, petitioner, *v.* Hamilton Michelson & Company et al. Petition for a writ of certiorari to the United States Court of Customs Appeals submitted by Mr. Solicitor General Beck and Mr. Assistant Attorney General Hoppin for the petitioner.

No. 943. The United States of America, petitioner, *v.* Middleton & Company, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Solicitor General Beck for the petitioner, and by Mr. Alfred Huger for the respondents.

No. 935. The United States ex rel. F. C. Rutz, appellant, *v.* Robert R. Levy, U. S. Marshal, etc.;

No. 936. The United States ex rel. R. R. Fauntleroy, appellant, *v.* Robert R. Levy, U. S. Marshal, etc.;

No. 937. The United States ex rel. J. F. Steneck, appellant, *v.* Robert R. Levy, U. S. Marshal, etc.; and

No. 938. The United States ex rel. Harry C. Wanner, appellant, *v.* Robert R. Levy, U. S. Marshal, etc. Stipulation that the record in No. 935 be printed, and that these cases be heard on said record, granted, on motion of Mr. Solicitor General Beck in that behalf.

No. 650. Hiawassee River Power Company, plaintiff in error, *v.* Carolina Tennessee Power Company. Motion to dismiss or affirm submitted by Mr. J. C. Martin for the defendant in error in support of the motion, and by Mr. J. Crawford Biggs, Mr. John H. Frantz, and Mr. R. M. McConnell for the plaintiff in error in opposition thereto.

No. 135. Nampa & Meridian Irrigation District, appellant, *v.* J. B. Bond, Project Manager, etc., et al. Leave granted to file supplemental brief for the appellant, on motion of Mr. Will R. King in that behalf.

No. 75. John D. Flanagan, petitioner, *v.* Federal Coal Company. Mandate granted, on motion of Mr. F. W. McReynolds in that behalf.

No. 301. Southern Electric Company, plaintiff in error, *v.* Francis R. Stoddard, Jr., Superintendent, etc., et al. Stipulation and motion to substitute James A. Beha, Superintendent of Insurance of the State of New York, in the place of Francis R. Stoddard, jr., resigned, as a party defendant in error in this cause, granted, on motion of Mr. William H. Donovan in that behalf.

No. 583. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* The Society of the Sisters of the Holy Names of Jesus and Mary; and

No. 584. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* Hill Military Academy. Leave granted to file brief of Mr. Louis Marshall for the American Jewish Committee herein as amicus curiae, on motion of Mr. F. R. Brylawski in that behalf.

No. 269. Missouri Pacific Railroad Company, plaintiff in error, *v.* Walnut Ridge-Alicia Road Improvement District. Motion to dismiss or affirm submitted by Mr. Robert Ash in behalf of Mr. G. B. Rose, Mr. D. H. Cantrell, Mr. J. F. Loughborough, and Mr. A. W. Dobyms for the defendant in error in support of the motion, and by Mr. Thomas B. Pryor, Mr. Edward J. White, and Mr. Harry L. Ponder for the plaintiff in error in opposition thereto.

No. 775. Beatrice J. Weston et al., plaintiffs in error, *v.* City of Tulsa et al. Motion to overrule designation of defendants in error as to parts of record to be printed, submitted by Mr. Robert Ash in behalf of counsel for the plaintiffs in error, and by Mr. I. J. Underwood for the defendants in error in opposition thereto.

No. 912. Carlos M. Ramirez Lopez, petitioner, *v.* American Railroad Company of Porto Rico. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Jose A. Poventud for the petitioner, and by Mr. Francis H. Dexter for the respondent.

No. 918. Porto Rico Railway, Light & Power Company, petitioner, *v.* Eugenie Cognet et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Carroll G. Walter for the petitioner with leave to counsel for respondents to file brief on or before April 7 next, on motion of Mr. Charles Henry Butler in that behalf.

No. 948. The Bauer Cooperage Company, petitioner. *v.* Edgar Stark, Executor, etc.;

No. 949. The Bauer Cooperage Company, petitioner, *v.* The Union Savings Bank & Trust Company;

No. 950. The Bauer Cooperage Company, petitioner, *v.* Lawrence Maxwell, Jr.; and

No. 951. The Bauer Cooperage Company, petitioner, *v.* Edgar Stark, Executor, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Murray Seasongood for the petitioner.

No. 953. Nick Cholskos, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Francis B. Kavanaugh for the petitioner.

No. 959. Marcus Garvey, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George Gordon Battle for the petitioner, and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Donovan for the respondent.

No. 312. Salt Lake County, plaintiff in error, *v.* Utah Copper Company. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 357. W. F. Clegg et al., etc., plaintiffs in error, *v.* The City of Spartanburg et al. In error to the Supreme Court of the State of South Carolina. Dismissed with costs, on motion of counsel for the plaintiffs in error.

No. 77. Lois P. Myers, Administratrix, etc., appellant, *v.* The United States. Reassigned for argument on Monday, April 13 next, at the head of the call for that day, on motion of Mr. Solicitor General Beck for the appellee.

No. **301**. Southern Electric Company, plaintiff in error, *v.* Francis R. Stoddard, Jr., Superintendent, etc. Continued, per stipulation.

No. **129**. Charles V. Duffy, Collector, etc., petitioner, *v.* The Central Railroad Company of New Jersey. Argument concluded by Mr. C. E. Miller for the respondent.

No. **53**. Joshua W. Miles, Formerly U. S. Collector, plaintiff in error, *v.* Samuel J. Graham. Argument commenced by Mr. Solicitor General Beck for the plaintiff in error, continued by Mr. William L. Marbury for the defendant in error, and concluded by Mr. William L. Rawls for the defendant in error.

No. **583**. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* The Society of the Sisters of the Holy Names of Jesus and Mary; and

No. **584**. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* Hill Military Academy. Five hours allowed for the argument of these cases. Argument commenced by Mr. Willis S. Moore for the appellants, and continued by Mr. William D. Guthrie for the appellee in No. **583**.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 17, will be as follows: Nos. **583** (and **584**), **739**, **767**, **231**, **302**, **303**, **304**, **305**, **306**, and **307**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, and Mr. Justice Sanford.

George Holmes, of New York City; Morris J. Hirsch, of New York City; Wallace R. Middleton, of Detroit, Mich.; Roy E. Brownell, of Flint, Mich.; and Fremont A. Higgins, of New York City, were admitted to practice.

No. 304. Apalachicola Land and Development Company et al., plaintiffs in error, *v.* W. A. McRae, Commissioner, etc. Continued, per stipulation.

No. 307. Concrete Appliances Company et al., petitioners, *v.* John E. Gomery et al. Continued, per stipulation.

No. 583. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* The Society of the Sisters of the Holy Names of Jesus and Mary; and

No. 584. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* Hill Military Academy. Argument continued by Mr. William D. Guthrie for the appellee in No. 583; by Mr. J. P. Kavanaugh for the appellee in No. 583; by Mr. George E. Chamberlain for the Governor of Oregon, one of the appellants in No. 584; by Mr. Willis S. Moore for the appellant in No. 584; and by Mr. John C. Veatch for the appellee in No. 584; and concluded by Mr. Albert H. Putney for the Governor of Oregon, one of the appellants in No. 584.

No. 739. D. B. Robertson, appellant, *v.* Railroad Labor Board. Argument commenced by Mr. Donald R. Richberg for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 18, will be as follows: Nos. 739, 767, 231, 302, 303, 305, 306, 308, 310, and 311.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Frank W. Nesbitt, of Wheeling, W. Va.; Mason G. Ambler, of Parkersburg, W. Va.; and Ludlow Chrystie, of New York City, were admitted to practice.

No. **308.** *Modern Woodmen of America*, petitioner, *v.* *Jennie Vida Mixer*. Submitted by Mr. Nelson C. Pratt for the petitioner, and by Mr. J. J. McCarthy and Mr. George W. Leamer for the respondent.

No. **739.** *D. B. Robertson*, appellant, *v.* *Railroad Labor Board*. Argument continued by Mr. Robert N. Golding for the appellee, and concluded by Mr. Donald R. Richberg for the appellant.

No. **767.** *The United States of America*, appellant, *v.* *Board of County Commissioners of Osage County*. Argued by Mr. S. W. Williams for the appellant, and by Mr. Preston A. Shinn for the appellee.

No. **231.** *Hidemitsu Toyota v. The United States*. Leave granted to proceed in forma pauperis herein, on motion of Mr. L. M. Lombard for *Hidemitsu Toyota*. Argued by Mr. L. M. Lombard for *Hidemitsu Toyota*, and by Mr. Assistant Attorney General Donovan for *The United States*.

No. **302.** *Santa Fe Pacific Railroad Company*, appellant, *v.* *Hubert Work, Secretary, etc.* Argument commenced by Mr. F. W. Clements for the appellant, and continued by Mr. H. L. Underwood for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 19, will be as follows: Nos. **302, 303, 305, 306, 310, 311, 314** (and **315**), **317** (and **318**), **322**, and **323**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

George G. King, of Chicago, Ill.; Maurice R. Woulfe, of New Orleans, La.; John P. Woods, of Fort Smith, Ark.; and Jose Moreno, of Manila, P. I., were admitted to practice.

No. 314. M. Frank Donohue, plaintiff in error, *v.* The State of Maine; and

No. 315. Frank C. Power, plaintiff in error, *v.* The State of Maine. Continued per stipulation.

No. 302. Santa Fe Pacific Railroad Company, appellant, *v.* Hubert Work, Secretary of the Interior. Argument continued by Mr. Harry L. Underwood, for the appellee, and concluded by Mr. Francis W. Clements, for the appellant.

No. 303. Yee Hem, plaintiff in error, *v.* The United States of America. Argued by Mr. Gerard J. Pilliod, for the plaintiff in error, and by Mr. Assistant to the Attorney General, Dovovan, for the defendant in error.

No. 305. The Baltimore & Ohio Railroad Company, appellant, *v.* The City of Parkersburg. Argument commenced by Mr. Frank W. Nesbit, for the appellant, continued by Mr. R. B. McDougle, for the appellee, and concluded by Mr. F. P. Moats, for the appellee.

No. 306. New York Central Railroad Company *v.* Frank P. Chisholm, Administrator. Argument commenced by Mr. Lowell A. Mayberry for the New York Central Railroad Company.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 20th, will be as follows: Nos. 306, 310, 311, 317 (and 318), 322, 323, 324, 325, 326, and 328.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

No. 326. Thomas F. Donnelly, petitioner, *v.* The Commonwealth of Massachusetts. On petition for writ of certiorari to Superior Court of Middlesex County, State of Massachusetts. Dismissed for want of prosecution.

No. 306. New York Central Railroad Company *v.* Frank P. Chisholm, Administrator. Argument concluded by Mr. William H. Lewis, for Frank P. Chisholm, administrator.

No. 310. The St. Louis, Brownsville & Mexico Railway Company, appellant, *v.* The United States. Argued by Mr. Lawrence H. Cake for the appellant, and by Mr. Blackburn Esterline for the appellee.

No. 311. Clay Cooke, petitioner, *v.* The United States of America. Argued by Mr. Edwin C. Brandenburg for the petitioner, and by Mr. Merrill E. Otis for the respondent.

No. 317. Duollut & Williams Company, Inc., appellant, *v.* The United States of America; and

No. 318. Duollut & Williams Company, Inc., appellant, *v.* The United States of America. Argued by Mr. J. Frank Staley for the appellee, and cases submitted by Mr. E. Howard McCaleb for the appellant.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Lee H. Schminck, of Toledo, Ohio; Gerson C. Young, of New York City; Alexander S. Greenbaum, of Akron, Ohio; George E. Hamilton, jr., of Washington, D. C.; Leopold V. Freudberg, of Washington, D. C.; Charles H. Ealy, of Somerset, Pa.; Sidney Teiser, of Portland, Oreg.; Donald Havens, of New York City; Leland A. Wind, of Washington, D. C.; William Henry Gallagher, of Detroit, Mich.; Bayless L. Guffy, of Hayti, Mo.; Ernest N. Pappas, of Detroit, Mich.; Alton Gumbiner, of Kansas City, Mo.; and H. Thane Bauman, of Adrian, Mich.; were admitted to practice.

Mr. Solicitor General Beck presented the Hon. John G. Sargent, Attorney General of the United States, and it was ordered that his commission be recorded.

No. 319. The United States, appellant, *v.* P. Lorillard Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 734. The United States of America *v.* Jose Candelaria et al. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 650. Hiawassee River Power Company, plaintiff in error, *v.* Carolina Tennessee Power Company. In error to the Supreme Court of the State of North Carolina. Dismissed for want of jurisdiction upon the authority of (1) section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6; (2) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land*

Co., 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195.

No. 269. *Missouri Pacific Railroad Company*, plaintiff in error, *v. Walnut Ridge-Alicia Road Improvement District*. In error to the Supreme Court of the State of Arkansas. Judgment affirmed upon the authority of *Missouri Pacific R. R. Co. v. Western Crawford Road Improvement District*, 266 U. S. 187.

No. 775. *Beatrice J. Weston et al.*, plaintiffs in error, *v. The City of Tulsa et al.* Motion of the plaintiff in error to overrule the designation filed in behalf of the defendants in error that the entire record as certified to this court by the clerk of the Supreme Court of Oklahoma be printed, is denied, for the reason that the plaintiff in error in his designation of the portions to be printed has not complied with rule 10, paragraph 9, requiring him to file with the clerk a statement of the points on which he intends to rely, to accompany the parts of the record which he has designated for printing. When the plaintiff in error shall have filed such statement with the clerk, together with proof of the service of the same on the defendants in error and the defendants in error take no further action, he may renew the motion now denied.

No. 931. *Henry P. Keith, Late Collector, etc.*, petitioner, *v. Emma B. Johnson, as Administratrix, etc.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 928. *William Stevens*, petitioner, *v. The Atchison, Topeka & Santa Fe Railway Company*. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 912. *Carlos M. Ramirez Lopez*, petitioner, *v. American Railroad Company of Porto Rico*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 939. *The United States*, petitioner, *v. Hamilton Michelson & Company et al.* Petition for a writ of certiorari to the United States Court of Customs Appeals denied.

No. 943. *The United States of America*, petitioner, *v. Middleton & Company, etc., et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 948. *The Bauer Cooperage Company*, petitioner, *v. Edgar Stark, Executor, etc.*;

No. 949. *The Bauer Cooperage Company*, petitioner, *v. The Union Savings Bank & Trust Company*;

No. 950. *The Bauer Cooperage Company*, petitioner, *v. Lawrence Maxwell Company*; and

No. 951. The Bauer Cooperage Company, petitioner, *v.* Edgar Stark, Executor, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 953. Nick Cholskos, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 959. Marcus Garvey, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 911. The United States, appellant, *v.* Wyckoff Pipe & Creosoting Company, Inc. Motion to remand to the Court of Claims for further findings of fact submitted by Mr. Solicitor General Beck for the appellant, and by Mr. Harvey D. Jacob for the appellee in opposition thereto.

No. 960. The United States of America, petitioner, *v.* James Daugherty. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Beck, Mr. Assistant Attorney General Donovan, and Mr. Harry S. Ridgely for the petitioner, and by Mr. James Daugherty, pro se.

No. 998. Meyer Selzman, plaintiff in error, *v.* The United States of America. Motion for supersedeas and to admit to bail submitted by Mr. E. S. Bailey for the plaintiff in error.

No. 769. Cheung Sum Shee et al. *v.* John D. Nagle, Commissioner of Immigration; and

No. 770. Chang Chan et al. *v.* John D. Nagle, Commissioner of Immigration. Leave granted to file brief of Henry W. Taft herein as amicus curiae, on motion of Mr. Paxton Blair in that behalf.

No. 772. William O'Hara et al., petitioners, *v.* Luckenbach Steamship Company. Motion to advance submitted by Mr. Woodson P. Houghton in behalf of Mr. H. W. Hutton for the petitioners.

No. 270. Eastman Kodak Company of New York, plaintiff in error, *v.* Southern Photo Materials Company. Joint request to restore cause to the call submitted by Mr. Daniel MacDougald in that behalf.

No. 955. Patrick J. Collins et al., etc., petitioners, *v.* Anna C. Gibson. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. George E. Sullivan for the petitioners.

No. 956. Fenner & Beane, petitioner, *v.* T. G. Holt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Burt W. Henry, John E. Hall, Mr. Warren Grice, Mr. Charles J. Bloch, and Mr. L. C. Going for the petitioner.

No. 957. Warren W. Willmering, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. W. Morrow for the petitioner.

No. 963. Sven Nyquist, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Edward J. McCrossin for the petitioner.

No. 965. F. G. Buffington, petitioner, *v.* The State of Georgia. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia submitted by Mr. M. B. Eubanks for the petitioner.

No. 966. The Chesapeake & Ohio Railway Company, petitioner, *v.* Annie Nixon, Administratrix. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. Randolph Harrison for the petitioner.

No. 972. Jose Alejandrino, petitioner, *v.* Manuel L. Quezon et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Claro M. Recto for the petitioner.

No. 973. Michael J. Derby, Owner of the Barge *George J. Conway*, petitioner, *v.* Steamtug *Panther*, Her Engines, etc., New York Marine Company, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Pierre M. Brown for the petitioner and by Mr. James K. Symmers for the respondent.

No. 978. Little Six Oil Company, petitioner, *v.* Marie T. Emerson et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. D. Lipscomb for the petitioner.

No. 993. Charles Hammer, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert H. Elder for the petitioner.

No. 996. Camden Fire Insurance Association, petitioner, *v.* United States Manufacturers' Export Association. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Dix W. Noel and Mr. Arthur W.

Clement for the petitioner and by Mr. John A. McManus for the respondent.

No. 791. New York Central Railroad Company et al., plaintiffs in error, *v.* New York & Pennsylvania Company. Motion to dismiss submitted by Mr. T. R. White for the defendant in error in support of the motion and by Mr. Parker McCollester, Mr. Henry Wolfe Bikle, and Mr. Frederic D. McKenney for the plaintiffs in error in opposition thereto.

No. 888. Patrick J. O'Shaughnessy et al., plaintiffs in error, *v.* The United States of America. Writ of error dismissed as to plaintiffs in error Harry B. O'Connor, Daniel L. Jemison, Geronimo Perez, and James F. Daves, on motion of Mr. Harry H. Smith for the plaintiffs in error.

Adjourned until Monday, April 13 next, at 12 o'clock.

The day call for Monday, April 13, 1925, will be as follows: Nos. 77, 322, 323, 324, 325, 328, 40, 379, 681, 768, 524, 195, 769 (and 770), 111, 154, 622, 546, and 847.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Richard B. Cavanagh, of New York City; Richard Ludwell Leidy, of Philadelphia, Pa.; Maxwell James, of New York City; Edwin Dabney, of Oklahoma City, Okla.; John B. Hyde, of Chattanooga, Tenn.; Charles Chauncey Savage, jr., of Philadelphia, Pa.; Frank G. Raichle, of Buffalo, N. Y.; J. R. Wilson, of Eldorado, Ark.; Sam R. Sayers, of Fort Worth, Tex.; J. Dudley Smith, of New York City; E. C. Alvord, of Washington, D. C.; Thomas L. Newton, of Buffalo, N. Y.; James Conlon, of Washington, D. C.; Ernest W. McIntyre, of Buffalo, N. Y.; Edward M. Seymour, of Chicago, Ill.; Peter tum Suden, of San Francisco, Calif.; George A. McGowan, of San Francisco, Calif.; Matt Marshall Morgan, of Washington, D. C.; David M. Proctor, of Kansas City, Mo.; John J. Beilman, of Chicago, Ill.; William J. Dean, of New York City; Isaac B. Lipson, of Chicago, Ill.; and Ira Lloyd Letts, of Providence, R. I., were admitted to practice.

No. 126. A. L. May, as Trustee in Bankruptcy of George W. Cowen Company, Inc., Bankrupt, petitioner, *v.* J. M. Henderson, jr., and T. J. Scannell. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Northern District of California for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Stone.

No. 120. The United States of America, appellant, *v.* T. H. Dunn et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed in part and affirmed in part, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Stone.

No. 227. Lucy Ward Stebbins et al., plaintiffs in error, *v.* Ray L. Riley, Controller of the State of California. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 527. The United States, appellant, *v.* Harriet Rogers Flanery et al., executors, etc. Appeal from the Court of Claims. Judgment reversed and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford. Dissenting: Mr. Justice McReynolds and Mr. Justice Sutherland.

No. 733. Blakely D. McCaughn, Collector of Internal Revenue, petitioner, *v.* Charles H. Ludington. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment of the United States Circuit Court of Appeals for the Third Circuit reversed with costs, and judgment of the District Court of the United States for the Eastern District of Pennsylvania affirmed with costs, and cause remanded to the said District Court. Opinion by Mr. Justice Sanford. Dissenting: Mr. Justice McReynolds and Mr. Justice Sutherland.

No. 12, Original. The State of New Mexico, complainant, *v.* The State of Colorado. In equity. Decree dismissing bill of New Mexico; sustaining cross bill of Colorado; fixing boundary line and appointing Arthur D. Kidder Commissioner, etc., announced by Mr. Justice Sanford.

No. 160. William M. Barrett, as president of the Adams Express Company, petitioner, *v.* Arthur H. Van Pelt. On writ of certiorari to the Supreme Court of the State of New York. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Butler.

No. 178. Central Union Trust Company of New York, appellant, *v.* Anderson County, Texas, et al. Appeal from the District Court of the United States for the Southern District of Texas. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 256. Mid-Northern Oil Company, plaintiff in error, *v.* J. W. Walker, as Treasurer of the State of Montana, et al. In error to the Supreme Court of the State of Montana. Judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 135. Nampa & Meridian Irrigation District, appellant, *v.* J. B. Bond, Project Manager of Boise Project of the United States Reclamation Service, et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 129. Charles V. Duffy, Collector of Internal Revenue, etc., petitioner, *v.* The Central Railroad Company of New Jersey. On a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the District of New Jersey with instructions to modify the judgment in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 365. Industrial Association of San Francisco et al., appellants *v.* The United States of America. Appeal from the District Court of the United States for the Northern District of California. Judgment reversed with costs and cause remanded with instructions to dismiss the bill. Opinion by Mr. Justice Sutherland.

No. 305. The Baltimore & Ohio Railroad Company, appellant, *v.* The City of Parkersburg. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 371. Northern Pacific Railway Company et al., plaintiffs in error, *v.* The Department of Public Works of Washington et al. In error to the Supreme Court of the State of Washington. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 180. A. J. Oliver, as Trustee in Bankruptcy of the Estate of West Coast Rubber Corporation, et al., petitioners, *v.* The United States of America et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed; and cause remanded to the District Court of the United States for the Northern District of California. Opinion by Mr. Justice McReynolds.

No. 183. C. O. Linder, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment reversed; and cause remanded to the District Court of the United States for the Eastern District of Washington for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 294. Alaska Steamship Company *v.* Bernard McHugh. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit. First question certified answered in the negative. Opinion by Mr. Justice McReynolds.

No. 306. *New York Central Railroad Company v. Frank P. Chisholm, Administrator, etc.* On a certificate from the United States Circuit Court of Appeals for the First Circuit. Question answered: The Administrator had no right of action based upon the Federal Employers' Liability Act. Opinion by Mr. Justice McReynolds.

Nos. 317 and 318. *Doullut & Williams Company, Inc., appellant, v. The United States of America.* Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

Nos. 207 and 299. *The Chas. Wolff Packing Company, plaintiff in error, v. The Court of Industrial Relations of the State of Kansas.* In error to the Supreme Court of the State of Kansas. No. 207. Writ of error dismissed. No. 299. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

No. 130. *John O. Yeiser, plaintiff in error, v. T. B. Dysart et al.* In error to the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 222. *John Alden Lee, Individually and as Trustee of Lewis C. Paine, appellant, v. Lehigh Valley Coal Company et al.* Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 308. *Modern Woodmen of America, petitioner, v. Jennie Vida Mixer.* On writ of certiorari to the Supreme Court of the State of Nebraska. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 144. *Susie Wells, Administratrix of the Estate of Charles E. Wells, deceased, appellant, v. Jesse Bodkin et al.* Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of California. Opinion by Mr. Chief Justice Taft.

No. 170. *Charles S. Bohler, Tax Collector of Richmond County, Georgia, et al., appellants, v. E. H. Callaway, as Executor, etc.; and*

No. 171. *E. H. Callaway, as Executor of the Estate of J. B. White, deceased, appellant, v. Charles S. Bohler, Tax Collector of Richmond County, Georgia, et al.* Appeals from the District Court of the United States for the Southern District of Georgia. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 209. Western & Atlantic Railroad, appellant, *v.* Georgia Public Service Commission et al. Appeal from the District Court of the United States for the Northern District of Georgia. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 235. John F. Steele, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed. Opinion by Mr. Chief Justice Taft.

No. 636. John F. Steele, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of New York. Decree affirmed. Opinion by Mr. Chief Justice Taft.

No. 302. Santa Fe Pacific Railroad Company, appellant, *v.* Hubert Work, Secretary of the Interior. Appeal from the Court of Appeals of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 311. Clay Cooke, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

No. 911. The United States, appellant, *v.* Wyckoff Pipe & Creosoting Company, Inc. Further consideration of the motion to remand this cause to the Court of Claims for further findings postponed until the hearing of the cause on the merits.

No. 920. The United States, appellant, *v.* Swift & Company. Further consideration of the motion to remand this cause to the Court of Claims for further findings postponed until the hearing of the cause on the merits.

No. 998. Meyer Selzman, plaintiff in error, *v.* The United States of America. Motion for supersedeas and to admit to bail denied; cause advanced, and assigned for argument on Monday, April 27 next.

No. 791. New York Central Railroad Company et al., plaintiffs in error, *v.* New York & Pennsylvania Company. Further consideration of the motion to dismiss postponed until the hearing of the cause on the merits.

No. 772. William O'Hara et al., petitioners, *v.* Luckenbach Steamship Company. Motion to advance granted, and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 270. Eastman Kodak Company of New York *v.* Southern Photo Materials Company. Joint request to restore this cause to the call granted, and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 696. John C. Parker, petitioner, *v.* The State of Texas. Petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas dismissed for failure to submit the same within the time prescribed in rule 37, paragraph 4.

No. 767. The United States of America, appellant, *v.* Board of County Commissioners of Osage County, Oklahoma, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: Decree affirmed, upon the authority of *Wright-Blodgett Co. v. The United States*, 236 U. S. 397, 402; *Bodkin v. Edwards*, 255 U. S. 221, 223; *Brewer Oil Co. v. United States*, 260 U. S. 77, 86.

No. 960. The United States of America, petitioner, *v.* James Dougherty. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 966. The Chesapeake & Ohio Railway Company, petitioner, *v.* Annie Nixon, administratrix. Petition for a writ of certiorari herein to the Supreme Court of Appeals of the State of Virginia granted.

No. 972. Jose Alejandrino, petitioner, *v.* Manuel L. Quezon et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 993. Charles Hammer, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 897. James C. Davis, Director General, etc., appellant, *v.* Michigan Trust Company, Receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 898. The Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted; and the cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 854. Minnie M. Williams, etc., Executrix, etc., et al., petitioners, *v.* Freeman B. Christopher. Petition for a writ of certiorari to the Court of Appeals of Franklin County, State of Ohio, denied.

No. 871. Ella Foley, Administratrix, petitioner, *v.* New York, Ontario & Western Railway Company. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. 955. Patrick J. Collins et al., etc., petitioners, *v.* Anna C. Gibson. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 956. Fenner & Beane, petitioner, *v.* T. G. Holt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 957. Warren W. Willmering, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 963. Sven Nyquist, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 973. Michael J. Derby, Owner, etc., petitioner, *v.* Steam tug *Panther*, Her Engines, etc., New York Marine Company, Claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 996. Camden Fire Insurance Association, petitioner, *v.* United States Manufacturers Export Association. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 840. James D. Barton, petitioner, *v.* Leyte Asphalt & Mineral Oil Company, Limited. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 965. F. G. Buffington, petitioner, *v.* The State of Georgia. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia denied.

The Chief Justice also announced the following order of the court:

ORDER

It is ordered by the court that General Order in Bankruptcy No. 5, entitled "Frame of Petition," be amended by adding at the end thereof the following sentence:

Petitioners in involuntary proceedings whose claims rest upon assignment or transfer from other persons shall annex to one of the duplicate petitions all instruments of assignment or transfer, and an affidavit setting forth the true consideration paid for the assignment or transfer of such claims and stating that the petitioners are the bona fide holders and legal and beneficial owners thereof, and whether or not they were purchased for the purpose of instituting bankruptcy proceedings.

And it is further ordered that the following rules be adopted and established as an additional General Orders in Bankruptcy:

XXXIX

REPRESENTATION OF CREDITORS BY RECEIVERS OR THEIR ATTORNEYS

Neither a receiver nor his attorney shall solicit any proof of debt, power of attorney, or other authority to act for or represent any creditor for any purpose in connection with the administration of the estate in bankruptcy or the acceptance or rejection of any composition offered by a bankrupt.

XL

RECEIVERS AND MARSHALS AS CUSTODIANS

A receiver or marshal appointed by the court to take charge of the property of a bankrupt after the filing of a petition shall be deemed to be a mere custodian within the meaning of Section 48 of the Bankruptcy Act, unless his duties and compensation are specifically enlarged by order of the court, upon proper cause shown, either at the time of the appointment or later.

XLI

WAIVER OF RIGHT TO SHARE IN COMPOSITION DEPOSITS

Before confirming a composition the judge of the court shall require all creditors and other persons who may have waived their right to share in the distribution of the deposit made by the bankrupt, for claims, fees, or otherwise, to set forth in writing and under oath all agreements with respect thereto with the bankrupt, his attorney, or any other person, and shall also require an affidavit by the bankrupt that he has not directly or indirectly paid or promised any consideration to any attorney, trustee, receiver, creditor, or other person in connection with the composition proceedings, except as set forth in such affidavit or the offer of composition, and that he has no knowledge of any such payment or promise by any other party.

XLII

COMPENSATION OF ATTORNEYS, RECEIVERS, AND TRUSTEES

1. Every attorney, receiver, and trustee seeking an allowance of compensation from a bankrupt estate for services rendered shall file

with the referee a petition under oath, setting forth a full and detailed statement of such services and the amount claimed therefor, and, in the case of an attorney or receiver, the amount of the partial allowance, if any, theretofore made. And such petition shall be accompanied by an affidavit of the applicant stating that no agreement has been made, directly or indirectly, and that no understanding exists, for a division of fees between the applicant and the receiver, the trustee, the bankrupt, or the attorney of any of them. In the absence of such petition and affidavit no allowance of compensation shall be made.

2. Such petition shall be heard at a meeting of creditors; and the referee in sending the notice of such meeting prescribed by Section 58 of the Bankruptcy Act, shall state by whom and in what amount the allowance of the compensation is asked.

XLIII

FEEES AND EXPENSES OF ATTORNEYS FOR PETITIONING CREDITORS

The court may deny the allowance of any fee to the attorney for petitioning creditors or the reimbursement of his expenses, or both, if it shall appear that the proceedings were instituted in collusion with the bankrupt or were not instituted in good faith.

XLIV

APPOINTMENT OF ATTORNEYS FOR RECEIVERS OR TRUSTEES

In any District in which there is a city having at the last Federal census a population of 250,000 or more, no attorney for a receiver or a trustee shall be appointed except upon the order of the court, which shall be granted only upon the petition of the receiver or trustee, stating the name of the counsel whom he wishes to employ, the reasons for his selection, and the necessity for employing counsel at all; and there shall be submitted with this petition an affidavit of the person recommended, showing that he is not employed by or connected with the bankrupt or any person having an interest adverse to the receiver, trustee, or creditors.

XLV

AUCTIONEERS, ACCOUNTANTS, AND APPRAISERS

No auctioneer or accountant shall be employed by a receiver or trustee except upon an order of the court expressly fixing the amount of the compensation or the rate or measure thereof. The compensation of appraisers shall be provided for in like manner in the order appointing them.

(Promulgated April 13, 1925)

No. 509. The United States of America *ex rel.* Walter S. Kennedy et al., appellants, *v.* William F. Waldow, Sheriff, etc., et al. Motion to substitute Frank M. Tyler, present sheriff of Erie County,

New York, as a party appellee herein, submitted by Mr. Solicitor General Beck in that behalf.

No. 935. The United States ex rel. F. C. Rutz, appellant, *v.* Robert R. Levy, U. S. Marshal, etc.;

No. 936. The United States ex rel. R. R. Fauntleroy, appellant, *v.* Robert R. Levy, U. S. Marshal, etc.;

No. 937. The United States ex rel. J. F. Steneck, appellant, *v.* Robert R. Levy, U. S. Marshal, etc.; and

No. 938. The United States ex rel. Harry C. Wanner, appellant, *v.* Robert R. Levy, U. S. Marshal, etc. Motion to dismiss or affirm submitted by Mr. Solicitor General Beck for the appellee in support of the motion, and by Mr. Herbert Pope, Mr. Frank E. Harkness, and Mr. Benjamin M. Price for the appellants in opposition thereto.

No. 1026. The United States, appellant, *v.* P. Chauncey Anderson et al. Motion to advance submitted by Mr. Solicitor General Beck for the appellant.

No. 393. The United States of America, plaintiff in error, *v.* A. E. Bauch et al.;

No. 394. The United States of America, plaintiff in error, *v.* C. F. Waterman et al.; and

No. 395. The United States of America, plaintiff in error, *v.* A. E. Bauch. In error to the District Court of the United States for the Eastern District of Washington. Dismissed, on motion of Mr. Solicitor General Beck for the plaintiff in error.

No. 786. James C. Davis, Federal Agent, etc., petitioner, *v.* E. H. Pringle, Trustee; and

No. 787. James C. Davis, Federal Agent, etc., petitioner, *v.* E. H. Pringle, Trustee. Motion to advance submitted by Mr. Solicitor General Beck for the petitioner.

No. 2, Original. The State of Arkansas, complainant, *v.* The State of Tennessee. Submitted, on exceptions of the State of Tennessee to the Report of the Boundary Commissioners, by Mr. Caruthers Ewing, Mr. Hal L. Norwood, and Mr. J. S. Utley for the complainant, and by Mr. Charles T. Cates, jr., Mr. Albert W. Biggs, Mr. G. F. Fitzhugh, and Mr. F. M. Thompson for the defendant.

No. 325. Roscoe Irwin, Former Collector, etc., petitioner, *v.* E. Palmer Gavit. Leave granted to file brief herein as *amicus curiae*, on motion of Mr. James Craig Peacock and Mr. John W. Townsend for the Estate of Emily L. Moore.

No. 975. Tampico Banking Company, S. A., petitioner, *v.* R. S. Barber. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Hampton Gary and Mr. Challen B. Ellis for the petitioner.

No. 1014. Schweyer Electric & Manufacturing Company et al., petitioners, *v.* Regan Safety Devices Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George Wharton Pepper and Mr. Irving M. Obriecht for the petitioners, and by Mr. John J. Kirby and Mr. A. V. Cushman for the respondents.

No. 974. Roswell O. Johnson et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. C. B. Tinkham and Mr. Thomas P. Littlepage for the petitioners.

No. 783. James C. Davis, Agent, etc., plaintiff in error, *v.* Dexter & Carpenter, Inc., etc. Motion to affirm or place on the summary docket submitted by Mr. Otto A. Schlobohm and Mr. William B. Symmes, jr., for the defendant in error in support of the motion, and by Mr. Duncan K. Brent, Mr. Francis R. Cross, and Mr. A. A. McLaughlin for the plaintiff in error in opposition thereto.

No. 668. Frank A. Harrigan, Trustee, etc., petitioner, *v.* Louis J. Bergdoll, now known as Louis J. Bergson. Motion to advance submitted by Mr. Frank A. Harrigan and Mr. Joseph W. Catharine in that behalf.

No. 524. William H. Edwards, Collector, etc., petitioner, *v.* Archibald Douglas et al., Executors, etc. Leave granted to file a brief herein as amicus curiae, on motion of Mr. George Wellwood Murray and Mr. Harrison Tweed in that behalf.

No. 681. C. G. Lewellyn, Formerly Collector, etc., plaintiff in error, *v.* Adelaide H. C. Frick et al. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Russell L. Bradford in that behalf.

No. 1057. Leon Israel et al., petitioners, *v.* Luckenbach Steamship Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William J. Dean, Mr. Charles C. Burlingham, and Mr. Roscoe H. Hupper for the petitioners, and by Mr. Peter S. Carter and Mr. Robert Phillips for the respondent.

No. 325. Roscoe Irwin, Former Collector, etc., petitioner, *v.* E. Palmer Gavit. Leave granted to file brief herein as amicus curiae by Mr. Frank Davis, jr., in that behalf.

No. 681. C. G. Lewellyn, formerly Collector, etc., plaintiff in error, *v.* Adelaide H. C. Frick et al. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Isaac B. Lipson for the Executor of the Estate of Anna B. Austin, deceased.

No. 325. Roscoe Irwin, Former Collector, etc., petitioner, *v.* E. Palmer Gavit. Motion for leave to file a brief herein as amicus curiae submitted by Mr. Wayne Johnson in that behalf; and motion denied.

No. 769. Cheung Sum Shee et al. *v.* John D. Nagle, Commissioner of Immigration; and

No. 770. Chang Chan et al. *v.* John D. Nagle, Commissioner of Immigration. Leave granted to file a brief herein as amicus curiae, on motion of Mr. A. Warner Parker in that behalf.

No. 769. Cheung Sum Shee et al. *v.* John D. Nagle, Commissioner of Immigration. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Roger O'Donnell in that behalf.

No. 686. Henry F. DuPont, plaintiff in error, *v.* Cornelius R. Miller, as Director of Public Works and Buildings, etc. Motion to substitute Oscar E. Carlstrom, present Attorney General of the State of Illinois, as a party defendant in error herein. submitted by Mr. Clyde L. Day and Mr. John J. Brilman for certain defendants in error.

No. 524. William H. Edwards, Collector, etc., petitioner, *v.* Archibald Douglas et al., Executors, etc. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Frederic D. McKenney in that behalf.

No. 706. Frank C. Bramwell, Superintendent of Banks of the State of Oregon, appellant, *v.* United States Fidelity & Guaranty Company. Motion to advance submitted by Mr. Alfred A. Hampson and Mr. Joseph A. McCullough for the appellee.

No. —. Grace Edna Layne, appellant, *v.* The United States of America et al. Motion for leave to docket cause and proceed in forma pauperis submitted by Mr. John F. McCarron for the appellant.

No. 969. Charles Dick et al., petitioners, *v.* Marx & Rawolle, Inc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Frederick C. Bryan for the petitioners, and by Mr. H. Winship Wheatley for the respondent.

No. 887. Emelie W. Peacock, appellant, *v.* Mable G. Reinecke, Collector, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Herbert Pope, Mr. James J. Forstall, and Mr. E. Barrett Prettyman for the appellant, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 946. A. Guckenheimer & Brothers Company et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. B. B. McGinnis for the petitioners, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 952. Adolph Paleais, petitioner, *v.* Lewis H. Saper. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph G. M. Browne for the petitioner, and by Mr. Robert P. Levis for the respondent.

No. 954. Citrus Soap Company of California, petitioner, *v.* Royal Lemon Products Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Barry Mohun for the petitioner.

No. 961. Louis Abramson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George B. Martin for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 977. Eugene L. Norton et al., petitioners, *v.* Frederick R. Babcock. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William L. Ransom for the petitioners, and by Mr. Hartwell Cabell and Mr. B. F. Sturgis for the respondent.

No. 979. Mahlon D. Thatcher, Trustee under the Last Will of Franklin A. Luce, deceased, et al., etc., petitioners, *v.* The Chicago Railways Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Henry S. Robbins for the petitioners, and by Mr. Horace Kent Tenney, Mr. Roger Sherman, Mr. James M. Sheean, and Mr. Charles S. Babcock for the respondents.

No. 980. United States Cast Iron Pipe & Foundry Company, petitioner, *v.* M. W. Sullivan, as Administrator of the Estate of D. G. Sullivan, deceased. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Brenton K. Fisk for the petitioner, and by Mr. Hugo L. Black for the respondent.

No. 983. Keystone Brewing Company et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Henry A. Knapp for the petitioners.

No. 986. William Parmenter, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. F. Connally for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 987. David Baker, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. F. Connally for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 988. Max Corrigan, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. F. Connally for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 989. James Quick, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. F. Connally and Mr. William Henry Gallagher for the petitioner, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 1000. John F. Downs et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Merritt Lane for the petitioners, and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 1007. Morse Dry Dock & Repair Company, petitioner, *v.* Steamship *Northern Star*, Her Engines, etc., and Harry Luber. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William E. Leahy for the petitioner, and by Mr. Gerson C. Young for the respondent.

No. 1011. Sacramento Navigation Company, petitioner, *v.* Milton H. Salz, Doing Business as E. Salz & Son. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. H. H. Sanborn for the petitioner, and by Mr. S. Hasket Derby for the respondent.

No. 1012. J. H. Mosely, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John E. Garner for the petitioner.

No. 1013. J. H. Mosely, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John E. Garner for the petitioner.

No. 1020. Alice Cheney Baltzell, petitioner, *v.* John J. Mitchell, Formerly Collector of Internal Revenue; and

No. 1021. Hannah P. Weld. petitioner, *v.* John J. Mitchell, Formerly Collector of Internal Revenue. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Robert H. Holt for the petitioners, and by Mr. Solicitor General Beck for the respondent.

No. 1024. Continental Casualty Company et al., petitioners, *v.* Alfred W. Agee, Administrator of the Estate of Elaine R. Agee, deceased. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James C. Jones, Mr. Lon O. Hocker, and Mr. Frank H. Sullivan for the petitioners, and by Mr. James H. DeVine and Mr. Charles R. Hollingsworth for the respondent.

No. 1034. M. M. Elkan et al., petitioners, *v.* Sebastian Bridge District. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Thomas B. Pryor and Mr. Vincent M. Miles for the petitioners, and by Mr. James B. McDonough for the respondent.

No. 38. Ivory Novelties Trading Company, petitioner, *v.* Francois Joseph de Spoturno Coty. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed, per stipulation.

No. 672. Southern Pacific Company, plaintiff in error, *v.* Chevrolet Motor Company of California. In error to the District Court of the United States for the Northern District of California. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 328. Peter Sain et al., plaintiffs in error, *v.* Cypress Creek Drainage District. Submitted by Mr. Lamar Williamson for the plaintiffs in error, and by Mr. Charles T. Coleman for the defendant in error.

No. 195. John W. Murphy, Attorney General of the State of Arizona, et al., appellants, *v.* A. Sardell. Continued.

No. 77. Lois P. Myers, Administratrix of Frank S. Myers, appellant, *v.* The United States. Three and three-quarters hours allowed for the reargument of this case. Reargument commenced by Mr. Will R. King for the appellant, and continued by Mr. George Wharton Pepper as amicus curiæ, by special leave of court.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 14, will be as follows: Nos. 77, 322, 323, 324, 325, 40, 379, 681, 768, 524, 769 (and 770), 111, 154, 622, 546, and 847.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

George P. Lemon, of Washington, D. C.; Julius S. Harrison, of Jackson, Fla.; and Russell T. Boswell, of Philadelphia, Pa., were admitted to practice.

No. 681. C. G. Lewellyn, Formerly Collector of United States Internal Revenue for the Twenty-third District of Pennsylvania, plaintiff in error, *v.* Adelaide H. C. Frick, Helen C. Frick, Childs Frick et al., etc. Leave granted to file a brief herein as amici curiae, on motion of Mr. Dean C. Acheson for Alexander Lincoln and William R. Sears.

No. 77. Lois P. Myers, Administratrix of the Estate of Frank S. Myers, deceased, appellant, *v.* The United States. Reargument continued by Mr. George Wharton Pepper as amicus curiae, by special leave of court, by Mr. Solicitor General Beck for the appellee, and concluded by Mr. Will R. King for the appellant.

No. 322. North Carolina Railroad Company, petitioner, *v.* C. D. Story, Sheriff, etc., et al. Argued by Mr. S. R. Prince for the petitioner and by Mr. Chapin Brown for the respondents.

No. 323. North Laramie Land Company, plaintiff in error, *v.* Albert E. Hoffman et al., etc. Argued by Mr. George G. King for the plaintiff in error. No brief filed for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 15, will be as follows: Nos. 324, 325, 40, 379, 681, 768, 524, 769 (and 770), 111, 154, 622, 546, and 847.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ernest W. Marshall, of New York City; Jack Garrett Scott, of Denver, Colo.; Miles H. England, of Pittsburgh, Pa.; Nathan S. Blumberg, of Chicago, Ill.; and Milton M. Leichter, of New York City, were admitted to practice.

No. **681**. C. G. Lewellyn, Formerly Collector of United States Internal Revenue for the Twenty-third District of Pennsylvania, plaintiff in error, *v.* Adelaide H. C. Frick et al., etc. Leave granted to file a brief herein as amici curiae, on motion of Mr. Peter H. Holme for Tyson S. Dynes et al.

No. **324**. William H. Edwards, Formerly U. S. Collector, etc., plaintiff in error, *v.* The Cuba Railroad Company. Argued by Mr. Alfred A. Wheat for the plaintiff in error, and by Mr. Howard Mansfield for the defendant in error.

No. **325**. Roscoe Irwin, Former Collector, etc., petitioner, *v.* E. Palmer Gavit. Argued by Mr. Solicitor General Beck for the petitioner, and by Mr. E. F. Towner for the respondent.

No. **40**. The United States of America, petitioner, *v.* Gulf Refining Company. Argument commenced by Mr. James A. Fowler for the petitioner, continued by Mr. R. L. Batts for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 16, will be as follows: Nos. **40, 379, 681, 768, 524, 769** (and **770**), **111, 154, 622, 546, and 847**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Webster L. Blades, of Baltimore, Md.; Moses M. Rosenfeld, of Baltimore, Md.; James F. Brennan, of San Francisco, Calif.; John L. Hurlbert, of Dunkirk, N. Y.; Oscar A. Johannesen, of Idaho Falls, Idaho; and John G. Sullivan, of Boston, Mass., were admitted to practice.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Exceptions of Durfee Mineral Company to findings of law and fact and recommendations of Joseph M. Hill, special master, submitted by Mr. P. J. McCumber in that behalf.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Report of Joseph M. Hill, special master, received and filed, on motion of Mr. A. H. Carrigan in that behalf.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Reply of T. P. Roberts and A. H. Britain to exceptions and brief of Durfee Mineral Company to the report of Special Master Joseph M. Hill over royalties from Receiver Wells Nos. 152, 153, and 154, submitted by Mr. A. H. Carrigan in that behalf.

No. 680. Mariana Viamonte Fernandez, appellant, *v.* Perley B. Phillips, Marshal of the United States for the District of New Hampshire. Motion to advance submitted by Mr. John E. Benton in that behalf.

No. 40. The United States of America, petitioner, *v.* Gulf Refining Company. Argument continued by Mr. R. L. Batts and Mr. F. M. Swacker for the respondent, and concluded by Mr. John F. Finerty for James C. Davis, Director General of Railroads.

No. 379. Charles Sherwin and Harry H. Schwarz, petitioner, *v.* The United States of America. Argument commenced by Mr. S. R. Sayers for the petitioners. The court declined to hear further argument.

No. 681. C. G. Lewellyn, Formerly Collector of United States Internal Revenue for the Twenty-third District of Pennsylvania, plaintiff in error, *v.* Adelaide H. C. Frick et al., etc. Leave granted to file a brief herein as amicus curiæ, on motion of Mr. G. B. Gordon in behalf of Mr. William Marshall Bullitt. Argued by Mr. James A. Fowler for the plaintiff in error and by Mr. George B. Gordon for the defendants in error.

No. 768. The United States of America, plaintiff in error, *v.* Walter S. Dickey and Ralph Ellis; and

No. 847. The United States of America, plaintiff in error, *v.* The Baltimore Post. Argument commenced by Mr. Solicitor General Beck for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 17, will be as follows: Nos. 768 (and 847), 524, 769 (and 770), 111, 154, 622, 546, 329, 331, and 336.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Harry Schwartz, of Baltimore, Md.; Robert T. Tedrow, of Washington, D. C.; J. H. Mize, of Gulfport, Miss.; Robert P. Lattimore, of New York City; James E. Dooley, of Providence, R. I.; Robert H. Locke, of Philadelphia, Pa.; Sanford H. Cohen, of New York City; and Russell P. Tyler, of San Francisco, Calif., were admitted to practice.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Fourteenth report of receiver received and filed, on motion of Mr. John S. Flannery in that behalf.

No. 768. The United States, plaintiff in error, *v.* Walter S. Dickey et al.; and

No. 847. The United States, plaintiff in error, *v.* The Baltimore Post. Argument continued by Mr. Solicitor General Beck for the plaintiff in error, by Mr. M. H. Winger and Mr. James A. Reed for the defendant in error in No. 768, and concluded by Mr. Newton D. Baker for the defendant in error in No. 847.

No. 524. William R. Edwards, Collector, etc., petitioner, *v.* Archibald Douglas et al. Argument commenced by Mr. Alfred A. Wheat for the petitioner, continued by Mr. Matthew C. Fleming for the respondent, and concluded by Mr. Paul Armitage for the respondent.

No. 769. Cheung Sum Shee et al. *v.* John D. Nagle, as Commissioner of Immigration for the Port of San Francisco; and

No. 770. Chang Chan et al. *v.* John D. Nagle, as Commissioner of Immigration of the Port of San Francisco. Argument commenced by Mr. Frederic D. McKenney for Cheung Sum Shee et al. in No. 769, and for Chang Chan et al. in No. 770.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 20, will be as follows: Nos. 769 (and 770), 111, 154, 622, 546, 329, 331, 336, 509, 45, 249, 653, 764, and 234.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ernest May, of Fort Worth, Tex.; John S. Stone, of Birmingham, Ala.; George Gardiner Fry, of New York City; Nelson W. Proctor, of Louisville, Ky.; Andrew N. Eckstrom, of Warren, Minn.; Clarence E. Miles, of Lowell, Mass.; Mrs. Cora C. Miles, of Great Falls, Mont.; Gerald M. Johnson, of Washington, D. C.; S. P. Smith, of Birmingham, Ala.; Philip Stein, of Washington, D. C.; Ellis Douthit, of Fort Worth, Tex.; Sherlock Bronson, of Richmond, Va.; Samuel M. Richardson, of New York City; Walter J. Mattison, of Milwaukee, Wis.; Alexander W. Schutz, of Milwaukee, Wis.; and Barnett E. Marks, of Phoenix, Ariz., were admitted to practice.

No. 197. Standard Oil Company of New Jersey, petitioner, *v.* Southern Pacific Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Butler.

The Chief Justice announced the following orders of the Court:

No. 509. The United States of America ex rel. Walter S. Kennedy et al., appellants, *v.* William F. Waldow, as Sheriff of Erie County, et al. Motion to substitute Frank M. Tyler, present sheriff of Erie County, New York, as a party appellee in this cause granted.

No. 783. James C. Davis, Agent, etc., plaintiff in error, *v.* Dexter & Carpenter, Inc. Further consideration of the motion to affirm in this cause postponed until the hearing of the cause on the merits. Cause placed on the summary docket, and assigned for argument on Monday, May 4 next.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Hearing on exceptions to findings of Joseph M. Hill, Special Master, and reply thereto, set for Monday, April 20.

No. 1026. The United States, appellant, *v.* P. Chauncey Anderson et al. Motion to advance granted, and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 706. Frank C. Bramwell, Superintendent of Banks of the State of Oregon, appellant, *v.* United States Fidelity & Guaranty Company. Motion to advance granted, and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 668. Frank A. Harrigan, Trustee of the Bankrupt Estate of the Louis J. Bergdoll Motor Company, petitioner, *v.* Louis J. Bergdoll, now known as Louis J. Bergson. Motion to advance granted, and cause placed on the summary docket and assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

Nos. 786 and 787. James C. Davis, Federal Agent, etc., petitioner, *v.* E. H. Pringle, as Trustee in Bankruptcy of the Estate of Charles F. Boyd Company, Inc., Bankrupt. Motion to advance granted, and the cases placed on the summary docket and assigned for argument on Monday, May 4 next, after the cases heretofore assigned for that day.

No. 680. Mariano Viamonte Fernandez, appellant, *v.* Perley B. Phillips, Marshal of the United States for the District of New Hampshire. Motion to advance granted, and the cause assigned for argument on Monday, May 4 next, after the cases heretofore assigned for that day.

No. 2, original. The State of Arkansas, complainant, *v.* The State of Tennessee. Hearing on exceptions to the Report of the Commissioners set for Monday, October 5 next, and the Clerk is directed to notify counsel to that effect.

No. 328. Peter Sain et al, plaintiffs in error, *v.* Cypress Creek Drainage District. In Error to the Supreme Court of the State of Arkansas. Per curiam: Dismissed for want of jurisdiction upon the authority of California Power Works *v.* Davis, 151 U. S. 389, 393; Morrison *v.* Watson, 154 U. S. 111, 115; Harding *v.* Illinois, 196 U. S. 78, 86; Chesapeake & Ohio Ry. Co. *v.* McDonald, 214 U. S. 191, 192; Cleveland & Pittsburgh R. R. Co. *v.* Cleveland, 235 U. S. 50, 531.

No. 30. Federal Trade Commission et al., appellants, *v.* Claire Furnace Company et al. Cause restored to the docket for reargu-

ment, and assigned for Monday, November 2 next, after the cases heretofore assigned for that day.

No. 1007. Morse Dry Dock & Repair Company, petitioner, *v.* Steamship *Northern Star*, Her Engines, etc., and Harry Luber. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1011. Sacramento Navigation Company, petitioner, *v.* Milton H. Salz, doing business as E. Salz & Son. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 946. A. Guckenheimer & Brothers Company et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 952. Adolph Paleais, petitioner, *v.* Lewis H. Saper. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 954. Citrus Soap Company of California, petitioner, *v.* Royal Lemon Products Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 961. Louis Abramson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 969. Charles Dick et al., petitioners, *v.* Marx & Rawolle, Inc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 974. Roswell O. Johnson et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 977. Eugene L. Norton et al., petitioners, *v.* Frederick R. Babcock. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 979. Mahlon D. Thatcher, Trustee under the last will of Franklin A. Luce, deceased, et al., etc., petitioners, *v.* The Chicago Railways Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 983. Keystone Brewing Company et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. **1000.** John F. Downs et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

Nos. **1012** and **1013.** J. H. Mosely, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. **1014.** Schweyer Electric & Manufacturing Company et al., petitioners, *v.* Regan Safety Devices Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. **1020.** Alice Cheney Baltzell, petitioner, *v.* John J. Mitchell, Formerly Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. **1021.** Hannah P. Weld, petitioner, *v.* John J. Mitchell, Formerly Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. **1034.** M. M. Elkan et al., petitioners, *v.* Sebastian Bridge District. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. **1057.** Leon Israel et al., copartners doing business under the firm name of Leon Israel & Bros., petitioners, *v.* Luckenbach Steamship Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. **920.** The United States, appellant, *v.* Swift & Company; and

No. **921.** Swift & Company, appellant, *v.* The United States. Joint motion to advance submitted by Mr. Solicitor General Beck in that behalf.

No. **111.** The United States of America, petitioner, *v.* James J. Johnston. Passed, on motion of Mr. Solicitor General Beck for the petitioner.

No. **732.** Luckenbach Steamship Company, appellant, *v.* The United States. Motion to remand to the Court of Claims for further findings submitted by Mr. C. C. Daniels for the appellant.

No. **992.** S. H. Davis et al., plaintiffs in error, *v.* Alice Williford et al. Petition for a writ of certiorari herein submitted by Mr. Charles J. Kappler for the plaintiffs in error in support of the petition.

No. 643. Walker D. Hines, Late Director General of Railroads, petitioner, *v.* Westinghouse, Church, Kerr & Company, Inc. Motion to substitute James C. Davis, present Director General of Railroads, as the party petitioner herein, submitted by Mr. David H. Leake for the petitioner.

No. 844. Pacific American Fisheries, petitioner, *v.* Territory of Alaska. Motion to advance submitted by Mr. Otto A. Schlobohm in that behalf.

No. 858. Joseph P. Margolin, petitioner, *v.* The United States of America. Motion to advance submitted by Mr. Otto A. Schlobohm in that behalf.

No. 593. G. W. Coffee et al., plaintiffs in error, *v.* Joseph F. Gray, Receiver, etc., et al. Motion to dismiss submitted by Mr. S. R. Prince, Mr. L. E. Jeffries and Mr. Sanders McDaniel for the defendants in error in support of the motion, and by Mr. Hooper Alexander for the plaintiffs in error in opposition thereto.

No. 833. The Pascagoula National Bank of Moss Point and Pascagoula, Mississippi, appellant, *v.* The Federal Reserve Bank of Atlanta et al., etc. Motion to advance submitted by Mr. A. W. Smith, jr., in that behalf.

No. 873. Hubert Work, Secretary of the Interior, appellant, *v.* W. H. Mason. Motion to affirm submitted by Mr. F. W. Clements and Mr. Alexander Britton for the appellee in support of the motion and by Mr. C. Edward Wright in opposition thereto.

No. 976. Carter Lynch, Trustee in Bankruptcy, etc., plaintiff in error, *v.* Nashville, Chattanooga & St. Louis Railway Company et al. Petition for a writ of certiorari herein submitted by Mr. Charles C. Moore for the plaintiff in error in support of the petition.

No. 990. Harry C. Grove, otherwise known as Hoppy Grove, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Robert F. Leach, jr., for the petitioner and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 999. Pete Lucis, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George D. Collins for the petitioner.

No. 1035. Henry V. Cunningham, Trustee, petitioner, *v.* Merchants National Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. William R. Sears and Mr. Clarence M. Gordon for

the petitioner, and by Mr. Edward E. Blodgett and Mr. George S. Fuller for the respondent.

No. 1038. D. J. Ahearn et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Eric Lyders for the petitioners.

No. 1042. Toyo Kisen Kabushiki Kaisha, petitioner, *v.* William D. Oelbermann et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Samuel Knight and Mr. Joseph K. Hutchinson for the petitioner, and by Mr. S. Hasket Derby for the respondents.

No. 1043. Frank Miller, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Robert M. Golding and Mr. Joseph B. Fleming for the petitioner and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 1062. Hercules Powder Company, petitioner, *v.* J. F. Rich. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Gould G. Rheuby and Mr. William R. Robertson for the petitioner, and by Mr. Heartsell H. Ragon and Mr. J. H. Thompson for the respondent.

No. 1077. Boatmen's Bank, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Lambert E. Walther, Mr. Sears Lehmann, Mr. Walter H. Saunders, Mr. John S. Leahy, and Mr. J. L. London for the petitioner.

No. 1082. C. C. Connally et al., petitioners, *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. H. Mize for the petitioners.

No. 1087. The Liberty National Bank of Roanoke, Virginia, petitioner, *v.* James A. Bear, Trustee in Bankruptcy of W. L. Becker & Company, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. James D. Johnston for the petitioner.

No. 1061. J. S. Hughes, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. A. M. Beets for the petitioner and by Mr. Solicitor General Beck, Mr. Assistant to the Attorney General Donovan, and Mr. Harry S. Ridgely for the respondent.

No. 358. William, Inman & Stribling, appellants, *v.* Seaboard Air Line Railway Company. Appeal from the District Court of the United States for the Northern District of Georgia. Dismissed with costs, on motion of counsel for the appellants.

No. 368. The Buckeye Coal & Railway Company et al., appellants, *v.* The Hocking Valley Railway Company et al. Motion to dismiss submitted by Mr. John F. Wilson, Mr. Arthur H. Van Brunt, and Mr. A. C. Rearick for the appellees in support of the motion, and by Mr. William Burry and Mr. William O. Henderson for the appellants in opposition thereto.

No. 769. Cheung Sum Shee et al. *v.* John D. Nagle, as Commissioner of Immigration for the Port of San Francisco; and

No. 770. Chang Chan et al. *v.* John D. Nagle, as Commissioner of Immigration for the Port of San Francisco. Argument continued by Mr. Frederic D. McKenney and Mr. George A. McGowan for Cheung Sum Shee et al. in No. 769 and Chang Chan et al. in No. 770, and concluded by Mr. Assistant to the Attorney General Donovan for John D. Nagle, as Commissioner, etc.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervenor. Argued on the exceptions to the Report of Joseph M. Hill, Special Master, by Mr. C. F. Greenwood for Durfee Mineral Company and by Mr. A. H. Carrigan for T. T. Roberts and A. H. Britain.

No. 154. Crew Levick Company, plaintiff in error, *v.* The City of Philadelphia to the use of J. Joseph McHugh. Argued by Mr. David Wallerstein for the plaintiff in error and by Mr. Walter Biddle Saul for the defendant in error.

No. 622. Vincent L. Knewell, as Sheriff of Minnehaha County, South Dakota, appellant, *v.* George W. Egan. Argued by Mr. B. S. Payne for the appellant and by Mr. George W. Egan pro se.

No. 546. Domenico Dumbra et al., plaintiffs in error, *v.* The United States of America. Argument commenced by Mr. Charles Marvin for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 21, will be as follows: Nos. 546, 329, 331, 336, 509, 45, 249, 653, 764, and 234.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Alvin E. Stein, of Chicago, Ill., and Mary Wooster Munson Sutton, of Red Bank, N. J., were admitted to practice.

No. **13**, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Joint motion of complainant, defendant, and intervener, relating to the counterclaim of defendant affecting the boundary along the 100th meridian; and motion of defendant for leave to file reply to replies of complainant and intervener to the amended counterclaim of defendant, submitted by Mr. T. W. Gregory in that behalf.

No. **546**. Domenico Dumbra et al., plaintiffs in error, *v.* The United States of America. Argument continued by Mr. Charles Marvin for the plaintiffs in error, and cause submitted by Mr. Solicitor General Beck, Assistant Attorney General Willebrandt, and Mr. Mahlon D. Keefer for the defendant in error.

No. **329**. Missouri Pacific Railroad Company, petitioner, *v.* Reynolds-Davis Grocery Company. Submitted by Mr. Thomas B. Pryor and Mr. Vincent M. Miles for the petitioner, and by Mr. Joseph M. Hill, Mr. John P. Woods, and Mr. Harry P. Daily for the respondent.

No. **331**. James C. Davis, Agent, plaintiff in error, *v.* L. L. Cohen & Company, Inc. Argued by Mr. Arthur W. Blackman for the plaintiff in error, and by Mr. Louis Sevig for the defendant in error.

No. **336**. B. F. Lee et al., plaintiffs in error, *v.* Osceola & Little River Road Improvement District No. 1 of Mississippi County, Arkansas. Argued by Mr. Prewitt Semmes for the plaintiffs in error, and by Mr. J. T. Coston for the defendant in error.

No. **509**. The United States of America ex rel. Walter S. Kennedy et al., appellants, *v.* Frank M. Tyler, Sheriff, etc., et al. Four hours allowed for the oral argument of this cause. Argument commenced by Mr. George P. Decker for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 22, will be as follows: Nos. **509**, **45**, **249**, **653**, **764**, **234**, **337**, **339**, **344**, and **346**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Joseph C. Colquitt, of Washington, D. C.; Cleon K. Calvert, of Pineville, Ky.; and William H. Robinson, of Hampton, Va., were admitted to practice.

No. 1085. Middleton S. Borland, as Trustee in Bankruptcy, etc., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Godfrey Goldmark for the petitioner.

No. 681. C. G. Lewellyn, Formerly Collector of United States Internal Revenue for the Twenty-third District of Pennsylvania, plaintiff in error, *v.* Adelaide H. C. Frick et al., etc. Leave granted to file a reply brief herein, on motion of Mr. Alfred A. Wheat for the plaintiff in error.

No. 509. The United States of America ex rel. Walter S. Kennedy et al., appellants, *v.* Frank M. Tyler, Sheriff etc., et al. Argument continued by Mr. George P. Decker for the appellants, by Mr. E. C. Griffin for the State of New York, and concluded by Mr. W. W. Dyar for the United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 23, will be as follows: Nos. 45, 249, 653, 764, 234, 337, 339, 344, 346, and 348.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Robert D. Petty, of New York City, was admitted to practice.

No. 546. Domenico Dumbra et al., plaintiffs in error, *v.* The United States of America. Leave granted to file additional authorities herein, on motion of Mr. Frank Davis, jr., in that behalf.

No. 45. Thomas Agnello et al., petitioners, *v.* The United States of America. Argued by Mr. George Gordon Battle for the petitioner and by Mr. Assistant to the Attorney General Donovan for the respondent.

No. 249. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Sloss-Sheffield Steel & Iron Company. Argument commenced by Mr. E. P. Thomas for the plaintiff in error, continued by Mr. Charles J. Rixey for the plaintiff in error, and concluded by Mr. Challen B. Ellis for the defendant in error.

No. 653. The United States of America, petitioner, *v.* O. B. Fish. Argued by Mr. Assistant Attorney General Hoppin for the petitioner and by Mr. A. R. Brown for the respondent.

No. 764. J. W. Patterson, etc., et al., plaintiffs in error, *v.* Louisville & Nashville Railroad Company et al. Argument commenced by Mr. Edgar Watkins for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 24, will be as follows: Nos. 764, 234, 337, 339, 344, 346, 348, 349, 350, and 352.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Charles J. Denham, of Brooklyn, N. Y., Herbert L. Iasigi, of Los Angeles, Calif., and Fleet C. Hathorn, of Hattiesburg, Miss., were admitted to practice.

No. **352**. United States Fidelity & Guaranty Company, plaintiff in error, *v.* A. P. Wooldridge, Receiver of the National Bank of Cleburne. Leave granted to file a brief herein as amicus curiae, on motion of Mr. John J. Hamilton for Fidelity & Deposit Company of Maryland.

No. **764**. J. W. Patterson, etc., et al., plaintiffs in error, *v.* Louisville & Nashville Railroad Company et al. Argument continued by Mr. Edgar Watkins for the plaintiffs in error; by Mr. John F. Finerty for Davis, Director General of Railroads; by Mr. Nelson W. Proctor for the Louisville & Nashville Railroad Company et al., and concluded by Mr. Edgar Watkins for the plaintiffs in error.

No. **234**. The State of Colorado, appellant, *v.* Roger W. Toll, Superintendent of the Rocky Mountain National Park. Argument commenced by Mr. William L. Boatright for the appellant, continued by Mr. Paul W. Lee for the appellant, and by Mr. H. L. Underwood for the appellee, and concluded by Mr. Paul W. Lee for the appellant.

No. **337**. The United States of America, appellant, *v.* Holt State Bank et al. Argument commenced by Mr. W. W. Dyar for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 27, will be as follows: Nos. **337**, **417**, **339**, **344**, **346**, **348**, **349**, **350**, **352**, and **998**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Alice B. Marion, of Buffalo, N. Y.; James M. Brinson, of Butte, Mont.; Edward Lawrence Springer, of Washington, D. C.; George Canton, of Washington, D. C.; and George Van DenBerg, of Racine, Wis., were admitted to practice.

No. 233. Reading Steel Casting Company, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Eastern District of Pennsylvania; transferred from the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 303. Yee Hem, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of Ohio. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 310. The St. Louis, Brownsville & Mexico Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed in part and reversed in part; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 325. Roscoe Irwin, Former Collector of Internal Revenue for the Fourteenth District of New York, petitioner, *v.* E. Palmer Gavit. On a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Northern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Sutherland and Mr. Justice Butler.

The Chief Justice announced the following orders of the court:

No. 920. The United States, appellant, *v.* Swift & Company; and

No. 921. Swift & Company, appellant, *v.* The United States. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 844. Pacific American Fisheries, petitioner, *v.* Territory of Alaska. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 833. The Pascagoula National Bank of Moss Point and Pascagoula, Mississippi, appellant, *v.* The Federal Reserve Bank of Atlanta. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 858. Joseph P. Margolin, petitioner, *v.* The United States of America. Motion to advance granted; and cause assigned for argument on Monday, October 5 next, after the case heretofore assigned for that day.

No. —. Grace Edna Layne *v.* The United States. Motion for leave to proceed in forma pauperis in this case denied, on the ground that there is obviously no merit in the appeal.

No. 732. Luckenbach Steamship Company, Inc., appellant, *v.* The United States. Further consideration of the motion to remand this cause postponed until the hearing of the cause on the merits.

No. 643. Walker D. Hines, late Director General of Railroads, petitioner, *v.* Westinghouse, Church, Kerr & Company (Inc.). Motion to substitute James C. Davis, present Director General of Railroads, in the place of Walker D. Hines, late Director General, as the party petitioner herein, granted.

No. 873. Hubert Work, Secretary of the Interior, appellant, *v.* W. H. Mason. Further consideration of the motion to affirm this cause postponed until the hearing of the cause on the merits.

No. 368. The Buckeye Coal & Railway Company et al., appellants, *v.* The Hocking Valley Railway Company et al. Further consideration of the motion to dismiss this cause postponed until the hearing of the cause on the merits.

No. 111. The United States of America, petitioner, *v.* James J. Johnston. Joint motion to restore this cause to the call granted; and the cause assigned for the end of the call on Monday, April 27.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener.

ORDER. The motion of the State of Texas for leave to file a reply to the replications of the State of Oklahoma and the United States

to the amended counterclaim of the State of Texas relating to the interstate boundary along the one hundredth meridian is granted, and the reply tendered with such motion is ordered filed.

The joint motion of the State of Oklahoma, the State of Texas, and the United States respecting the making up and printing of the record on such counterclaim and the submission and hearing of the issues pertaining thereto is granted; the clerk is directed to make up and print the record as requested in the motion; and the hearing on the counterclaim is fixed for Monday, November 2 next, after the cases heretofore assigned for that day.

No. 1085. Middleton S. Borland, Trustee, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals granted; and cause advanced and assigned for argument with cases Nos. 786 and 787 heretofore assigned for Monday, May 4 next. The case to be submitted on printed briefs on that date, with the alternative to counsel to present this case on oral argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 918. Porto Rico Railway, Light & Power Company, petitioner, *v.* Eugenie Cagnet et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 990. Harry C. Grove, Otherwise Known as Hoppy Grove, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 999. Pete Lucis, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1035. Henry V. Cunningham, Trustee, petitioner, *v.* Merchants National Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1038. D. J. Ahearn et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1043. Frank Miller, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1061. J. S. Hughes, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1062. Hercules Powder Company, petitioner, *v.* J. F. Rich. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1077. Boatmen's Bank, petitioner, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1082. C. C. Connally et al., petitioners, *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1087. The Liberty National Bank of Roanoke, Virginia, petitioner *v.* James A. Bear, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1042. Toyo Kisen Kabushiki Kaisha, petitioner, *v.* William D. Oelbermann et al., Copartners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied for failure to file within the time prescribed by the statute.

No. 154. Crew Levick Company, plaintiff in error, *v.* The City of Philadelphia, to the use of J. Joseph McHugh. In error to the Supreme Court of the State of Pennsylvania. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 257 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

ORDER. The call of the docket will be suspended for the term on Friday, May 1 next. The court will take a recess from Monday, May 4, until Monday, May 11 next. The cases specially assigned for Monday, May 4, will be heard.

No. 220. Fort Smith Light & Traction Company, plaintiff in error, *v.* Fagan Bourland et al. It is ordered by this court that the opinion heretofore filed be amended by inserting after the words "franchise" in the last sentence of the opinion the words "or indeterminate permit." Petition for rehearing denied.

No. 1009. Cincinnati, Indianapolis & Western Railroad Company, appellant, *v.* Indianapolis Union Railway Company et al. Motion to advance submitted by Mr. Paxton Blair in behalf of counsel for the appellant.

No. 930. Fidelity National Bank & Trust Company of Kansas City et al., appellants, *v.* Felix H. Swope et al. Motion to dismiss submitted by Mr. Blackburn Esterline in behalf of Mr. Elliott H. Jones for the appellees in support of the motion and by Mr. Justin B. Bowersock, Mr. Arthur Miller, and Mr. Hunter M. Meriwether for the appellants in opposition thereto, with leave to counsel for the appellees to file an additional brief on or before Friday next.

No. 417. Real Silk Hosiery Mills, Inc., appellant, *v.* The City of Portland et al. Leave granted to file a brief herein as amicus curiae, on motion of Mr. James Wilson Bayard in behalf of the Curtis Publishing Company.

No. 417. Real Silk Hosiery Mills, Inc., appellant, *v.* The City of Portland et al. Leave granted to file a brief herein as amicus curiae, on motion of Mr. David Paine in that behalf.

No. 404. Louisiana Railway & Navigation Company, plaintiff in error, *v.* Mrs. Alice S. Dupuis. Motion to dismiss or affirm submitted by Mr. S. S. Ashbaugh and Mr. W. M. Barrow for the defendant in error in support of the motion and by Mr. E. H. Randolph for the plaintiff in error in opposition thereto.

No. 1015. Morris Orsatti, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Marshall B. Woodworth for the petitioner and by Mr. Solicitor General Beck and Assistant Attorney General Willebrandt for the respondent.

No. 1016. The Commerce-Guardian Trust & Savings Bank, petitioner, *v.* State of Michigan et al. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Lee H. Schminck and Mr. George W. Ritter for the petitioner.

No. 1023. Clarence T. Parker, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Earl W. Wood for the petitioner and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Letts for the respondent.

No. 1032. Ellis C. Talmadge et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. H. Prescott Gatley and Mr. Edward M. Seymour for the petitioners.

No. 1040. Lynn Storage Warehouse Company, petitioner, *v.* Mordka Senator. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Benjamin N. Johnson, Mr. Hugh W. Ogden, and Mr. Edwin H. Abbot, jr., for the petitioner and by Mr. Lee M. Friedman for the respondent.

No. 1047. Kelly-Springfield Tire Company, petitioner, *v.* L. A. Bobo et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John W. Preston for the petitioner, and by Mr. Olen L. Everts for the respondent.

No. 1048. Blanchard Lumber Company, petitioner, *v.* Jesse H. Metcalf. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Fred T. Field for the petitioner, and by Mr. Foye M. Murphy for the respondent.

No. 1058. New York Dock Company, petitioner, *v.* Steamship *Capitaine Faure*, Her Engines, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph S. Auerbach and Mr. Charles H. Tuttle for the petitioner, and by Mr. Roscoe H. Hupper for the respondent.

No. 1074. Charleston, South Carolina, Mining & Manufacturing Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. C. Brandenburg and Mr. William Wade Hampton for the petitioner.

No. 1080. John L. Nounes et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. James W. Wayman for the petitioners.

No. 1086. A. J. Byars, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Claude R. Porter for the petitioner and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Letts for the respondent.

No. 1100. E. F. Swinney, petitioner, *v.* Gary Realty Company. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Frank M. Lowe for the petitioner, and by Mr. Armwell L. Cooper for the respondent.

No. 1110. Lehigh Valley Railroad Company, petitioner, *v.* John J. Howell. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Allan McCulloh and Mr. Clifton P. Williamson for the petitioners and by Mr. John C. Robinson for the respondent.

No. 881. Kansas City Terminal Railway Company et al. *v.* Central Union Trust Company of New York et al. Motion to bring up whole record and cause submitted by Mr. Edward J. White, Mr. N. H. Loomis, Mr. Bruce Scott, Mr. Gardiner Lathrop, and Mr. Samuel W. Sawyer for Kansas City Terminal Railway Company et al.

No. 1083. John C. Foster, petitioner, *v.* The United States of America. Motion for leave to proceed in forma pauperis submitted by Mr. John C. Foster in propria persona.

No. 189. Buffalo Union Furnace Company, plaintiff in error, *v.* United States Shipping Board Emergency Fleet Corporation. In error to the United States Circuit Court of Appeals for the Second Circuit. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 998. Meyer Selzman, plaintiff in error, *v.* The United States of America. Submitted by Mr. Gerald J. Pilliod and Mr. J. C. Breitenstein for the plaintiff in error, and by Mr. Solicitor General Beck for the defendant in error.: with leave to counsel to file briefs hereafter.

No. 337. The United States of America, appellant, *v.* Holt State Bank et al. Argument continued by Mr. W. W. Dyar for the appellant, and concluded by Mr. A. N. Eckstrom for the appellees.

No. 417. Real Silk Hosiery Mills, Inc., appellant, *v.* City of Portland et al. Argued by Mr. John G. Milburn for the appellant, and by Mr. Frank S. Grant for the appellee.

No. 339. Southern Utilities Company, petitioner, *v.* The City of Palatka. Argued by Mr. W. L. Ransom for the petitioner, and by Mr. P. H. Odom for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 28, will be as follows: Nos. 344, 346, 348, 349, 350, 352, 111, 359, 360, and 361.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Hiram E. Casey, of San Francisco, Calif., and Harry Allen, of Detroit, Mich., were admitted to practice.

No. 366. Fleischmann Construction Company et al., plaintiffs in error, *v.* The United States of America to the use of G. W. Forsburg et al. Suggestion of the bankruptcy of Fleischmann Construction Company, and motion to substitute Francis L. Kohlman, trustee in bankruptcy of the said Fleischman Construction Company, as a party plaintiff in error herein, submitted by Mr. Levi H. David in that behalf.

No. 361. Public Utilities Commission of the State of Kansas et al., appellants, *v.* The Arkansas Valley Interurban Railway Company. Continued.

No. 344. Daisy M. Scott et al., plaintiffs in error, *v.* The City of Columbus. Continued.

No. 346. William Danzer & Company, Inc., plaintiff in error, *v.* Gulf & Ship Island Railroad Company. Argued by Mr. Brenton K. Fisk for the plaintiff in error, and by Mr. B. E. Eaton for the defendant in error.

No. 348. Realty Holding Company, appellant, *v.* Lavina B. Donaldson. Argued by Mr. John R. Rood for the appellant, and by Mr. John C. Spaulding for the appellee.

No. 349. Reuben Weller, plaintiff in error, *v.* The People of the State of New York. Argument commenced by Mr. Louis Marshall for the plaintiff in error, and continued by Mr. Robert D. Petty for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 29, will be as follows: Nos. 349, 350, 352, 111, 359, 360, 362, 363, 366, and 367.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Charles A. Wilcox, of Austin, Tex.; Louis W. Kaufman, of Los Angeles, Calif.; Jo. Baily Brown, of Pittsburgh, Pa.; James G. Moore, of New York City; George R. Ewald, of Louisville, Ky.; Leo L. Weil, of Chicago, Ill.; and William M. Johnston, of Billings, Mont., were admitted to practice.

No. **349**. Reuben Weller, plaintiff in error, *v.* The People of the State of New York. Argument concluded by Mr. Robert D. Petty for the defendant in error.

No. **350**. The People of the State of New York *ex rel.* Rosevale Realty Company, Inc., plaintiff in error, *v.* Albert E. Kleinert, as Superintendent of the Bureau of Buildings of the Borough of Brooklyn, City of New York, et al. Argument commenced by Mr. Benjamin Reass for the plaintiff in error, continued by Mr. Joseph P. Reilly for the defendant in error Albert E. Kleinert, and concluded by Mr. James Marshall for Midwood Manor Association and Calvin, defendants in error.

No. **352**. United States Fidelity & Guaranty Company, plaintiff in error, *v.* A. P. Wooldridge, Receiver of the National Bank of Cleburne. Argument commenced by Mr. W. F. Seay for the plaintiff in error, continued by Mr. Joseph A. McCullough for the plaintiff in error, and concluded by Mr. Ellis Douthit for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 30, will be as follows: Nos. **359, 111, 360, 362, 363, 366, 367, 368, 369, and 370.**

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Edward J. McDonald, of Waterbury, Conn.; Blair Foster, of Atlanta, Ga.; Eldon Spencer Lazarus, of New Orleans, La.; Michael A. Kiely, of New York City; Valentine Gideon, of Salt Lake City, Utah; Francis P. Guilfoile, of Waterbury, Conn.; Charles O'Connor, of Waterbury, Conn.; and Julius C. Travis, of Indianapolis, Ind., were admitted to practice.

No. 1127. Eastern Products Corporation et al., petitioners, *v.* Tennessee Coal, Iron & Railroad Company. Motion for leave to file petition for certiorari and for an extension of time in which to file amended transcript of record within thirty days granted, on motion of Mr. J. J. Lynch for the petitioners.

No. 369. Municipal Assembly of Arroyo, Porto Rico, petitioner, *v.* Successors of C. & J. Fantauzzi. Motion to quash writ of certiorari herein submitted by Mr. Francis E. Neagle for the respondent, with leave to counsel for the petitioner to file a reply thereto on or before May 11th next.

No. 370. Juan Perez Cami, Municipal Commissioner of Finance, petitioner, *v.* Central Victoria, Limited. Submitted by Mr. E. B. Wilcox for the petitioner and by Mr. Francis G. Caffey for the respondent, with leave to counsel for the petitioner to file a reply brief within two weeks.

No. 359. The United States, appellant, *v.* Elmo R. Royer. Argued by Mr. Alfred A. Wheat for the appellant and by Mr. George A. King for the appellee.

No. 111. The United States of America, petitioner, *v.* James J. Johnson. Argued by Mr. Assistant to the Attorney General Donovan for the petitioner and by Mr. Thomas C. Bradley for the respondent.

No. 360. The United States, appellant, *v.* Daniel Noce. Argued by Mr. Assistant Attorney General Letts for the appellant and by Mr. S. T. Ansell for the appellee.

No. 362. Second Russian Insurance Company, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Argument commenced by Mr. Albert P. Massey for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 1, will be as follows: Nos. 362, 363, 366, 367, 368, 372, 373, 375, 376, and 377.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

J. H. McClintic, of Charleston, W. Va.; Young B. Smith, of New York City; Richard R. Powell, of New York City; Alex N. Breckenridge, of Summersville, W. Va.; Alexander H. Marshall, of Chicago, Ill.; John H. Klette, of Covington, Ky.; Pierce E. Holmes, of Savannah, Ga.; Frank E. Schraeder, of Baltimore, Md.; and George W. Cameron, of Baltimore, Md., were admitted to practice.

No. **362.** Second Russian Insurance Company, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Argument continued by Mr. Albert P. Massey for the appellant, by Mr. Hartwell Cabell for the appellees, and concluded by Mr. Albert P. Massey for the appellant.

No. **363.** Edward Hines Yellow Pine Trustees, petitioners, *v.* Anna F. C. Martin et al. Argued by Mr. T. J. Wills for the petitioners, and by Mr. Fleet C. Hathorn for the respondents.

No. **367.** D. S. Sowell, plaintiff in error, *v.* Federal Reserve Bank of Dallas, Texas. Argued by Mr. Ethan B. Stroud, jr., for the defendant in error; and cause submitted by Mr. J. D. Williamson for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, May 4, will be as follows: Nos. **763**, **786** (and **787** and **1085**), and **680**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

W. Carr Morrow, of Tacoma, Wash.; Ebert K. Burlew, of Washington, D. C.; W. H. Fryer, of El Paso, Tex.; John P. Barnes, of Chicago, Ill.; Frank P. Buck, of Washington, D. C.; William L. Murphy, of Oklahoma City, Okla.; James B. Whitfield, of Tallahassee, Fla.; R. C. Fulbright, of Houston, Tex.; Nathaniel B. Barnwell, of Charleston, S. C.; William I. Denning, of Washington, D. C.; J. B. Faegre, of Minneapolis, Minn.; James Moyle Gray, of Washington, D. C.; Henry Gale, of Washington, D. C.; Carol Weiss King, of New York City; Jesse P. Crawford, of Washington, D. C.; Frederick H. Horlbeck, of Charleston, S. C.; and Hugh White, of Montgomery, Ala., were admitted to practice.

Nos. **103** and **327**. Alpha Portland Cement Company, plaintiff in error, *v.* Commonwealth of Massachusetts. In error to the Supreme Judicial Court of the State of Massachusetts. Judgments reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Brandeis.

No. **34**. George F. Shafer, as Attorney General of the State of North Dakota, et al., appellants, *v.* Farmers Grain Company of Embden et al. Appeal from the District Court of the United States for the District of North Dakota. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter. Dissenting: Mr. Justice Brandeis.

The Chief Justice announced the following orders of the court:

No. **1009**. Cincinnati, Indianapolis & Western Railroad Company, appellant, *v.* Indianapolis Union Railway Company et al. Motion to advance granted; and cause assigned for argument on Monday, November 2d next, after the cases heretofore assigned for that day, under rule 32.

No. 404. Louisiana Railway & Navigation Company, plaintiff in error, *v.* Mrs. Alice S. Dupuis. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 881. Kansas City Terminal Railway Company et al. *v.* Central Union Trust Company of New York et al. Motion to bring up the whole record and cause herein denied.

No. 1083. John C. Foster, petitioner, *v.* The United States of America. Motion for leave to proceed in forma pauperis herein denied, as there is obviously no grounds for a writ of certiorari.

No. 366. Fleischmann Construction Company et al., plaintiffs in error, *v.* The United States of America to the use of G. W. Forsberg et al. Further consideration of the suggestion of bankruptcy and motion to substitute postponed until the hearing of the cause on the merits.

No. 839. The Alabama & Vicksburg Railway Company et al., plaintiffs in error, *v.* Jackson & Eastern Railway Company. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 929. Jaybird Mining Company, plaintiff in error, *v.* Joe Weir, as County Treasurer of Ottawa County, Oklahoma. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 1086. A. J. Byars, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. —. Howard *v.* Bailey, Judge. Petition for a writ of certiorari herein denied.

No. 800. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* A. N. Murphy et al., Partners, etc. Petition for a writ of certiorari herein denied.

No. 1015. Morris Orsatti, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1023. Clarence T. Parker, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1032. Ellis C. Talmadge et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1040. Lynn Storage Warehouse Company, petitioner, *v.* Mordka Senator. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1047. Kelly-Springfield Tire Company, petitioner, *v.* L. A. Bobo et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1048. Blanchard Lumber Company, petitioner, *v.* Jesse H. Metcalf. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1058. New York Dock Company, petitioner, *v.* Steamship *Capitaine Faure*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1074. Charleston, South Carolina, Mining and Manufacturing Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1080. John L. Nounes et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1100. E. F. Swinney, petitioner, *v.* Gary Realty Company. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 1110. Lehigh Valley Railroad Company, petitioner, *v.* John J. Howell. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

ORDER

Equity Rules 10 and 30 (226 U. S. appendix) are amended hereby to read as follows:

10

DECREE FOR DEFICIENCY IN FORECLOSURES, ETC.

In suits for the foreclosure of mortgages or for the enforcement of other liens a decree may be rendered for any balance found to be due over and above the proceeds of the sale or sales; and execution may issue for the collection of the same as is provided in rule 8 when the decree is solely for the payment of money. Such a deficiency decree may be so rendered and enforced whether the plaintiff owns the debt or is a trustee or agent for another or others who own it, as often is true when the debt is evidenced by notes or bonds. Where the plaintiff is such trustee or agent, any money collected on the execution shall be paid to him as such representative, and he shall pay it to the owner of the debt if there be only one, and if there be

more shall distribute it pro rata among them according to their respective interests.

30

ANSWER—CONTENTS—COUNTERCLAIM

The defendant by his answer shall set out in short and simple terms his defense to each claim asserted in the bill, omitting mere statements of evidence and avoiding general denials, but specifically admitting, denying, or explaining the facts upon which the plaintiff relies, unless he is without knowledge, in which event he shall so state, and this shall be treated as a denial. Averments other than those of value or amount of damage, when not denied, shall be deemed confessed, except as against an infant, lunatic, or other person non compos and not under guardianship, but the answer may be amended, by leave of the court or judge, upon reasonable notice, so as to put any averment in issue, when justice requires it. The answer may state as many defenses, in the alternative, regardless of consistency, as the defendant deems essential to his defense.

The answer must state in short and simple form any counterclaim arising out of the transaction which is the subject matter of the suit, and may, without cross bill, set up any set-off or counterclaim against the plaintiff which might be the subject of an independent suit in equity against him, and such set-off or counterclaim, so set up, shall have the same effect as a cross suit, so as to enable the court to pronounce a final decree in the same suit on both the original and the cross claims.

When in the determination of a counterclaim complete relief can not be granted without the presence of parties other than those to the bill, the court shall order them to be brought in as defendants if they are subject to its jurisdiction.

ORDER

It is now here ordered by this court that section 7 of Rule 24 of this court be amended so that the entire section will read:

In pursuance of the act of March 3, 1883, authorizing and empowering this court to prepare a table of fees to be charged by the clerk of this court, the following table is adopted:

For docketing a case and filing and indorsing the transcript of the record, ten dollars.

For entering an appearance, twenty-five cents.

For entering a continuance, twenty-five cents.

For filing a motion, order or other paper, twenty-five cents.

For entering any rule, or for making or copying any record or other paper, twenty cents per folio of each one hundred words.

For transferring each case to a subsequent docket and indexing the same, one dollar.

For entering a judgment or decree, one dollar.

For every search of the records of the Court, one dollar.

For a certificate and seal, two dollars.

For receiving, keeping, and paying money in pursuance of any statute or order of Court, two per cent on the amount so received, kept, and paid.

For an admission to the bar and certificate under seal, ten dollars.

For preparing the record or a transcript thereof for the printer, in all cases, including records presented with petitions for certiorari, indexing the same, supervising the printing, and distributing the printed copies to the justices, the reporter, the law library, and the parties or their counsel, ten cents per folio of each one hundred words; but where the necessary printed copies of the record as printed for the use of the court below are furnished, charges under this item will be limited to any additions printed here under the clerk's supervision.

For making a manuscript copy of the record, when required under rule 10, twenty cents per folio of each one hundred words, but nothing in addition for supervising the printing.

For issuing a writ of error and accompanying papers, five dollars.

For a mandate or other process, five dollars.

For filing briefs, five dollars for each party appearing.

For every printed copy of any opinion of the court or any justice thereof, certified under seal, two dollars.

This order shall apply to causes filed here on or after June 9, 1925, but not to causes filed prior to that date.

Promulgated May 4, 1925.

No. 888. Patrick J. O'Shaughnessy et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of Alabama. Writ of error dismissed as to plaintiff in error John McEvoy, on motion of Mr. Solicitor General Beck in behalf of counsel for the plaintiffs in error.

No. 673. Leonard Metcalf et al., Copartners, etc., plaintiffs in error, *v.* John J. Mitchell, Former Collector, etc. Motion to advance submitted by Mr. William M. Williams in behalf of counsel for the plaintiffs in error.

No. 1072. Byron A. Corey, petitioner, *v.* Sunburst Oil & Gas Company. Petition for a writ of certiorari to the Supreme Court of the State of Montana submitted by Mr. P. J. McCumber in behalf of Mr. Louis P. Donovan for the petitioner, and by Mr. George E. Hurd for the respondent; with leave to counsel for the petitioner to file a reply brief.

No. 997. H. Ely Goldsmith, Certified Public Accountant of the State of New York, plaintiff in error, *v.* United States Board of Tax Appeals. Motion to advance submitted by Mr. H. Ely Goldsmith, pro se.

No. 774. Andrew G. Patterson et al., appellants, *v.* Mobile Gas Company. Suggestion of diminution of the record, and motion for a writ of certiorari submitted by Mr. Hugh White and Mr. Harwell G. Davis for the appellants in support of the motion, and by Mr. Harry T. Smith for the appellee in opposition thereto; with leave to counsel for the appellants to file a reply brief within five days.

No. 1071. John T. Porter Company et al., petitioners, *v.* Java Coconut Oil Company, Limited. Leave granted to file briefs of First National Bank of Seattle et al.; and of State Banking Department of the State of California et al., as amici curiae, herein, on motion of Mr. Alexander Britton in that behalf; opposition thereto submitted by Mr. Alfred Sutro, Mr. F. D. Madison, Mr. H. D. Pillsbury, and Mr. Oscar Sutro for the respondent.

No. 968. The United States of America ex rel. Omar Lenox Macklem, appellant, *v.* Commissioner of Immigration at the Port of New York. Motion to admit appellant to bail submitted by Mr. W. H. Pollak for the appellant, with leave to counsel for the appellee to file a brief on or before Friday next and to counsel for the appellant to file a reply thereto within four days thereafter.

No. 985. Claude C. Connally, Commissioner of Labor of the State of Oklahoma, et al., appellants, *v.* General Construction Company. Motion to advance submitted by Mr. George H. Short in that behalf.

No. —, original. The State of Louisiana, complainant, *v.* The State of Mississippi. Motion for leave to file bill of complaint herein submitted by Mr. Robert Ash in behalf of counsel for the complainant.

No. 1027. William A. Price et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Joseph Kreamer and Mr. Joseph Siegler for the petitioners and by Mr. Solicitor General Beck, Mr. Assistant Attorney Donovan, and Mr. Harry S. Ridgely for the respondent.

No. 1033. Leon Fox, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George B. Martin for the petitioner.

No. 1049. Jacob Marcus et al., Copartners, etc., petitioners, *v.* Pillsbury Flour Mills Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Lowrie C. Barton for the petitioners and by Mr. George B. Gordon for the respondents.

No. 1056. Chickasha Cotton Oil Company, petitioner, *v.* Homer N. Chapman et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. H. C. Coke and Mr. M. M. Crane for the petitioners.

No. 1071. John T. Porter Company et al., petitioners, *v.* Java Cocomanut Oil Company, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Warren Olney, jr., Mr. J. M. Mannon, jr., and Mr. A. Crawford Greene for the petitioners, and by Mr. Alfred Sutro, Mr. F. D. Madison, Mr. H. D. Pillsbury, and Mr. Oscar Sutro for the respondent.

No. 1075. Dr. A. W. Boyd, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Sam E. Whitaker for the petitioner.

No. 1076. The Western Automobile Insurance Company, petitioner, *v.* George S. Robbins et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Mitchell D. Follansbee and Mr. Fred Barth for the petitioner, and by Mr. James W. Good and Mr. Dwight S. Bobb for the respondents.

No. 1088. Minnie L. Bellamy, petitioner, *v.* Willie G. Pitts et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. A. Gunter for the petitioner.

No. 1131. Henry Mandel et al., petitioners, *v.* The United States of America to the use of the Wharton & Northern Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James D. Carpenter, jr., for the petitioners, and by Mr. Charles Campbell, jr., for the respondents.

No. 1143. The Mosler Safe Company, petitioner, *v.* Ely-Norris Safe Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel Owen Edmonds for the petitioner, and by Mr. Julius M. Mayer and Mr. F. P. Warfield for the respondent.

No. 507. American Express Company, plaintiff in error, *v.* Farmington Shoe Manufacturing Company. In error to the United States Circuit Court of Appeals for the First Circuit. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 783. James C. Davis, Agent, etc., plaintiff in error, *v.* Dexter & Carpenter, Inc., etc. Argument commenced by Mr. A. A.

McLaughlin for the plaintiff in error. The court declined to hear further argument.

No. 1085. Middleton S. Borland, Trustee, petitioner, *v.* The United States of America. Submitted by Mr. Godfrey Goldmark for the petitioner, and by Mr. Solicitor General Beck, Mr. Assistant Attorney General Letts, and Mr. Harvey B. Cox for the respondent.

Nos. 786 and 787. James C. Davis, Federal Agent, etc., petitioner, *v.* E. H. Pringle as Trustee, etc. Argument commenced by Mr. Jerome Michael for the petitioner, continued by Mr. N. B. Barnwell for the respondent, and concluded by Mr. Godfrey Goldmark for the respondent.

No. 680. Mariano Viamonte Fernandez, appellant, *v.* Perley B. Phillips, U. S. Marshal, etc. Argued by Mr. Harold B. Elgar for the appellee, and submitted by Mr. John E. Benton for the appellant.

Adjourned until Monday, May 11, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

John C. North, of Easton, Md.; William S. Bronson, of Richmond, Va.; Edwin R. Monnig, of Detroit, Mich.; Thomas F. Flaherty, of Washington, D. C.; Helen I. Binning, of Providence, R. I.; L. J. Bond, of El Dorado, Kans.; Stephen S. Szlapka, of Phoenixville, Pa.; Henry Philip Farnham, of Rochester, N. Y.; Henry A. Baker, of St. Petersburg, Fla.; and Harold Goodman, of Detroit, Mich., were admitted to practice.

No. 323. North Laramie Land Company, plaintiff in error. *v.* Albert E. Hoffman, Ulysses S. Jones, George S. Martin, Individually, etc., et al. In error to the Supreme Court of the State of Wyoming. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 285. Southern Pacific Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 287. The Western Pacific Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 182. W. A. Cockrill and S. Ikada, plaintiffs in error, *v.* The People of the State of California. In error to the District Court of Appeal for the Third Appellate District of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Conflicting claims to royalty interest in proceeds of receiver's wells 152, 153, and 154 determined by sustaining claim of T. P. Roberts and A. H. Britain and denying claim of Durfee Mineral Company. Opinion by Mr. Justice Van Devanter.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Order directing receiver to pay net royalty interest in proceeds of receiver's wells 152, 153, and 154 to T. P. Roberts and A. H. Britain, and adjusting costs between conflicting claimants. Order by Mr. Justice Van Devanter.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Order giving directions to receiver preparatory to closing receivership. Order by Mr. Justice Van Devanter.

No. 111. The United States of America, petitioner, *v.* James J. Johnston. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment of the Circuit Court of Appeals reversed, and judgment of the District Court of the United States for the Southern District of New York affirmed; and cause remanded to the said District Court. Opinion by Mr. Justice Holmes.

No. 234. The State of Colorado, appellant, *v.* Roger W. Toll, Superintendent of the Rocky Mountain National Park. Appeal from the District Court of the United States for the District of Colorado. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 339. Southern Utilities Company, petitioner, *v.* The City of Palatka. On a writ of certiorari to the Supreme Court of the State of Florida. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 352. United States Fidelity & Guaranty Company, plaintiff in error, *v.* A. P. Wooldridge, Receiver of the National Bank of Cleburne. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Texas. Opinion by Mr. Justice Holmes.

No. 681. C. G. Lewellyn, Formerly Collector of United States Internal Revenue for the Twenty-third district of Pennsylvania, plaintiff in error, *v.* Adelaide H. C. Frick et al. In error to the District Court of the United States for the Western District of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 673. Leonard Metcalf et al., Copartners, etc., plaintiffs in error, *v.* John J. Mitchell, Former Collector, etc. Motion to ad-

vance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 997. H. Ely Goldsmith, Certified Public Accountant of the State of New York, plaintiff in error, *v.* United States Board of Tax Appeals. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 985. Claude C. Connally, Commissioner of Labor of the State of Oklahoma, et al., appellants, *v.* General Construction Company. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. —, original. The State of Louisiana, complainant, *v.* The State of Mississippi. Motion for leave to file a bill of complaint herein granted; and process ordered to issue returnable on Monday, October 5 next.

No. 1075. Dr. A. W. Boyd, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted; and case placed on the summary docket and advanced for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 1143. The Mosler Safe Company, petitioner, *v.* Ely-Norris Safe Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 449. Walter Ray Simmons, petitioner, *v.* William R. Fenton, Warden, etc.; and

No. 450. Walter Ray Simmons, petitioner, *v.* The State of Nebraska. Petitions for writs of certiorari to the Supreme Court of the State of Nebraska denied; and motion for leave to proceed in forma pauperis herein denied.

No. 829. Manuel J. Jacobs, petitioner, *v.* Myra F. Jacobs. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. 885. James C. Davis, Director General of Railroads, etc., petitioner, *v.* Frank Griffith and L. D. Alexander. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 980. United States Cast Iron Pipe & Foundry Company, petitioner, *v.* M. W. Sullivan, as Administrator. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 986. William Parmenter, petitioner, *v.* The United States of America;

No. 987. David Baker, petitioner, *v.* The United States of America;

No. 988. Max Corrigan, petitioner, *v.* The United States of America; and

No. 989. James Quick, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1027. William A. Price et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1033. Leon Fox, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1049. Jacob Marcus et al., Individually and as Copartners, etc., petitioners, *v.* Pillsbury Flour Mills Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1071. John T. Porter Company et al., petitioners, *v.* Java Cocomanut Oil Company, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1072. Byron A. Corey, petitioner, *v.* Sunburst Oil & Gas Company. Petition for a writ of certiorari to the Supreme Court of the State of Montana denied.

No. 1076. The Western Automobile Insurance Company, petitioner, *v.* George S. Robbins, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1088. Minnie L. Bellamy, petitioner, *v.* Willie G. Pitts et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1131. Henry Mandel et al., petitioners, *v.* The United States of America to the use of Wharton & Northern Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 783. James C. Davis, Agent, etc., plaintiff in error, *v.* Dexter & Carpenter, Inc., etc. In error to the United States Circuit Court of Appeals for the Fourth Circuit. *Per curiam*: Affirmed upon the authority of Davis, Agent, *v.* Newton Coal Co.; and United States *v.* Archibald McNeil & Sons, decided March 2, 1925.

ORDER

The court will take a recess from to-day until Monday, May 25; from that day until Monday, June 1; and from June 1 to Monday, June 8, upon which day it will adjourn for the term.

No petitions for writs of certiorari will be received after Monday, May 25, and no motions, except motions for admission to practice, will be received after Monday, June 1.

No. 960. The United States of America, petitioner, *v.* James Daugherty. Motion to advance submitted by Mr. Solicitor General Beck for the petitioner.

No. 1164. The United States of America, plaintiff in error, *v.* Herbert H. McGovern, Jr. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed, on motion of Mr. Solicitor General Beck, for the plaintiff in error.

No. 1165. Frank White, as Treasurer of the United States, et al., appellants, *v.* The Mechanics Securities Corporation;

No. 1167. Frank White, Treasurer of the United States, et al., appellants, *v.* Securities Corporation General;

No. 1169. Frank White, Treasurer of the United States, et al., appellants, *v.* Middleton S. Borland, Trustee;

No. 1171. Thomas W. Miller, as Alien Property Custodian, et al., appellants, *v.* C. I. Stralem et al.;

No. 1173. Thomas Woodnutt Miller. Alien Property Custodian, et al., appellants, *v.* The Equitable Trust Company of New York;

No. 1175. Frank White, Treasurer of the United States, et al., appellants, *v.* American National Bank of St. Paul;

No. 1177. Frank White, Treasurer of the United States, et al., appellants, *v.* Henry G. Hilken;

No. 1179. Frank White, Treasurer of the United States, et al., appellants, *v.* Abraham L. Garbat;

No. 1181. Frank White, Treasurer of the United States, et al., appellants, *v.* Anna Thalmann;

No. 1183. Frank White, Treasurer of the United States, et al., appellants, *v.* Republic Trading Company;

No. 1185. Frank White, Treasurer of the United States, et al., appellants, *v.* Jacob Kaufman; and

No. 1187. Frank White, Treasurer of the United States, et al., appellants, *v.* August Hecksher. Retirement of Thomas W. Miller as Alien Property Custodian suggested; and Frederick C. Hicks, present Alien Property Custodian, ordered substituted as a party

appellant herein, on motion of Mr. Solicitor General Beck for the appellants.

No. 1165. Frank White, as Treasurer of the United States, et al., appellants, *v.* The Mechanics Securities Corporation;

No. 1166. The United States of America, appellant, *v.* Securities Corporation General;

No. 1167. Frank White, as Treasurer of the United States, et al., appellants, *v.* Securities Corporation General;

No. 1168. The United States of America, appellant, *v.* Middleton S. Borland, Trustee in Bankruptcy;

No. 1169. Frank White, as Treasurer of the United States, et al., appellants, *v.* Middleton S. Borland, Trustee in Bankruptcy;

No. 1170. The United States of America, appellant, *v.* C. I. Stralem et al.;

No. 1171. Thomas W. Miller, as Alien Property Custodian, et al., appellants, *v.* C. I. Stralem et al.;

No. 1172. The United States of America, appellant, *v.* The Equitable Trust Company of New York;

No. 1173. Thomas Woodnutt Miller, Alien Property Custodian, et al., appellants, *v.* The Equitable Trust Company of New York;

No. 1174. The United States of America, appellant, *v.* American National Bank of St. Paul;

No. 1175. Frank White, Treasurer of the United States, et al., appellants, *v.* American National Bank of St. Paul;

No. 1176. The United States of America, appellant, *v.* Henry G. Hilken;

No. 1177. Frank White, Treasurer of the United States, et al., appellants, *v.* Henry G. Hilken;

No. 1178. The United States of America, appellant, *v.* Abraham L. Garbat;

No. 1179. Frank White, Treasurer of the United States, et al., appellants, *v.* Abraham L. Garbat;

No. 1180. The United States, appellant, *v.* Anna Thalmann;

No. 1181. Frank White, Treasurer of the United States, et al., appellants, *v.* Anna Thalmann;

No. 1182. The United States of America, appellant, *v.* Republic Trading Company;

No. 1183. Frank White, Treasurer of the United States, et al., appellants, *v.* Republic Trading Company;

No. 1184. The United States of America, appellant, *v.* Jacob Kaufman;

No. 1185. Frank White, Treasurer of the United States, et al., appellants, *v.* Jacob Kaufman;

No. 1186. The United States of America, appellant, *v.* August Hecksher; and

No. 1187. Frank White, Treasurer of the United States, et al., appellants, *v.* August Hecksher. Joint motion to advance submitted by Mr. Solicitor General Beck for the appellants and by Mr. C. C. Carlin, Mr. M. Carter Hall, Mr. Frederic D. McKenney, and Mr. John Spalding Flannery for the appellees.

No. 1084. Federal Trade Commission, petitioner, *v.* Pacific States Paper Trade Association, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Solicitor General Beck and Mr. W. H. Fuller for the petitioner.

No. 1098. William H. Edwards, Collector of Internal Revenue, Second New York District, petitioner, *v.* Chile Copper Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Beck and Mr. Alfred A. Wheat for the petitioner, and by Mr. Arthur A. Ballantine and Mr. George E. Cleary for the respondent.

No. 77. Lois P. Myers, Administratrix of the Estate of Frank S. Myers, deceased, appellant, *v.* The United States. Leave granted to file printed oral arguments of Mr. Solicitor General Beck for the United States, and of Mr. George Wharton Pepper as amicus curiae, on motion of Mr. Solicitor General Beck in that behalf.

No. 1157. The Texas and Pacific Railway Company, appellant, *v.* Gulf, Colorado & Santa Fe Railway Company. Motion to advance submitted by Mr. Alexander Britton for the appellant.

No. 909. First National Bank of Longview, plaintiff in error, *v.* Henry Jackson. Leave granted to submit petition for a writ of certiorari herein; and petition submitted by Mr. Raymond M. Hudson in behalf of Mr. F. H. Prendergast for the plaintiff in error in support of the petition.

No. 1120. W. Garland Grace et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frank J. Looney for the petitioners.

No. 583. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* The Society of the Sisters of the Holy Names of Jesus and Mary; and

No. 584. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* Hill Military Academy. Motion for leave to file brief of Public School Defense League of the State of Michigan

herein, as *amicus curiae*, submitted by Mr. George William Moore in that behalf; and motion denied.

No. 1051. St. Louis-San Francisco Railway Company, petitioner, *v.* Harry F. Stitt. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. John F. Sharp for the petitioner, and by Mr. Washington E. Hudson for the respondent.

No. 1094. The District of Columbia, petitioner, *v.* Catherine H. Bauer. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. F. H. Stephens and Mr. Robert L. Williams for the petitioner.

No. 1095. J. L. Walker, petitioner, *v.* W. W. Wilkinson, Trustee in Bankruptcy of Walker Grain Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. C. Brandenburg for the petitioner and by Mr. Mark McMahon for the respondent.

No. 1096. J. L. Walker, petitioner, *v.* W. W. Wilkinson, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. C. Brandenburg for the petitioner, and by Mr. Mark McMahon for the respondent.

No. 1099. Alexander Cummings, petitioner, *v.* Wilson & Willard Manufacturing Company and E. C. Wilson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Leonard S. Lyon for the petitioner and by Mr. G. Benton Wilson and Mr. Ford W. Harris for the respondent.

No. 1108. J. L. Walker, petitioner, *v.* W. W. Wilkinson, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. C. Brandenburg for the petitioner and by Mr. Mark McMahon for the respondent.

No. 1109. Massachusetts Bonding and Insurance Company et al., petitioners, *v.* W. W. Wilkinson, Trustee of the Estate of Walker Grain Company, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. C. Brandenburg for the petitioner and by Mr. Mark McMahon for the respondent.

No. 1154. Guaranty Bank & Trust Company, petitioner, *v.* Texas Sulphur Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. A. D. Lipscomb for the petitioner.

No. 960. The United States of America, petitioner, *v.* James Daugherty. Motion for bond and for leave to proceed in forma pauperis herein submitted by Mr. James Daugherty, pro se.

No. 1155. George Cox, plaintiff in error, *v.* The State of Florida. Motion for leave to proceed in forma pauperis herein submitted by Mr. W. D. Bell for the plaintiff in error.

No. 1156. Walker Bryant, plaintiff in error, *v.* The State of Florida. Motion for leave to proceed in forma pauperis herein submitted by Mr. W. D. Bell for the plaintiff in error.

No. 1089. R. O. Bass, plaintiff in error, *v.* The City of Clifton. Motion to affirm submitted by Mr. W. A. Keeling for the defendant in error in support of the motion.

No. 927. Andres Feuntes, petitioner, *v.* The Director of Prisons. On petition for a writ of certiorari to the Supreme Court of the Philippine Islands. Dismissed, pursuant to section 4, rule 37.

No. 970. Humble Oil & Refining Company et al., petitioners, *v.* K. Kishi et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed, pursuant to section 4, rule 37.

Adjourned until Monday, May 25th, next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Robert E. Lynch, of Washington, D. C.; John W. Bennett, of St. Paul, Minn.; Hugh S. Craig, of Pittsburgh, Pa.; J. Vaughn Gary, of Richmond, Va.; S. C. Rowe, of Fort Worth, Tex.; P. Robert G. Sjostrom, of Miami, Fla.; Irwin Ira Rackoff, of New York City; Isidore Hornstein, of Jersey City, N. J.; George B. Vest, of Charlottesville, Va.; Thomas Brown, of Perth Amboy, N. J.; Joseph Conrad Fehr, of Washington, D. C.; L. Earl Curry, of Miami, Fla.; Peyton E. Brown, of Blackwell, Okla.; Sam T. Allen, of Sapulpa, Okla.; Charles F. Murphy, of New York City; Norman B. Landreau, of Washington, D. C.; David Fernandez Lavadia, of Manila, P. I.; Wesley Martin, of Webster City, Iowa; R. J. F. McElroy, of Washington, D. C.; Henry Ravenel, of Washington, D. C.; Lemuel L. Bolles, of Seattle, Wash.; Alexander Raskin, of Jersey City, N. J.; J. D. Barksdale, of Shreveport, La.; Howard B. Warren, of Shreveport, La.; Ellis W. Leavenworth, of New York City; Robert E. Coulson, of New York City; and H. Church Ford, of Georgetown, Ky., were admitted to practice.

No. 546. Domenico Dumbra et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice Stone.

No. 622. Vincent L. Knewel, as Sheriff of Minnehaha County, South Dakota, appellant, *v.* George W. Egan. Appeal from the District Court of the United States for the District of South Dakota. The motion to dismiss the appeal is denied. Motion for substitution of the present sheriff, George Boardman, as the party appellant herein, granted. Motion of the State of South Dakota for leave to intervene herein granted. Order of the District Court discharging the appellee from custody is reversed; and the cause re-

manded to the District Court with direction to remand him to the custody of the present sheriff. Opinion by Mr. Justice Stone.

No. 367. D. S. Sowell, plaintiff in error, *v.* Federal Reserve Bank of Dallas, Texas. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Texas. Opinion by Mr. Justice Stone.

No. 363. Edward Hines Yellow Pine Trustees, petitioners, *v.* Anna F. C. Martin et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of Mississippi. Opinion by Mr. Justice Stone.

No. 191. George R. Meek, petitioner, *v.* Centre County Banking Company et al.;

No. 192. Florence F. Dale, petitioner, *v.* Centre County Banking Company et al.; and

No. 193. Andrew Breeze, petitioner, *v.* Centre County Banking Company et al. On writs of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Middle District of Pennsylvania for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

ORDER

It is ordered by the court that General Order in Bankruptcy No. 8, entitled "Proceedings in partnership cases," and Bankruptcy Form No. 2, entitled "Partnership Petition," be, and are, abrogated and annulled. Order announced by Mr. Justice Sanford.

No. 231. Hidemitsu Toyota *v.* The United States of America. On certificate from the United States Circuit Court of Appeals for the First Circuit. Questions certified answered in the negative. Opinion by Mr. Justice Butler. Dissenting: Mr. Chief Justice Taft.

No. 465. Joab H. Banton, as District Attorney of the County of New York, et al., appellants, *v.* Belt Line Railway Corporation. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Butler.

No. 768. The United States of America, plaintiff in error, *v.* Walter S. Dickey et al. In error to the District Court of the United States for the Western District of Missouri. Judgment affirmed. Opinion by Mr. Justice Sutherland. Mr. Justice Stone took no part in the consideration or decision of this case.

No. 847. The United States of America, plaintiff in error, *v.* The Baltimore Post. In error to the District Court of the United States for the District of Maryland. Judgment affirmed. Opinion by Mr. Justice Sutherland. Mr. Justice Stone took no part in the consideration or decision of this case.

No. 935. The United States ex rel. F. C. Rutz, appellant, *v.* Robert R. Levy, United States Marshal in and for the Northern District of Illinois;

No. 936. The United States ex rel. R. R. Fauntleroy, appellant, *v.* Robert R. Levy, United States Marshal in and for the Northern District of Illinois;

No. 937. The United States ex rel. J. F. Steneck, appellant, *v.* Robert R. Levy, United States Marshal in and for the Northern District of Illinois; and

No. 938. The United States ex rel. Harry C. Wanner, appellant, *v.* Robert R. Levy, United States Marshal in and for the Northern District of Illinois. Appeals from the District Court of the United States for the Northern District of Illinois. Final orders affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 359. The United States, appellant, *v.* Elmo R. Royer. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 348. Realty Holding Company, appellant, *v.* Lavina B. Donaldson. Appeal from the District Court of the United States for the Eastern District of Michigan. Decree affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 11. Wallace Benedict, as Receiver in Bankruptcy of the Hub Carpet Company, petitioner, *v.* Aaron Ratner. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 329. Missouri Pacific Railroad Company, petitioner, *v.* Reynolds-Davis Grocery Company. On writ of certiorari to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 379. Charles Sherwin et al., petitioners, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Northern District of Texas. Opinion by Mr. Justice Brandeis.

No. 443. Ray Consolidated Copper Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment af-

firmed. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice Sutherland.

No. 349. Reuben Weller, plaintiff in error, *v.* The People of the State of New York. In error to the Court of Special Sessions of the City of New York, State of New York. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 417. Real Silk Hosiery Mills, Inc., appellant, *v.* The City of Portland et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Oregon for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 769. Cheung Sum Shee et al. *v.* John D. Nagle, as Commissioner of Immigration. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Question certified answered in the negative. Opinion by Mr. Justice McReynolds.

No. 770. Chang Chan et al. *v.* John D. Nagle, as Commissioner of Immigration. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Question certified answered: The applicants should be refused admission if found to be Chinese wives of American citizens. Opinion by Mr. Justice McReynolds.

No. 680. Mariano Viamonte Fernandez, appellant, *v.* Perley B. Phillips, Marshal of the United States for the District of New Hampshire. Appeal from the District Court of the United States for the District of New Hampshire. Final order affirmed with costs. Opinion by Mr. Justice Holmes.

No. 786. James C. Davis, Federal Agent for Claims Due in Operation of Atlantic Coast Line Railroad Company, petitioner, *v.* E. H. Pringle, as Trustee in Bankruptcy of the Estate of Charles F. Boyd Company (Inc.), Bankrupt; and

No. 787. James C. Davis, Federal Agent for Claims Due in Operation of Seaboard Air Line Railway Company, petitioner, *v.* E. H. Pringle, as Trustee in Bankruptcy of the Estate of Charles F. Boyd Company (Inc.), Bankrupt. On writs of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decrees affirmed with costs; and causes remanded to the District Court of the United States for the Eastern District of South Carolina. Opinion by Mr. Justice Holmes. Mr. Justice Sutherland took no part in the consideration or decision of these cases.

No. 1085. Middleton S. Borland, Trustee, petitioner, *v.* The United States of America. On writ of certiorari to the United Circuit Court of Appeals for the Second Circuit. Judgment re-

versed; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Mr. Justice Sutherland took no part in the consideration or decision of this cause.

No. **322**. North Carolina Railroad Company, petitioner, *v.* C. D. Story, Sheriff of Alamance County, North Carolina, et al. On writ of certiorari to the Supreme Court of the State of North Carolina. Decree reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. **671**. Clyde H. Finley, Receiver, et al., plaintiffs in error, *v.* United Mine Workers of America et al. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed in part and reversed in part; and cause remanded to the District Court of the United States for the Western District of Arkansas for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

No. **960**. The United States of America, petitioner, *v.* James Daugherty. Per curiam: Motion for leave to proceed in forma pauperis granted, upon the authority of the act of June 27, 1922, c. 246, 42 Stat. 666; and John Spalding Flannery, Esq., of Washington, D. C., appointed counsel, upon authority of the act of July 20, 1892, c. 209, sec. 4, 27 Stat. 252. Motion to admit to bail denied. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

Nos. **1165** to **1187**. Frank White, as Treasurer of the United States, and others, *v.* The Mechanics Securities Corporation and others. Motion to advance granted; and cases assigned for argument, as two cases, on Monday, November 2 next, after the cases heretofore assigned for that day.

No. **1157**. The Texas and Pacific Railway Company, appellant, *v.* Gulf, Colorado & Santa Fe Railway Company. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. **369**. Municipal Assembly of Arroyo, Porto Rico, petitioner, *v.* Successors of C. & J. Fantauzzi. Motion to quash writ of certiorari in this cause granted.

No. 774. Andrew G. Patterson et al., appellants, *v.* Mobile Gas Company. On suggestion of diminution of record, the motion for certiorari is granted. It is ordered that the papers set out as Exhibits 1 to 14 of appellants' motion be made a part of the record on appeal; provided that the costs involved in complying with the order and with the subsequent printing shall be imposed upon appellants if it be found that this order was unnecessary.

No. 968. The United States of America ex rel. Omar Lenox Macklem, appellant, *v.* Commissioner of Immigration at the Port of New York. Appeal from the District Court of the United States for the Southern District of New York. Per curiam: Motion to admit to bail denied, and cause transferred to the Circuit Court of Appeals for the Second Circuit, upon the authority of (1) the act of September 14, 1922, c. 305, 42 Stat. 827; *Heitler v. United States*, 260 U. S. 438, 439; (2) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195.

No. 830. Banco di Roma, plaintiff in error, *v.* Philippine National Bank. In error to the Supreme Court of the State of New York. Per curiam: Dismissed for want of jurisdiction on authorities cited.

No. 593. G. W. Coffee et al., plaintiffs in error, *v.* Joseph F. Gray, Receiver of the Tallulah Falls Railway Company, et al. In error to the Supreme Court of the State of Georgia. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *South Carolina v. Seymour*, 153 U. S. 353; *United States ex rel. Taylor v. Taft*, 203 U. S. 461, 464, 465; *United States ex rel. Champion Lumber Co. v. Fisher*, 227 U. S. 445; *Philadelphia & Reading Coal & Iron Co. v. Gilbert*, 245 U. S. 162.

No. 413. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* Ernest J. Goneau. Further consideration of the motion to dismiss postponed to the hearing of the case on the merits; and case advanced and placed on the summary docket for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 930. Fidelity National Bank & Trust Company of Kansas City et al., appellants, *v.* Felix H. Swope et al. Motion to dismiss denied.

No. 1155. George Cox, plaintiff in error, *v.* The State of Florida; and

No. 1156. Walker Bryant, plaintiff in error, *v.* The State of Florida. In error to the Supreme Court of the State of Florida. Per curiam: Dismissed for want of jurisdiction ex mero motu, upon

the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6. Motion to proceed as poor persons denied.

No. 866. Chicago and North Western Railway Company, petitioner, *v. Alvin R. Durham Company et al.* Petition for a writ of certiorari to the Supreme Court of the State of Michigan granted.

No. 1084. Federal Trade Commission, petitioner, *v. Pacific States Paper Trade Association, etc., et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 1098. William H. Edwards, Collector of Internal Revenue, Second New York District, petitioner, *v. Chile Copper Company.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 919. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v. Board of Railroad Commissioners of the State of South Dakota.* Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 859. James C. Davis, Director General, etc., petitioner, *v. Catherine Lind, Administratrix.* Petition for a writ of certiorari to the Court of Appeals of Hamilton County, State of Ohio, denied.

No. 887. Emelie W. Peacock, appellant, *v. Mabel G. Reinecke, Collector, etc.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 909. First National Bank of Longview, plaintiff in error, *v. Henry Jackson.* Petition for a writ of certiorari herein denied.

No. 975. Tampico Banking Company, S. A., petitioner, *v. R. S. Barber.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 978. Little Six Oil Company, petitioner, *v. Marie T. Emerson et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1016. The Commerce-Guardian Trust & Savings Bank, petitioner, *v. The State of Michigan et al.* Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 1051. St. Louis-San Francisco Railway Company, petitioner, *v. Harry F. Stitt.* Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 1056. Chickasha Cotton Oil Company, petitioner, *v. Homer N. Chapman et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1094. The District of Columbia, petitioner, *v.* Catherine H. Bauer. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1095. J. L. Walker, petitioner, *v.* W. W. Wilkinson, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1096. J. L. Walker, petitioner, *v.* W. W. Wilkinson, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1099. Alexander Cummings, petitioner, *v.* Wilson & Willard Manufacturing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1108. J. L. Walker, petitioner, *v.* W. W. Wilkinson, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1109. Massachusetts Bonding & Insurance Company et al., petitioners, *v.* W. W. Wilkinson, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1120. W. Garland Grace et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1154. Guaranty Bank & Trust Company, petitioner, *v.* Texas Sulphur Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 19, original. The United States of America, complainant, *v.* The State of Minnesota. Motion that printing of record be directed, and that cause be set for argument, submitted by Mr. Alfred A. Wheat for the complainant.

No. 1133. The United States, appellant, *v.* New York, New Haven & Hartford Railroad Company;

No. 1134. The United States, appellant, *v.* Central New England Railway Company;

No. 1135. The United States, appellant, *v.* New England Steamship Company;

No. 1257. The United States, appellant, *v.* Baltimore & Ohio Railroad Company; and

No. 1258. The United States, appellant, *v.* Baltimore & Ohio Railroad Company. Motions to advance submitted by Mr. Alfred A. Wheat for the United States.

No. 1136. The United States, appellant, *v.* The Reading Company;
No. 1137. The Reading Company, appellant, *v.* The United States;
No. 1138. The United States, appellant, *v.* Southern Railway
Company; and

No. 1139. The United States, appellant, *v.* The St. Louis, Brownsville & Mexico Railway Company. Motions to advance and set for argument with No. 292, submitted by Mr. Alfred A. Wheat for the United States, and by Mr. L. T. Michener for the appellee in No. 1136 and appellant in No. 1137.

No. 1249. The United States of America, plaintiff in error, *v.* Reuel D. Robbins, Jr., et al., executors. Motion to advance submitted by Mr. Alfred A. Wheat for the plaintiff in error.

No. 1145. Federal Trade Commission, petitioner, *v.* Western Meat Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Alfred A. Wheat, Mr. Solicitor General Beck, and Mr. W. H. Fuller for the petitioner and by Mr. Jeremiah F. Sullivan for the respondent.

No. 1203. Charles V. Duffy, Former Collector, petitioner, *v.* The Mutual Benefit Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Alfred A. Wheat and Mr. Solicitor General Beck for the petitioner, and by Mr. John O. H. Pitney for the respondent.

No. 1224. The United States of America, petitioner, *v.* One Ford Coupe Automobile No. 4776501, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alfred A. Wheat, Mr. Solicitor General Beck, and Assistant Attorney General Willebrandt for the petitioner, with leave to counsel for the respondent to file a reply on or before Thursday next.

No. 1261. The United States of America, petitioner, *v.* Butterworth-Judson Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alfred A. Wheat for the petitioner and by Mr. Eldon Bisbee and Mr. Bertram F. Shipman for the respondent.

No. 1161. The United States, appellant, *v.* The Yale & Towne Manufacturing Company. Motion to advance submitted by Mr. William G. Henderson in that behalf.

No. 1121. Royal Mineral Association et al., appellants, *v.* Samuel Lord et al.;

No. 1124. Merrimac Mining Company, appellant, *v.* Samuel Lord et al., etc.;

No. 1025. Lake Superior Consolidated Iron Mines et al., appellants, *v.* Samuel Lord et al., etc.;

No. 1060. George L. Burrows, Jr., et al., etc., appellants, *v.* Samuel Lord et al.; and

No. 1220. Helen P. Bardwell et al., appellants, *v.* Sargent Land Company et al. Motion to advance submitted by Mr. Walter H. Newton in behalf of Clifford L. Hilton, G. A. Youngquist, and Patrick J. Ryan for the appellees.

No. 1194. Acme Foundry & Machine Company, petitioner, *v.* The Oil Well Improvements Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles Ray Dean and Mr. Luther Ely Smith for the petitioner.

No. 775. Beatrice J. Weston et al., plaintiffs in error, *v.* The City of Tulsa et al. Statement of points to be relied upon and motion to overrule designation of defendants in error as to printing record submitted by Mr. Robert Ash in behalf of Mr. Louis W. Pratt and Mr. James M. Springer for the plaintiffs in error in support of the motion, and by Mr. R. C. Allen, Mr. I. J. Underwood, and Mr. H. D. Bland for the defendants in error in opposition thereto.

No. 909. First National Bank of Longview, plaintiff in error, *v.* Henry Jackson. Motion to dismiss or affirm submitted by Mr. Robert Ash in behalf of Mr. R. E. Taylor for the defendant in error in support of the motion, and by Mr. F. H. Prendergast for the plaintiff in error in opposition thereto.

No. 982. Western Paper Makers' Chemical Company et al., appellants, *v.* The United States of America et al. Suggestion of diminution of the record and motion for writ of certiorari submitted by Mr. Robert Ash in behalf of Mr. Harry C. Howard for the appellant, and by Mr. Solicitor General Beck, Mr. Blackburn Esterline, and Mr. J. P. Farrell for the appellees.

No. 285. Southern Pacific Company, appellant, *v.* The United States. Mandate granted, on motion of Mr. Charles H. Bates for the appellant.

No. 195. John W. Murphy, Attorney General of the State of Arizona, et al., appellants, *v.* A. Sardell. Leave granted to file brief herein as amicus curiae, on motion of Mr. Warren H. Pillsbury for the Industrial Welfare Commission of the State of California.

No. 1253. Philip Leschnik, petitioner, *v.* Catherine C. Frier, as Trustee of the Estate in Bankruptcy of Sol J. Leschnik. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Ben A. Matthews for the petitioner and by Catherine C. Fries Pro Se.

No. 1004. The National Shawmut Bank of Boston, plaintiff in error, *v.* The City of Boston. Motion to dismiss or affirm submitted by Mr. William Harold Hitchcock and Mr. John A. Sullivan for the defendant in error in support of the motion and by Mr. Robert H. Holt for the plaintiff in error in opposition thereto.

No. 420. Thomas W. Miller, Alien Property Custodian, et al., petitioners, *v.* Benjamin Guinness; and

No. 421. Benjamin Guinness et al., petitioners, *v.* Thomas W. Miller, Alien Property Custodian, et al. Frederick C. Hicks, present Alien Property Custodian, substituted as a party petitioner in No. 420 and as a party respondent in No. 421, in place of Thomas W. Miller, resigned, on motion of Mr. Leslie C. Garnett in that behalf.

No. 1201. George Chaprales, appellant, *v.* W. I. Biddle, Warden, etc. Motion to advance and to admit to bail submitted by Mr. Albert S. Marley for the appellant; with leave to Mr. Alfred A. Wheat for the appellee to file reply thereto on or before Thursday next.

No. 1151. Terrence Druggan, appellant, *v.* Palmer E. Anderson, United States Marshal, et al. Motion to admit appellant to bail pending appeal, or, in the alternative, to advance case for hearing, submitted by Mr. Michael J. Ahearn and Mr. Thomas D. Nash for the appellant.

No. 1193. Lazarus G. Joseph et al., petitioners, *v.* John Bordman et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands, and motion for supersedeas, submitted by Mr. Henry D. Green and Mr. John W. Clifton for the petitioners.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; and The United States of America, intervener. Final report of receiver received and filed, on motion of Mr. John Spalding Flannery in that behalf.

No. 1138. The United States, appellant, *v.* Southern Railway Company. Motion to advance submitted by Mr. Lawrence H. Cake in behalf of Mr. J. Harry Covington and Mr. Spencer Gordon for the appellee.

No. 1139. The United States, appellant, *v.* St. Louis, Brownsville & Mexico Railway Company. Motion to advance and set for argument with No. 292 submitted by Mr. Lawrence H. Cake and Mr. Alexander Britton for the appellee.

No. 1254. Albert Ottinger, as Attorney General of the State of New York, appellant, *v.* New York and Queens Gas Company. Appeal from the District Court of the United States for the Southern District of New York. Docketed and dismissed with costs, on motion of Mr. Robert E. Coulson for the appellee.

No. 1119. Southern Pacific Company, petitioner, *v.* Viola Massey, Administratrix. Petition for a writ of certiorari to the District Court of Appeals, Third Appellate District, of the State of California, submitted by Mr. C. F. R. Ogilby in behalf of Mr. William H. Devlin and Mr. Robert T. Devlin for the petitioner, and by Mr. Francis Carr for the respondent.

No. 1079. Robert T. Brown, Jr., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Erle Pettus and Mr. James A. Cobb for the petitioner, and by Mr. Solicitor General Beck and Mr. Harry S. Ridgely for the respondent.

No. 1111. American Shipbuilding & Dock Corporation, Claimant of the Barge *Amsadoc*, etc., et al., petitioners, *v.* John Rourke & Sons. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George T. Cann for the petitioners, and by Mr. A. A. Lawrence for the respondent.

No. 1115. W. H. L. Newingham et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Bernard B. McGinnis for the petitioners.

No. 1118. Charles Schopp, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alexander S. Drescher for the petitioner.

No. 1128. William Van Engelen, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James G. Moore for the petitioner.

No. 1147. The People of the State of New York ex rel. International Bridge Company, petitioner, *v.* State Tax Commission. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Adelbert Moot and Helen Z. M. Rodgers for the petitioner, and by Mr. Albert Ottinger and Mr. Frederic C. Rupp for the respondent.

No. 1152. S. C. Grigsby et al., Administrators, petitioners, *v.* The Southern Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. T. Kennerly for the petitioners, and by Mr. Charles H. Smith for the respondent.

No. 1158. S. J. Craig, petitioner, *v.* W. S. Langmade, as Executor, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. Joseph M. Stark for the petitioner, and by Mr. H. O. Caster for the respondent.

No. 1163. James Duignan, appellant, *v.* The United States of America et al. Petition for a writ of certiorari herein submitted by Mr. Charles H. Tuttle for the appellant in support of the petition, and by Mr. John W. Davis for the respondent.

No. 1188. Edgar F. Hiatt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James W. Noel for the petitioner.

No. 1189. Marion E. Marks, petitioner, *v.* Carl Bauers et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. A. I. Moulton for the petitioner and by Mr. Elton Watkins for the respondent.

No. 1190. John Carlton Dysart, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. W. Morrow and Mr. J. H. Hutchins for the petitioner.

No. 1192. Morgan's Louisiana and Texas Railroad and Steamship Company et al., petitioners, *v.* F. A. Cocke. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles N. Burch, Mr. Harry McCall, Mr. Victor Leovy, and Mr. H. D. Minor for the petitioners, and by Mr. Frederick H. Lotterhos and Mr. George Butler for the respondents.

No. 1199. Leo A. Price, as Receiver in Equity of J. M. Gidding & Company, Inc., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Godfrey Goldmark for the petitioner.

No. 1200. James Scott, plaintiff in error, *v.* Morris National Bank of Morris. Petition for a writ of certiorari herein submitted by Mr. Lewis C. Lawson for the plaintiff in error in support of the petition.

No. 1208. Harman W. McMahon, petitioner, *v.* Montour Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. C. D. Scully for the petitioner and by Mr. Don Rose for the respondent.

No. 1211. Hartford Fire Insurance Company, petitioner, *v.* Wilson & Toomer Fertilizer Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Daniel MacDougald and Mr. E. M. Underwood for the petitioner and by Mr. George C. Bedell for the respondent.

No. 1212. General Baking Company, petitioner, *v.* James H. Gorman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Ellis W.

Leavenworth, Mr. Julius M. Mayer, and Mr. F. P. Warfield for the petitioner and by Mr. Daniel C. O'Donoghue for the respondent.

No. 1218. State Oil Corporation, petitioner, *v.* T. J. Gilbreath. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Barry Mohun for the petitioner and by Mr. R. N. Grisham and Mr. J. S. Grisham for the respondent.

No. 1222. Mrs. Vannye Gilmer, Administratrix, etc., petitioner, *v.* Yazoo & Mississippi Valley Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Lomax M. Smith for petitioner and by Mr. Charles N. Burch, Mr. H. D. Minor, and Mr. Marion G. Evans for the respondent.

No. 1223. Vapor Car Heating Company, Inc., et al., petitioners, *v.* Gold Car Heating & Lighting Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Otto Raymond Barnett for the petitioner and Mr. William A. Redding and Mr. Arthur C. Fraser for the respondents.

No. 1226. Joseph DiCarlo, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas L. Newton for the petitioner and by Mr. Solicitor General Beck and assistant to the Attorney General Donovan for the respondent.

No. 1227. Joseph Ruffino, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Ernest W. McIntyre and Mr. Thomas L. Newton for the petitioner, and by Mr. Solicitor General Beck and Mr. Assistant Attorney General Donovan for the respondent.

No. 1230. American Railway Express Company, petitioner, *v.* F. S. Royster Guano Company. Petition for a writ of certiorari to the Special Court of Appeals of the State of Virginia submitted by Mr. Charles W. Stockton and Mr. Kenneth E. Stockton for the petitioner.

No. 1231. Union Petroleum Steamship Company, petitioner, *v.* William H. Edwards, Formerly Collector, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Delbert M. Tibbetts for the petitioner, and by Mr. Solicitor General Beck for the respondent.

No. 1237. I. A. Silverberg et al., appellants, *v.* The United States of America. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. F. Weeks for the appellants in support of the petition.

No. **1245.** Washburn Crosby Company, petitioner, *v.* France Milling Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William J. Hughes, Mr. Edward S. Rogers, Mr. Harry D. Nims, and Mr. Minturn DeS. Verdi for the petitioner, and by Mr. Samuel Darby for the respondent.

No. **1252.** Frank E. Stripe et al., Receivers, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Ben A. Matthews for the petitioners.

No. **1256.** Samuel A. Myers et al., petitioners, *v.* International Trust Company. Petition for a writ of certiorari to the Superior Court for the County of Suffolk, State of Massachusetts, submitted by Mr. Edward F. McClennen for the petitioner, and by Mr. John R. Lazenby for the respondent.

Adjourned until Monday, June 1 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Isidore Hershfield, of New York City; William F. Zumbrunn, of Washington, D. C.; Ben H. Sullivan, of Atlanta, Ga.; Frank Hall Stephens, of Chicago, Ill.; Raymond G. Koenig, of Washington, D. C.; John H. Wootton, of Salt Lake City, Utah; Henry Simms, of Huntington, W. V.; Lewis A. Staker, of Huntington, W. Va.; Manuel A. Alzate, of Manila, P. I.; Henry A. Cox, of Washington, D. C.; Joseph A. Cantrel, of Washington, D. C.; J. Forrest Reilly, of Washington, D. C.; Charles Leviton, of Chicago, Ill.; Joseph G. Slottow, of Chicago, Ill.; John E. Marshall, of Greenville, S. C.; Wright Clark, of Red Oak, Iowa; Franklin D. Adams, of Miami, Okla.; William A. Moore, of Chicago, Ill.; E. Lee Noble, of Washington, D. C.; Frank J. Sloan, of Mount Rainier, Md.; Walter H. Buck, of Baltimore, Md.; James Morfit Mullen, of Baltimore, Md.; Moses J. Konnoson, of New York City; Max Rhoades, of Washington, D. C.; and Ray Van Cott, of Salt Lake City, Utah, were admitted to practice.

No. 362. Second Russian Insurance Company, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, et al. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Stone.

No. 342. Maple Flooring Manufacturers Association et al., appellants, *v.* The United States of America. Appeal from the District Court of the United States for the Western District of Michigan. Decree reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Stone. Dissenting: Mr. Justice McReynolds, Mr. Justice Sanford, and Mr. Chief Justice Taft.

No. 551. Cement Manufacturers Protective Association et al., appellants, *v.* The United States of America. Appeal from the Dis-

trict Court of the United States for the Southern District of New York. Decree reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Stone. Dissenting: Mr. Justice McReynolds, Mr. Justice Sanford, and Mr. Chief Justice Taft.

No. 40. The United States of America, petitioner, *v.* Gulf Refining Company. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Motion to dismiss denied. Judgment affirmed; and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Butler.

No. 236. Walter L. Marr, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds, Mr. Justice Van Devanter, Mr. Justice Sutherland, and Mr. Justice Butler.

No. 53. Joshua W. Miles, Formerly United States Collector of Internal Revenue for the District of Maryland, plaintiff in error, *v.* Samuel J. Graham. In error to the District Court of the United States for the District of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Brandeis.

No. 583. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* The Society of the Sisters of the Holy Names of Jesus and Mary; and

No. 584. Walter M. Pierce, as Governor of the State of Oregon, et al., appellants, *v.* Hill Military Academy. Appeals from the District Court of the United States for the District of Oregon. Decrees affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener.

ORDER.

On consideration of the final report of the receiver, presented a week ago, it is ordered that the accounts, disbursements, and transactions of the receiver shown in the report be approved.

And it appearing that all of the property and moneys which came into the possession of the receiver have been disposed of, disbursed, and paid out in compliance with the instructions and orders of the court; that all of the expenses of the receivership have been paid; that the receiver has stored the books of account, records, and files of the receivership with the Security Storage Company of Washington, D. C., and has delivered the same as stored to the clerk of the

court, as directed in the order of May 11 last; and that the receivership has served its purpose and is now ready to be closed:

It is considered, ordered, and decreed that the receivership in this cause be, and it now is, declared at an end, and that the receiver be, and he now is, relieved and discharged from further duty, obligation, and responsibility in the premises.

In terminating the receivership, the court expresses its high appreciation of the admirable service of the receiver in satisfactorily managing a large estate in novel and difficult circumstances.

Order announced by Mr. Justice Van Devanter.

No. 122. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 123. Helen C. Frick, plaintiff in error, *v.* Commonwealth of Pennsylvania;

No. 124. Adelaide H. C. Frick et al., etc., plaintiffs in error, *v.* Commonwealth of Pennsylvania; and

No. 125. Adelaide H. C. Frick et al., etc., plaintiffs in error, *v.* Commonwealth of Pennsylvania. In error to the Supreme Court of the State of Pennsylvania. Petition for writs of certiorari herein denied. Judgments reversed with costs; and causes remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 370. Juan Perez Cami, Municipal Commissioner of Finance, petitioner, *v.* Central Victoria, Limited. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for Porto Rico. Opinion by Mr. Justice Holmes.

No. 998. Meyer Selzman, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of Ohio. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

No. 1133. The United States, appellant, *v.* The New York, New Haven & Hartford Railroad Company;

No. 1134. The United States, appellant, *v.* Central New England Railway Company;

No. 1135. The United States, appellant, *v.* The New England Steamship Company;

No. 1257. The United States, appellant, *v.* Baltimore & Ohio Railroad Company;

No. 1258. The United States, appellant, *v.* Baltimore & Ohio Railroad Company;

No. 1136. The United States, appellant, *v.* Reading Company;

No. 1137. Reading Company, appellant, *v.* The United States;

No. 1138. The United States, appellant, *v.* Southern Railway Company; and

No. 1139. The United States, appellant, *v.* The St. Louis, Brownsville & Mexico Railway Company. Motions to advance to be heard with No. 292, as two cases only, granted; and cases assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 1249. The United States of America, plaintiff in error, *v.* Reuel D. Robbins, Jr., et al., Executors, etc. Motion to advance granted; and cause assigned for argument on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 1161. The United States, appellant, *v.* The Yale & Towne Manufacturing Company. Motion to advance granted; and cause placed on the summary docket and assigned for argument after No. 1026, on Monday, November 2 next.

No. 1121. Royal Mineral Association et al., appellants, *v.* Samuel Lord et al.;

No. 1124. Merrimac Mining Company, appellant, *v.* Samuel Lord et al.;

No. 1025. Lake Superior Consolidated Iron Mines et al., appellants, *v.* Samuel Lord et al.;

No. 1060. George L. Burrows, Jr., et al., appellants, *v.* Samuel Lord et al.; and

No. 1220. Helen P. Bardwell et al., appellants, *v.* Sargent Land Company et al. Motion to advance granted; and cases assigned for argument, as four cases, on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 1089. R. O. Bass, plaintiff in error, *v.* The City of Clifton. In error to the Court of Civil Appeals for the Tenth Supreme Judicial District of the State of Texas. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Graham*, 253 U. S. 193, 195.

No. 909. First National Bank of Longview, plaintiff in error, *v.* Henry Jackson. In error to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. **1004.** The National Shawmut Bank of Boston, plaintiff in error, *v.* The City of Boston. In error to the District Court of the United States for the District of Massachusetts. Per curiam: Transferred to the United States Circuit Court of Appeals for the First Circuit upon the authority of (1) act of September 14, 1922, c. 305, 42 Stat. 827; (2) Aspen Mining & Smelting Co. *v.* Billings, 150 U. S. 31, 37; Brown *v.* Alton Water Co., 222 U. S. 325, 332-333; Metropolitan Water Co. *v.* Kaw Valley Drainage District, 223 U. S. 19, 522; Union Trust Co. *v.* Westhus, 228 U. S. 519, 522-523; Shapiro *v.* United States, 235 U. S. 412, 416.

No. **19,** original. The United States, complainant, *v.* The State of Minnesota. Motion to print the record granted; and cause assigned for argument on Monday, October 5 next, after the cases heretofore assigned for that day.

No. **775.** Beatrice J. Weston et al., plaintiffs in error, *v.* The City of Tulsa et al. Ordered that plaintiffs in error be permitted to print the matter designated, provided that they be confined to the questions properly covered by the parts of the record printed.

No. **982.** Western Paper Makers' Chemical Company et al., appellants, *v.* The United States of America et al. On suggestion of diminution of the record and motion for certiorari it is ordered that appellants be permitted to print the matter they will designate as enough for their purpose and to confer with counsel for the United States to agree if possible upon a short statement showing the scope of the whole evidence to enable the court to consider the issue whether there is any evidence supporting the finding of the commission.

No. **1151.** Terrence Druggan, appellant, *v.* Palmer E. Anderson, United States Marshal, etc., et al. Motion to admit to bail denied. Case advanced, and assigned for argument on Monday, October 5 next, after the cases heretofore assigned for that day.

No. **1145.** Federal Trade Commission, petitioner, *v.* Western Meat Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. **1192.** Morgan's Louisiana and Texas Railroad and Steamship Company et al., petitioners, *v.* F. A. Cocks. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. **1193.** Lazarus G. Joseph et al., petitioners, *v.* John Bordman et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. **1199.** Leo A. Price, as Receiver in Equity of J. M. Gidding & Company, Inc., petitioner, *v.* The United States of America. Peti-

tion for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1203. Charles V. Duffy, Former Collector of Internal Revenue, petitioner, *v.* The Mutual Benefit Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 1208. Harman W. McMahon, petitioner, *v.* Montour Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania granted.

No. 1252. Frank E. Stripe et al., as Receivers in Equity of Johnson Shipyards Corporation, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1256. Samuel A. Myers et al., Copartners as S. A. and H. Myers, petitioners, *v.* International Trust Company. Petition for a writ of certiorari to the Superior Court for the County of Suffolk, State of Massachusetts, granted.

No. 1261. The United States of America, petitioner, *v.* Butterworth-Judson Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1224. The United States of America, petitioner, *v.* One Ford Coupe Automobile, No. 4,776,501, Alabama License No. 10978, Garth Motor Company, claimant. Petition for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted; and cause advanced and assigned for argument, on the summary docket, on Monday, November 2 next, after the cases heretofore assigned for that day.

No. 1079. Robert T. Brown, Jr., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1111. American Shipbuilding & Dock Corporation, Claimant of the Barge *Amsadoc*, etc., and American Surety Company, petitioners, *v.* John Rourke & Sons. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1115. W. H. L. Newingham et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1118. Charles Schopp, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1119. Southern Pacific Company, petitioner, *v.* Viola Massey, as Administratrix of the Estate of Arthur Ralph Massey, deceased. Petition for a writ of certiorari to the District Court of Appeals, Third Appellate District, of the State of California, denied.

No. 1128. William Van Engelen, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1147. The People of the State of New York *ex rel.* International Bridge Company, petitioner, *v.* State Tax Commission. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 1152. S. C. Grigsby et al., Administrators of R. L. Grigsby, deceased, petitioners, *v.* The Southern Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1158. S. J. Craig, petitioner, *v.* W. S. Langmade, as Executor, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 1188. Edgar F. Hiatt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit court of Appeals for the Seventh Circuit denied.

No. 1189. Marion E. Marks, petitioner, *v.* Carl Bauers et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1194. Acme Foundry & Machine Company, petitioner, *v.* The Oil Well Improvements Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1211. Hartford Fire Insurance Company, petitioner, *v.* Wilson & Toomer Fertilizer Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1212. General Baking Company, petitioner, *v.* James H. Gorman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1218. States Oil Corporation, petitioner, *v.* T. J. Gilbreath. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1222. Mrs. Vannye Gilmer, Administratrix, etc., petitioner, *v.* Yazoo & Mississippi Valley Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1223. Vapor Car Heating Company, Inc., et al., appellants, *v.* Gold Car Heating & Lighting Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1226. Joseph DiCarlo, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1227. Joseph Ruffino, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1231. Union Petroleum Steamship Company, petitioner, *v.* William H. Edwards, Formerly Collector. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1237. I. A. Silverberg et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1245. Washburn Crosby Company, petitioner, *v.* France Milling Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1253. Philip Leschnik, petitioner, *v.* Catherine C. Frier, as Trustee of the Estate in Bankruptcy of Sol J. Leschnik. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 992. S. H. Davis et al., plaintiffs in error, *v.* Alice Williford et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 1163. James Duignan, appellant, *v.* The United States of America et al. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the appeal.

No. 1270. The United States of America, appellant, *v.* The Chemical Foundation, Incorporated. Motion to advance submitted by Mr. Blackburn Esterline for the appellant.

No. 430. Merriam & Millard Company, plaintiff in error, *v.* Chicago, Burlington & Quincy Railroad Company. Motion to dismiss or affirm submitted by Mr. T. Byron Clark, Mr. Bruce Scott, and Mr. Kenneth F. Burgess for the defendant in error in support of the motion; with leave to counsel for the plaintiff in error to file reply on or before Saturday next.

No. 348. Realty Holding Company, appellant, *v.* Lavina B. Donaldson. Leave granted to withdraw the appearance of Mr. Alfred

Lucking as counsel for the appellant herein, on motion of Mr. E. W. Bradford in that behalf.

No. 135. Nampa & Meridian Irrigation District, appellant, *v.* J. B. Bond, Project Manager, etc., et al. Leave granted to present petition for a rehearing within 10 days from the adjournment of the present term, on motion of Mr. Will R. King for the appellant.

No. 1078. The State of Missouri at the relation and to the use of Wabash Railway Company et al., plaintiffs in error, *v.* The Public Service Commission of Missouri et al. Motion to submit motion to advance denied for want of proper notice.

No. 686. Henry F. duPont, plaintiff in error, *v.* Cornelius R. Miller, as Director of Public Works and Buildings, etc., et al. Motion to dismiss or affirm submitted by Mr. Clyde L. Day, Mr. Edward J. Brundage, Mr. Ednyfed H. Williams, and Mr. Rufus F. Robinson for Cornelius R. Miller, as Director of Public Works and Buildings, a defendant in error, in support of the motion and by Mr. Angus Roy Shannon in opposition thereto.

No. 287. Western Pacific Railroad Company, appellant, *v.* The United States. Mandate granted, on motion of Mr. George Francis Williams for the appellant.

No. 1268. D. E. Weaver, Chief of the Bureau of Inspection of the Department of Labor and Industry of the Commonwealth of Pennsylvania, appellant *v.* The Palmer Brothers Company. Motion to advance submitted by Mr. Frank Davis, jr., in that behalf.

No. 1193. Lazarus G. Joseph et al., petitioners, *v.* John Bordman et al. Motion for supersedeas submitted by Mr. Henry D. Green for the petitioners.

No. 614. William Locke Paddon, petitioner, *v.* Una Margaret Locke Paddon. On petition for a writ of certiorari to the Supreme Court of the State of California. Dismissed for want of prosecution.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Franklin Clyde Baggary, of Washington, Va.; John T. Fowler, jr., of Washington, D. C.; Charles A. Colton, of Boston, Mass.; Lester E. Barrett, of Farmville, N. C.; J. L. Zumwalt, of Dallas, Tex.; Fred Donald Enfield, of Lincoln, Nebr.; H. A. B. Schwartz, of Washington, D. C.; Mark J. Ryan, of New York City; Guy Patten, of Vinita, Okla.; Leonidas Franklin Summerall, of Atlanta, Ga.; George S. Evans, of Oklahoma City, Okla.; William D. Rockwood, of Washington, D. C.; George W. Fenimore, of Los Angeles, Calif.; Miller Hughes, of Wickliffe, Ky.; John Hunt Hendrickson, of Portland, Oreg.; Hartson C. McCall, of Washington, D. C.; Theodore Cogswell, of Washington, D. C.; Sterling Douglas Carr, of San Francisco, Calif.; Philip H. Mecom, of Shreveport, La.; Robert McKerness Foster, of Washington, D. C.; Milus A. Nisbet, of Washington, D. C.; Marie Stirlith Ruth, of Wilmington, Del.; Mary L. Dee, of Campbell, N. Y.; and T. S. Settle, of Richmond, Va., were admitted to practice.

The Attorney General introduced the Honorable William D. Mitchell, of Minnesota, Solicitor General of the United States; and it was ordered that his commission be recorded.

No. **331.** James C. Davis, Agent, plaintiff in error, *v.* L. L. Cohen & Company, Inc. In Error to the Superior Court of Bristol County of the State of Massachusetts. Petition for a writ of certiorari herein denied. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sanford.

No. **336.** B. F. Lee et al., plaintiffs in error, *v.* Osceola & Little River Road Improvement District No. 1 of Mississippi County,

Arkansas. In Error to the Supreme Court of the State of Arkansas. Petition for a writ of certiorari herein denied. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 350. The People of the State of New York ex rel. Rosevale Realty Company, Inc., plaintiff in error, *v.* Albert E. Kleinert, as Superintendent of the Bureau of Buildings of the Borough of Brooklyn, City of New York, et al. In Error to the Supreme Court of the State of New York. Writ of error dismissed with costs. Opinion by Mr. Justice Sanford.

No. 19. Benjamin Gitlow, plaintiff in error, *v.* The People of the State of New York. In Error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Sanford. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis.

No. 324. William H. Edwards, Formerly United States Collector of Internal Revenue for the Second District of New York, plaintiff in error, *v.* The Cuba Railroad Company. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 346. William Danzer & Company, Inc., plaintiff in error, *v.* Gulf & Ship Island Railroad Company. In Error to the District Court of the United States for the Southern District of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 739. D. B. Robertson, appellant, *v.* Railroad Labor Board. Appeal from the District Court of the United States for the Northern District of Illinois. Decree reversed with costs. Opinion by Mr. Justice Brandeis.

No. 653. The United States of America, petitioner, *v.* O. B. Fish. On a writ of certiorari to the United States Court of Customs Appeals. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

No. 360. The United States, appellant, *v.* Daniel Noce. Appeal from the Court of Claims. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Per Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:

No. 1201. George Chaprales, appellant, *v.* W. I. Biddle, Warden, etc. Appeal from the District Court of the United States for the District of Kansas. Per curiam: Decree affirmed ex mero motu, upon the authority of *Ex parte Parks*, 93 U. S. 18; *Ex parte*

Yarborough, 110 U. S. 651; *Henry v. Henkel*, 235 U. S. 219; *McMicking v. Shields*, 238 U. S. 99.

No. 430. *Merriam & Millard Company*, plaintiff in error, *v. Chicago, Burlington & Quincy Railroad Company*. In Error to the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction, upon the authority of *Baker v. White*, 92 U. S. 176, 179; *United States v. Beatty*, 232 U. S. 463, 466; *Collins v. Miller*, 252 U. S. 364, 370.

No. 538. *St. Louis and Hannibal Railroad Company*, plaintiff in error, *v. Mary Jackman*. In Error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction, upon the authority of Sec. 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 1270. *The United States of America*, appellant, *v. The Chemical Foundation, Inc.* Motion to advance granted, and cause assigned for argument on Monday, November 2d next, after the cases heretofore assigned for that day.

No. 1268. *D. E. Weaver*, Chief of the Bureau of Inspection in Pittsburgh of the Department of Labor and Industry of the Commonwealth of Pennsylvania, appellant, *v. The Palmer Brothers Company*. Motion to advance granted, and cause assigned for argument on Monday, November 2d next, after the cases heretofore assigned for that day.

No. 1261. *The United States of America*, petitioner, *v. Butterworth-Judson Corporation*. Motion to advance granted, and cause assigned for argument with No. 706 heretofore assigned for Monday, November 2d next.

No. 1193. *Lazarus G. Joseph et al.*, petitioners, *v. John Bordman et al.* On certiorari. Motion for supersedeas granted, provided that the petitioner gives bond in the sum of \$3,000 conditioned to cover all damages accruing from the granting of the supersedeas; and also provided that the respondent may vacate the supersedeas on giving bond in the sum of \$10,000 in this court conditioned for the payment of the judgment against Behn Meyer & Company in case it shall be held by this court that the petitioner was properly appointed receiver and was charged with the duty of collecting judgment.

No. 1024. *Continental Casualty Company et al.*, petitioners, *v. Alfred W. Agee, Administrator*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 1190. John Carlton Dysart, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 758. Southern Railway Company, plaintiff in error, *v.* Commonwealth of Kentucky, etc.; and

No. 759. James C. Davis, Director General, etc., plaintiff in error, *v.* Commonwealth of Kentucky, etc. Further consideration of the petition for writs of certiorari in these cases postponed until the hearing on the writs of error.

No. 1230. American Railway Express Company, petitioner, *v.* F. S. Royster Guano Company. Petition for a writ of certiorari to the Special Court of Appeals of the State of Virginia granted, and cause assigned for argument with No. 268 heretofore assigned for Monday, November 2d next, as one case.

No. 227. Lucy Ward Stebbins and Frank J. Hurley, as Executrix and Executor, etc., plaintiffs in error, *v.* Ray L. Riley, Controller of the State of California. Order: It is ordered by this court that the opinion heretofore filed be amended by inserting on page 6, line 17, after the word "estate," and before the word "passing," the words, "subject to the jurisdiction of the State and." Also by striking out of the same line the last "the" in the line and substituting the word "its"; and by striking out of line 18 the words "of the State," so that the sentence as amended will read as follows: "The incidents which attach to each as we have observed, may be made the basis of classification. We can perceive no reason why both may not be made the basis of classification in a single taxing statute so that the amount of tax which the legatee shall pay may be made to depend both on the total net amount of decedent's estate subject to the jurisdiction of the State and passing under its inheritance and testamentary laws and the amount of the legacy to which the legatee succeeds under those laws."

No. 345. A. J. Buck, appellant, *v.* E. V. Kuykendall, Director of Public Works of the State of Washington. Order: It is ordered by this court that the opinion heretofore filed be amended by inserting on page 4, line 4, after the word "which," the words "may be deemed equivalent to a legislative declaration that," and that in line 5 the words "declared that" be stricken out so that the sentence as amended will read as follows: "The vice of the legislation is dramatically exposed by the fact that the State of Oregon had issued its certificate which may be deemed equivalent to a legislative declaration that, despite existing facilities, public convenience and neces-

sity require the establishment by Buck of the auto stage line between Seattle and Portland.”

No. 622. George Boardman, as Sheriff of Minnehaha County, South Dakota, appellant, *v.* George W. Egan. Order: Upon telegraphic application of George W. Egan, he is given permission to present a petition for rehearing in the case of Boardman, Sheriff, *v.* Egan, No. 622, decided May 25th, on or before the 18th of June, as if filed to-day, but this order is on the condition that such filing shall not delay the immediate going down of the mandate from this court or the prompt execution of the judgment of conviction against Egan in the State courts of South Dakota which this proceeding in habeas corpus stayed.

ORDER

The court announced that the original docket, made up of cases begun under the original jurisdiction of this court, will be called on the first day of the next term, with the purpose of eliminating cases which are not prosecuted with reasonable diligence and of making any necessary orders respecting the continued prosecution of others.

ORDER

The court announced a revision of its rules, lodged printed copies thereof with the clerk, and ordered that these revised rules shall take effect and become operative July 1st, 1925.

ORDER

In the cases in which opinions have been handed down to-day, ten days shall elapse before the mandates go down; and leave is given to the parties to file such motions within that period as they may be advised, which shall have the same effect as if filed this day.

No. 342. Maple Flooring Manufacturers Association et al., appellants, *v.* The United States of America. Motion to extend time within which to present petition for a rehearing to thirty days from this date granted, on motion of Mr. Alfred A. Wheat for the appellee.

No. 551. Cement Manufacturers' Protective Association et al., appellants, *v.* The United States of America. Motion to extend time within which to present petition for a rehearing to thirty days from this date granted, on motion of Mr. Alfred A. Wheat for the appellee.

No. 324. William H. Edwards, Formerly Collector, etc., plaintiff in error, *v.* The Cuba Railroad Company;

No. 653. The United States of America, petitioner, *v.* O. B. Fish; and

No. 739. D. B. Robertson, appellant, *v.* Railroad Labor Board. Motion to extend time within which to present petitions for rehearing in these cases to thirty days from this date granted, on motion of Mr. Alfred A. Wheat in that behalf.

No. 126. A. L. May, Trustee, etc., petitioner, *v.* J. M. Henderson, jr., et al. Leave granted to present petition for a rehearing within ten days from this date, on motion of Mr. W. W. Bride in that behalf.

No. 1256. Samuel A. Myers et al., etc., petitioners, *v.* International Trust Company. Leave granted to present petition for a rehearing of the order granting writ of certiorari within ten days, on motion of Mr. Andrew Wilson in behalf of Mr. John R. Lazenby for the respondent.

No. 111. The United States of America, petitioner, *v.* James J. Johnston. Motion to extend time within which to present petition for a rehearing submitted by Mr. John F. Finerty in behalf of counsel, and motion denied.

No. 937, October Term, 1923. The Facer Forged Steel Car Wheel and Locomotive Wheel Company, petitioner, *v.* The Carnegie Steel Company. Motion for rule on the Clerk to file certain papers submitted by Mr. Frank Hall Stephens; and motion denied.

ORDER: It is now here ordered by this court that all cases on the docket not decided, and all other business of the term not disposed of, be, and the same are hereby, continued to the next term.

Adjourned to the time and place appointed by law.