

# SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 1, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

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The Chief Justice said:

The court will receive motions for admission to the bar and other motions noticed for to-day and which are ready for submission, and the call of the docket will commence to-morrow pursuant to the twenty-sixth rule.

All motions and petitions noticed for to-day that are not ready for submission may be submitted to-morrow.

At the conclusion of the business of to-day the court will adjourn until to-morrow at the usual hour, in order to enable it to pay its respects to the President of the United States.

C. M. Hanna, of Parkersburg, W. Va.; Thomas G. Fewell, of Meridian, Miss.; Benjamin F. Harrah, of Washington, D. C.; William A. Morrow, of Chicago, Ill.; Chauncey C. Colton, of Duluth, Minn.; Charles M. Rosecrantz, of New York City; Samuel A. Mitchell, of St. Louis, Mo.; Charles F. Kelley, of New York City; Nathan H. Frank, of San Francisco, Cal.; Robert M. Riculfi, of Jacksonville, Fla.; Will R. Miller, of Franklin, Ind.; Fred W. Milverton, of Honolulu, Hawaii; Frank Healy, of Providence, R. I.; Henry P. Dart, jr., of New Orleans, La.; Philip S. Ehrlich, of San Francisco, Cal.; Harry H. Naylor, of Boston, Mass.; Samuel Sigilman, of Boston, Mass.; Louis J. Warren, of Honolulu, Hawaii; E. Curtis Rouse, of New York City; Henry O'B. Cooper, of Alexandria, Va.; William Ellis Lady, of Los Angeles, Cal.; Joseph William Sharts, of Dayton, Ohio; Edmund C. Strode, of Lincoln, Nebr.; Palmer Pilans, of Mobile, Ala.; David B. Trammell, II, of Fort Worth, Tex.; Alexander Johnston, of Okmulgee, Okla.; Harry S. Barger, of Washington, D. C.; Hatton W. Sumners, of Dallas, Tex.; C. W. King, of Oklahoma City, Okla.; Herbert G. Thompson, of Muscatine, Iowa; Jeremiah B. Collins, of Michigan City, Ind.; Frank V. Barns, of New York City; O. T. Richey, of Tucson, Ariz.; and A. S. Baskett, of Dallas, Tex., were admitted to practice.

No. 488. Northwestern Consolidated Milling Company, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota, submitted by Mr. William Furst for the petitioner.

No. 7. Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Joint motion to set a day certain for the trial and argument, submitted by Mr. C. Edward Wright of counsel for the defendant.

No. 605. Mark J. Gretsche, petitioner, *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. Mark J. Gretsche, pro se.

No. 146. The United States of America, as trustee and guardian of the Omaha Tribe of Indians, etc., petitioner, *v.* Hiram Chase. Leave granted to file brief as amicus curiæ on motion of Mr. Charles J. Kappler in that behalf.

No. 687. Florence McDonald et al., petitioners, *v.* John F. Ralston et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma, submitted by Mr. C. W. King for the petitioners.

No. 564. J. W. Chapman and P. R. Thompson, copartners, etc., petitioners, *v.* Java Pacific Line et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, submitted by Mr. Simon Lyon in behalf of Mr. Eustace Cullinan and Mr. Thomas W. Hickey for the petitioners.

No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Motion to advance submitted by Mr. F. L. Peckham in behalf of counsel for the appellees.

No. 427. W. T. Hendrickson, judge, etc., petitioner, *v.* Lewis Apperson. Leave granted to file brief as amicus curiæ on motion of Mr. Ernest MacPherson in that behalf.

No. 572. Lewis H. Stanton et al., petitioners, *v.* The City of Pittsburgh. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania, submitted by Mr. James T. Lloyd and Mr. Richard Townsend for the petitioners.

No. 515. Tweedie Trading Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Peyton Gordon in behalf of Mr. Ferdinand E. M. Bullowa and Mr. R. J. M. Bullowa for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Thompson for the respondent.

No. 557. Guerini Stone Company, petitioner, *v.* P. J. Carlin Construction Company. Petition for a writ of certiorari to the United

States Circuit Court of Appeals for the First Circuit submitted by Mr. Edward S. Paine for the petitioner, and by Mr. Charles Hartzell for the respondent.

No. 552. Fred B. Jones, petitioner, *v.* Bouker Contracting Company, claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Fayette B. Dow for the petitioner, and by Mr. Francis Martin for the respondent.

No. 657. Peter Chelentis, petitioner, *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. Fayette B. Dow for the petitioner, with leave to counsel for the respondent to file brief within one week.

No. 555. Daisy M. Linkous, administratrix, etc., petitioner, *v.* The Virginian Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. W. L. Welborn for the petitioner.

No. 689. S. D. Barrett, petitioner, *v.* The Virginian Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. W. L. Welborn for the petitioner.

No. 556. Morris Herrmann, as surviving partner, etc., petitioner, *v.* Henry Bower Chemical Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. F. M. Brylawski in behalf of Mr. Louis Marshall for the petitioner, and by Mr. James Piper and Mr. George Wharton Pepper for the respondent.

No. 568. International News Service, petitioner, *v.* The Associated Press. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. F. M. Brylawski in behalf of Mr. Samuel Untermyer, Mr. Henry A. Wise, Mr. Louis Marshall, and Mr. William A. De Ford for the petitioner and by Mr. F. B. Jennings, Mr. Peter S. Grosscup, and Mr. Winfred T. Denison for the respondent.

No. 570. Alfred W. Church, appellant, *v.* Horace M. Swetland et al. Motion to advance submitted by Mr. Hector M. Hitchings for the appellant in support of the motion and by Mr. Daniel P. Hays for the appellees in opposition thereto.

No. 601. Midland Valley Railroad Company, plaintiff in error, *v.* Mrs. Maude Griffith, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. L. T. Michener for the plaintiff in error.

No. 602. Midland Valley Railroad Company, petitioner, *v.* Armor Bell, administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. L. T. Michener and Mr. Farrar L. McCain for the petitioner.

No. 637. The Morse Dry Dock & Repair Company, owner of the Steamship *Oceana*, petitioner, *v.* Conron Brothers Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. L. T. Michener in behalf of Mr. Pierre M. Brown for the petitioner and by Mr. Mark Ash, Mr. Julius Offenbach, and Mr. H. T. Newcomb for the respondents, with leave to Mr. Peter S. Carter to file brief for a respondent within one week.

No. 565. William E. Wallace, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William A. Morrow and Mr. Roger L. Foote for the petitioner.

No. 511. Bank of Inverness, petitioner, *v.* William T. Hayden. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. John W. Cutrer and Mr. O. G. Johnson for the petitioner.

No. 636. B. H. Drees, petitioner, *v.* Sarah J. Armstrong et al. Petition for a writ of certiorari to the Supreme Court of the State of Iowa submitted by Mr. Frederick S. Tyler for the petitioner.

No. 645. W. L. Bruce, as administrator, etc., et al., petitioners, *v.* William Tobin. Petition for a writ of certiorari to the Supreme Court of the State of South Dakota submitted by Mr. Frederick S. Tyler, Mr. E. A. Burgess, and Mr. B. I. Salinger for the petitioners.

No. 596. Societe Naphtes Transports, petitioner, *v.* Bisso Towboat Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. Richard B. Montgomery for the petitioner, with leave to counsel for the respondent to file brief within one week.

No. 604. New York, New Haven & Hartford Railroad Company, petitioner, *v.* Lansing Steamship Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Frederick S. Tyler in behalf of Mr. E. G. Buckland for the petitioner, and by Mr. Edward E. Blodgett for the respondent.

No. 534. The People of Porto Rico et al., appellants, *v.* Carlos Tapia. Motion to advance submitted by Mr. Edward S. Bailey for the appellants.

No. 647. *The People of Porto Rico et al., plaintiffs in error, v. Jose Muratti.* Petition for a writ of certiorari to the Supreme Court of Porto Rico submitted by Mr. E. S. Bailey and Mr. S. T. Ansell for the plaintiff in error in support of the petition.

No. 649. *Ada T. Cushing, executrix, etc., plaintiff in error, v. John H. Whaley et al.* Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Walter S. Penfield in behalf of Mr. D. M. Tibbetts for the plaintiff in error in support of the petition.

No. 582. *William R. Moore Dry Goods Company et al., petitioners, v. Eli Brooks, bankrupt, et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Jackson H. Ralston in behalf of Mr. F. C. Mullinix for the petitioners.

No. 606. *Percival Wilds, as trustee, etc., petitioner v. Department of Education of the City of New York.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Jackson H. Ralston in behalf of of Mr. Irving L. Ernst for the petitioner, and by Mr. Terence Farley for the respondent.

No. 622. *Donatto Filippon, petitioner, v. Albion Vein State Company.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Calvin F. Smith and Mr. J. Willard Paff for the petitioner.

No. 485. *Clara A. Wheeler et al., appellants, v. The City and County of Denver et al.* Motion to dismiss or affirm submitted by Mr. James A. Marsh and Mr. Norton Montgomery for the appellees in support of the motion, and by Mr. Clayton C. Dorsey, Mr. Edwin H. Park, and Mr. Henry A. Lindsley for the appellants in opposition thereto.

No. 528. *John E. Roller, petitioner, v. Mary H. Murray et al.* Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Robert H. Turner in behalf of Mr. E. Hilton Jackson for the petitioner.

No. 698. *P. D. Camp et al., petitioners, v. Morgan V. Gress.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. T. D. Savage and Mr. Thomas H. Willcox, for the petitioners, and by Mr. Alexander Akerman for the respondent.

No. 692. *Iowa State Traveling Men's Association, petitioner, v. Alma M. Ruge.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Thomas G. Rutledge and Mr. Robert A. Holland, jr., for the petitioner, and by Mr. Lambert E. Walther for the respondent.

No. 530. Safety Car Heating & Lighting Company, petitioner, *v.* Gould Coupler Company. Petition for a writ of certiorari to the District Court of the United States for the Western District of New York submitted by Mr. Thomas J. Johnston, Mr. R. S. Blair, and Mr. D. G. Haynes for the petitioner, and by Mr. William Houston Kenyon for the respondent.

No. 597. Rolla De Bord, petitioner, *v.* Chicago, Rock Island & Gulf Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Texas submitted by Mr. Marvin Jones in behalf of Mr. C. B. Reeder for the petitioner.

No. 584. Missouri District Telegraph Company, petitioner, *v.* Morris & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Clarence R. Wilson in behalf of Mr. Rush Taggart for the petitioner, and by Mr. Luther M. Walter for the respondent.

No. ——. Original. *Ex parte* In the matter of John E. Reade, petitioner. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. O. T. Richey for the petitioner.

No. 600. Capitol Transportation Company, petitioner, *v.* Cambria Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frank S. Bright in behalf of Mr. Frank S. Masten and Mr. George L. Canfield for the petitioner, and by Mr. Francis S. Laws and Mr. William B. Cady for the respondent.

No. 589. Ball Engineering Company, petitioner, *v.* J. G. White & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank S. Bright in behalf of Mr. Homer S. Cummings and Mr. S. L. Swarts for the petitioner, by Mr. Solicitor General Davis for the United States as joint petitioner, and by Mr. J. Kemp Bartlett and Mr. Lewis Sperry for the respondent.

No. 638. Eugene L. Younge, 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. C. M. Hanna and Mr. James W. Vandervort for the petitioner.

No. 548. William T. Abbott, petitioner, *v.* Wauchula Manufacturing & Timber Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George H. Lamar for the petitioner, and by Mr. James F. Glen for the respondent.

No. 561. American Manufacturing Company, petitioner, *v.* Hon. George D. Reynolds et al., judge of the St. Louis Court of Appeals, et al. Petition for a writ of certiorari to the Supreme Court of the

State of Missouri submitted by Mr. Richard Randolph McMahon in behalf of Mr. Shepard Barclay for the petitioner.

No. 585. Parker-Washington Company et al., petitioners, *v.* The City of St. Louis to the use of Carroll-Porter Boiler & Tank Company. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Richard Randolph McMahon in behalf of Mr. Shepard Barclay for the petitioners, and by Mr. Frederick M. Judson and Mr. John F. Green for the respondent.

No. 537. Noah Parnoski, by Thomas Tiger, guardian, etc., petitioner, *v.* Lucinda Lumkin, for the use and benefit of Robert Fry, and Robert Fry. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. R. C. Allen for the petitioner.

No. 624. New Orleans & Northeastern Railroad Company et al., plaintiffs in error, *v.* Joe Scarlet. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. L. E. Jeffries, Mr. J. Blanc Monroe, Mr. Monte M. Lemann, and Mr. Albert S. Bozeman for the plaintiffs in error in support of the petition, and by Mr. Thomas G. Fewell for the defendant in error in opposition thereto.

No. 563. Henry R. Towne, plaintiff in error, *v.* Mark Eisner, collector, etc. Motion to advance submitted by Mr. F. D. McKenney in behalf of counsel for the plaintiff in error.

No. 646. The New York Central Railroad Company, petitioner, *v.* Samuel Goldberg. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Frederic D. McKenney in behalf of Mr. Charles C. Paulding for the petitioner.

No. 538. E. T. Thurston, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John Ridout and Mr. George G. Clough for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 559. L. Monte de Piedad y Caja de Ahorros de Manila, petitioner, *v.* The Government of the Philippine Islands, etc. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Evans Browne, Mr. Alexander Britton, and Mr. Thomas L. Hartigan for the petitioner, and by Mr. Samuel T. Ansell and Mr. Edward S. Bailey for the respondent.

No. 562. The Chicago & Alton Railway Company et al., petitioners, *v.* Pressed Steel Car Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Evans Browne in behalf of Mr. Silas H. Strawn and Mr. John D. Black for the petitioners, and by Mr. Lewis H.

Freedman, Mr. Andrew W. Sheriff, and Mr. Alfred R. Kiddle for the respondent.

No. 608. The Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* Elsie Westling, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. Evans Browne in behalf of Mr. Alfred A. Scott, Mr. Robert Dunlap, and Mr. Gardiner Lathrop for the petitioner, and by Mr. A. M. Jackson and Mr. Carroll L. Swarts for the respondent.

No. 640. Chicago & Alton Railroad 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. Evans Browne in behalf of Mr. William L. Patton and Mr. Silas H. Strawn for the petitioner.

No. 675. Gulf, Colorado & Santa Fe Railway Company et al., petitioners, *v.* J. P. Nelson. Petition for a writ of certiorari to the Supreme Court of the State of Texas submitted by Mr. Evans Browne, Mr. Robert Dunlap, Mr. J. W. Terry, and Mr. Gardiner Lathrop for the petitioners, and by Mr. Thomas H. Franklin for the respondent.

No. 717. Martiniano M. Veloso, appellant, *v.* Vicente Francisco Ageo et al. Appeal from the Supreme Court of the Philippine Islands. Docketed and dismissed with costs, on motion of Mr. Evans Browne for the appellees.

No. 599. Margaret C. Harrison et al., petitioners, *v.* Florence A. Campbell et al. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. L. Frank Ottogy for the petitioners, and by Mr. Morton Jourdan, Mr. Frederic N. Judson, and Mr. B. Schnurmacher for respondents.

No. 595. Jacob Nellemenn et al., petitioners. *v.* The Steamship *London*, Christian Larsen, master. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. J. H. Brinton for the petitioners.

No. 620. Abram H. Preeman et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Benjamin C. Bachrach for the petitioners.

No. 642. Steamship *Queensmore*, Ltd., etc., petitioner, *v.* Henry Nanninga Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles Henry Butler in behalf of Mr. J. Parker Kirlin and Mr. Charles R. Hickox for the petitioner, and by Mr. William Garrard for the respondents.

No. 682. Barber & Company, Inc., petitioner, *v.* Sulzberger & Sons Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Henry Butler in behalf of Mr. J. Parker Kirlin, Mr. John M. Woolsey, and Mr. D. Roger Englar for the petitioner, and by Mr. Paul D. Cravath and Mr. Stuart McNamara for the respondent.

No. 549. Thomas J. Scully, claimant of the barge *I. F. Chapman*, petitioner, *v.* Jacob Kazarian. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Frank V. Barns and Mr. James J. Macklin for the petitioner, and by Mr. Alexander L. Churchill and Mr. Frank Healy for the respondent.

No. 553. Frederick Leyland & Company, Limited, et al., petitioners, *v.* The 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. Henry P. Dart, jr., and Mr. Henry P. Dart for the petitioners.

No. 632. Texas & Pacific Railway Company et al., petitioners, *v.* B. Leatherwood. Petition for a writ of certiorari to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas submitted by Mr. Joseph W. Bailey in behalf of Mr. George Thompson and Mr. J. H. Barwise, jr., for the petitioners, and by Mr. D. T. Bomar for the respondent.

No. ——. Robert D. Kinney, petitioner, *v.* Elmer C. Rice. Petition for reconsideration of motion denied June 4, 1917, or else leave to amend application, and petition for an order to amend the journal entry submitted by Mr. Robert D. Kinney, pro se.

No. 173. Ricardo Ascarate, plaintiff in error, *v.* The State of New Mexico. Motion to dismiss submitted by Mr. Frank W. Clancy for the defendant in error in support of the motion, and by Mr. Edward C. Wade, jr., and Mr. W. H. H. Llewellyn for the plaintiff in error in opposition thereto.

Nos. 252 and 253. The Hartford Life Insurance Company, plaintiff in error, *v.* Rosa Barber. Motion to dismiss or affirm submitted by Mr. Charles E. Morrow for the defendant in error in support of the motion, and by Mr. F. W. Lehmann and Mr. James C. Jones for the plaintiff in error in opposition thereto.

No. 1. Detroit United Railway, plaintiff in error, *v.* City of Detroit. In error to the Supreme Court of the State of Michigan. Dismissed without costs to either party per stipulation.

No. 21. Kansas City Stock Yards Company of Missouri, plaintiff in error, *v.* State of Kansas ex rel. John S. Dawson, Attorney Gen-

eral. In error to the Supreme Court of the State of Kansas. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 135. Shill Rolling Chair Company, plaintiff in error, *v.* Atlantic City;

No. 136. Hannah M. Clowney, trading as Smith's Rolling Chairs, plaintiff in error, *v.* Atlantic City; and

No. 137. Thomas E. Lassiter, plaintiff in error, *v.* Atlantic City. In error to the Court of Errors and Appeals of the State of New Jersey. Dismissed with costs, on motion of counsel for the plaintiffs in error, and mandates granted.

No. 149. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* The State of Louisiana *ex rel.* City of Lake Charles. In error to the Supreme Court of the State of Louisiana. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 258. Midland Valley Railroad Company, plaintiff in error, *v.* Della Ogden, administratrix, etc. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, on motion of counsel for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 2, will be as follows: Nos. 3 (Original), 146, 337, 294 (and 295), 234, 110, 194, 300, 416, 4 (Original), 20, 426, 427 (and 428, 429, 430, and 431), 461, 192, 199, 349, 424, 359, and 499.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 2, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William K. Koerner, of St. Louis, Mo.; Harry Weinberger, of New York City; Thomas E. Latimer, of Minneapolis, Minn.; Louis A. Faurest, of Elizabethtown, Ky.; Alex Collins, of San Angelo, Tex.; Robert J. Smith, of Piqua, Ohio; Herman L. Ekern, of Madison, Wis.; and Edmund Lashley, of Tulsa, Okla., were admitted to practice.

No. 54. The United States, appellant, *v.* The Great Lakes Towing Company et al. Appeal from the District Court of the United States for the Northern District of Ohio. Dismissed on motion of Mr. Solicitor General Davis for the appellant.

No. 146. The United States of America, as trustee and guardian of the Omaha Tribe of Indians, etc., petitioner, *v.* Hiram Chase. Leave granted to file brief of Harry L. Keefe as amicus curiæ on motion of Mr. Solicitor General Davis in that behalf.

No. 365. Theodore S. Rosen et al., petitioners, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Davis for the respondent.

No. 438. Victor Pakas, petitioner, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Davis for the respondent.

No. 523. The United States *v.* Antonio Morena. Motion to advance submitted by Mr. Solicitor General Davis for the United States.

No. 531. Charles W. Anderson, as collector of internal revenue, etc., petitioner, *v.* La Rose Consolidated Mines Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. Solicitor General Davis for the petitioner and by Mr. Richard T. Greene for the respondent.

No. 593. The United States of America, petitioner, *v.* The Cleveland, Cincinnati, Chicago and St. Louis Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals

for the Sixth Circuit, submitted by Mr. Solicitor General Davis for the petitioner.

No. 594. The United States of America, petitioner, *v.* Biwabik Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted by Mr. Solicitor General Davis for the petitioner.

No. 626. Fort Smith and Western Railroad Company et al., appellants, *v.* Arthur L. Mills, receiver, etc., et al. Motion to advance or place on the summary docket submitted by Mr. Solicitor General Davis for the appellees.

No. 656. Charles E. Ruthenberg et al., plaintiffs in error, *v.* The United States of America;

No. 663. Joseph F. Arver, plaintiff in error, *v.* The United States of America;

No. 664. Alfred F. Grahl, plaintiff in error, *v.* The United States of America;

No. 665. Otto Wangerin, plaintiff in error, *v.* The United States of America;

No. 666. Walter Wangerin, plaintiff in error, *v.* The United States of America;

No. 680. Louis Kramer et al., plaintiffs in error, *v.* The United States;

No. 681. Louis Kramer, plaintiff in error, *v.* The United States; and

No. 702. Emma Goldman et al., plaintiffs in error, *v.* The United States. Motion to advance cases for joint hearing or to set all cases for hearing on the same day submitted by Mr. Solicitor General Davis for the defendant in error.

No. 487. Bob Braziel, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. David B. Trammell, 2d, and Mr. Theodore Mack for the petitioner.

No. 286. D. N. Fink et al., trustees, etc., plaintiffs in error, *v.* The Board of County Commissioners of Muskogee County, Oklahoma, et al. Leave granted to file brief as *amicus curiæ* on motion of Mr. Edmund Lashley in the behalf.

No. 718. The City of New Orleans et al., petitioners, *v.* Penn Bridge Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. I. D. Moore, Mr. H. Generes Dufour, and Mr. Edgar H. Farrar for the petitioners.

No. 411. S. F. Kelley, trustee, etc., appellant, *v.* Thomas Gill. Advanced pursuant to the thirty-second rule on motion of Mr. Frederick S. Tyler in behalf of counsel and submitted by Mr. Wil-

liam B. Ogden for the appellant, and by Mr. William Ona Morton for the appellee.

No. 385. Mobile Towing and Wrecking Company, petitioner, *v.* The Steamship *San Cristobal*, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Palmer Pillans and Mr. Hannis Taylor for the petitioner, and by Mr. Gregory L. Smith for the respondent.

No. 659. Kansas City, Mexico and Orient Railway Company of Texas, petitioner, *v.* C. A. Finke. Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas submitted by Mr. Robert W. Wells, in behalf of Mr. Herbert S. Garrett, for the petitioner.

No. 573. Alexander H. Sands, jr., as trustee, etc., petitioner, *v.* Fred W. Estabrook. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. J. Graville Meyers for the petitioner and by Mr. Perry D. Trafford for the respondent.

No. 529. The Northern Central 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 Second Circuit, submitted by Mr. Frederic D. McKenney and Mr. Francis I. Gowen for the petitioner and by Mr. Assistant to the Attorney General Todd for the respondent.

No. 3. Original. The People of the State of New York, complainants, *v.* The State of New Jersey et al. Reassigned for argument on Monday, January 7, 1918, after the case already assigned for that day.

No. 234. William E. Peck and Company (Inc.), plaintiff in error, *v.* John Z. Lowe, jr., collector of internal revenue. Reassigned for argument on Monday, December 3 next, on motion of Mr. Jesse C. Adkins for the plaintiff in error.

No. 146. The United States of America as trustee and guardian of the Omaha Tribe of Indians, etc., petitioner, *v.* Hiram Chase. Argued by Mr. Solicitor General Davis for the petitioner and by Mr. Hiram Chase pro se and by Mr. Thomas L. Sloan for the respondent.

No. 337. M. H. Smith, appellant, *v.* Interstate Commerce Commission. Argument commenced by Mr. Helm Bruce for the appellant, continued by Mr. Joseph W. Folk for the appellee, and by Mr. Edward S. Jouett for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 3, will be as follows: Nos. 337, 294 (and 295), 110, 194, 300, 416, 4, Original, 20, 426, 427 (and 428, 429, 430, and 431), 461, 192, 199, 349, 424, 359, and 499.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 3, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Thomas H. Garry, of Cleveland, Ohio; John G. Gregg, of Galveston, Tex.; Leonard W. Horton, of Providence, R. I.; and John M. Harris, of Boyne City, Mich., were admitted to practice.

No. 339. Addison R. Smith, appellant, *v.* Interstate Commerce Commission; and

No. 340. George W. Jones, appellant, *v.* Interstate Commerce Commission. Advanced for hearing in connection with No. 337, on motion of Mr. Edward S. Jouett for the appellants.

No. 337. M. H. Smith, appellant, *v.* Interstate Commerce Commission. Argument concluded by Mr. Edward S. Jouett for the appellants.

No. 339. Addison R. Smith, appellant, *v.* Interstate Commerce Commission; and

No. 340. George W. Jones, appellant, *v.* Interstate Commerce Commission. Argued by Mr. Edward S. Jouett for the appellants and submitted by Mr. Joseph W. Folk for the appellee.

No. 294. City and County of Denver et al., appellants, *v.* The Denver Union Water Company; and

No. 295. The Denver Union Water Company, appellant, *v.* City and County of Denver et al. Three counsel allowed to argue for the City and County of Denver on motion of Mr. James A. Marsh. Argument commenced by Mr. James A. Marsh for the City and County of Denver et al., continued by Mr. Clayton C. Dorsey for The Denver Union Water Company and by Mr. Norton Montgomery for the City and County of Denver et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 4, will be as follows Nos.: 294 (and 295), 110, 194, 300, 416, 4 (original), 20, 426, 427 (and 428, 429, 430, and 431), 461, 192, 199, 349, 424, 359, and 499.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 4, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Robert Proseus Burkhalter, of Chicago, Ill., Frank E. Edgerton, of Aurora, Nebr., Charles L. McNary, of Salem, Oreg., Alexander Lindsay, jr., of Honolulu, Hawaii, H. W. Hutton, of San Francisco, Cal., and Garland Biffle, of Wetumka, Okla., were admitted to practice.

No. 294. City and County of Denver et al., appellants, *v.* The Denver Union Water Company; and

No. 295. The Denver Union Water Company, appellant, *v.* City and County of Denver et al. Argument continued by Mr. Norton Montgomery for City and County of Denver et al., and concluded by Mr. Edward C. Stimson for City and County of Denver et al.

No. 194. The United States, appellant, *v.* Daniel J. Leary et al., administrators, etc., et al. Argued by Mr. Marion Erwin for the appellant, by Mr. Aubrey E. Strode for Leary's administrators, and by Mr. Abram J. Rose for Kellogg.

No. 110. Lee Wilson & Company, appellant, *v.* The United States. Argument commenced by Mr. Charles T. Coleman for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 5, will be as follows: Nos. 110, 300, 416, 4, Original, 20, 426, 427 (and 428, 429, 430, and 431), 461, 192, 199, 349, 424, 359, and 499.

15897—17—5

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 5, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John M. Elliott, of Peoria, Ill.; Louis R. Kiernan, of Chelsea, Mass.; Samuel R. Cutler, of Revere, Mass.; Joseph P. Lyons, of Boston, Mass.; Lowell A. Mayberry, of Boston, Mass.; and Charles E. Dierker, of Shawnee, Okla., were admitted to practice.

No. —, Original. State of Tennessee, complainant, *v.* State of Arkansas and Board of Directors of St. Francis Levee District. Motion for leave to file bill of complaint submitted by Mr. B. E. Moses for the complainant.

No. 589. Ball Engineering Company, petitioner, *v.* J. G. White & Company. Leave granted to file reply brief, on motion of Mr. F. S. Bright, in behalf of counsel for the petitioner.

No. 110. Lee Wilson & Company, appellant, *v.* The United States. Argument continued by Mr. Charles T. Coleman and Mr. Henry D. Ashley for the appellant, by Mr. Solicitor General Davis for the appellee, and concluded by Mr. Charles T. Coleman for the appellant.

No. 300. Lincoln Gas & Electric Light Company, appellant, *v.* The City of Lincoln et al. Argument commenced by Mr. Robert Burns for the appellant, and continued by Mr. W. M. Morning for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 8, will be as follows: Nos. 300, 416, 4, Original, 20, 426, 427 (and 428, 429, 430, and 431), 461, 192, 199, 349, 424, 359, and 499.

15897—17—6

# SUPREME COURT OF THE UNITED STATES.

MONDAY OCTOBER 8, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandies, and Mr. Justice Clarke.

Dan B. Shields, of Salt Lake City; James H. Wolfe, of Salt Lake City, Utah; Charles H. Tribit, jr., of Los Angeles, Cal.; Charles C. Rawlins, of Globe, Ariz.; Ross T. Hickcox, of Los Angeles, Cal.; Walter H. Pollak, of New York City; Arthur H. Fast, of Hutchinson, Kans; James R. Pottle, of Albany, Ga.; C. M. Cureton, of Austin, Tex.; George Cary Tabb, of Louisville, Ky.; Hugh Robert Hawthorne, of Tazewell, Va.; Roberts Clay Milling, of New Orleans, La.; Samuel B. Dabney, of Houston, Tex.; and Augustine Airola, of Revere, Mass.; were admitted to practice.

The Chief Justice announced the following orders of the court:

No. 173. Ricardo Ascarate, plaintiff in error, *v.* State of New Mexico. In error to the Supreme Court of the State of New Mexico. Per curiam: Dismissed for want of jurisdiction upon the authority of *Twining v. New Jersey* (211 U. S. 78; *Ensign v. Pennsylvania*, 227 U. S., 592, 597, 598; *Frank v. Mangum*, 237 U. S., 309, 342).

No. —, Original. State of Tennessee, complainant, *v.* State of Arkansas et al. Motion for leave to file bill of complaint granted, and process ordered to issue returnable on the first Monday in January, 1918.

No. —, Original. Ex parte In the matter of John E. Reade, petitioner. Motion for leave to file petition for writ of habeas corpus denied.

No. —. Robert D. Kinney, petitioner, *v.* Elmer C. Rice. Petition for reconsideration of motion denied June 4, 1917, or for leave to amend application, and petition for an order to amend the journal entry, denied.

No. 7, Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Assigned for argument on Monday, December 10 next.

No. 534. The People of Porto Rico et al., appellants, *v.* Carlos Tapia;

No. 563. Henry R. Towne, plaintiff in error, *v.* Mark Eisner, collector of internal revenue;

No. 365. Theodore S. Rosen et al., petitioners, *v.* The United States;

No. 438. Victor Pakas, petitioner, *v.* The United States;

No. 523. The United States *v.* Antonio Morena; and

No. 626. Fort Smith & Western Railroad Company et al., appellants, *v.* Arthur L. Mills, receiver, etc., et al. Motions to advance granted, and cases assigned for argument on Monday, December 10 next, after the case heretofore assigned for that day.

No. 656. Charles E. Ruthenberg et al., plaintiffs in error, *v.* The United States;

No. 663. Joseph F. Arver, plaintiff in error, *v.* The United States;

No. 664. Alfred F. Grahl, plaintiff in error, *v.* The United States;

No. 665. Otto Wangerin, plaintiff in error, *v.* The United States; and

No. 666. Walter Wangerin, plaintiff in error, *v.* The United States.

Motion to advance granted, and cases assigned for argument, as one case, on Monday, December 10 next, after the cases heretofore assigned for that day.

No. 680. Louis Kramer and Morris Becker, plaintiffs in error, *v.* The United States;

No. 681. Louis Kramer, plaintiff in error, *v.* The United States; and

No. 702. Emma Goldman et al., plaintiffs in error, *v.* The United States.

Motion to advance granted, and cases assigned for argument, as one case, on Monday, December 10 next, after the cases heretofore assigned for that day.

No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Motion to advance granted, and case assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 570. Alfred W. Church, appellant, *v.* Horace M. Swetland et al. Motion to advance denied.

Nos. 252 and 253. The Hartford Life Insurance Company, plaintiff in error, *v.* Rosa Barber. Ordered that these cases be placed on the summary docket.

No. 557. Guerini Stone Company, petitioner, *v.* P. J. Carlin Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 568. International News Service, petitioner, *v.* The Associated Press. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 385. Mobile Towing & Wrecking Company, petitioner, *v.* The Steamship *San Cristobal*, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 487. Bob Braziel, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 488. Northwestern Consolidated Milling Company, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 511. Bank of Inverness, petitioner, *v.* William T. Hayden. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 515. Tweedie Trading Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 528. John E. Roller, petitioner, *v.* Mary H. Murray et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 529. The Northern Central 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 Second Circuit denied.

No. 530. Safety Car Heating & Lighting Company, petitioner, *v.* Gould Coupler Company. Petition for a writ of certiorari to the District Court of the United States for the Western District of New York denied.

No. 531. Charles W. Anderson, as collector of internal revenue, etc., petitioner, *v.* La Rose Consolidated Mines Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 537. Noah Parnoski, by Thomas Tiger, guardian, etc., petitioner, *v.* Lucinda Lumkin, for the use and benefit of Robert Fry et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 538. E. T. Thurston, petition, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 548. William T. Abbott, petitioner, *v.* Wauchula Manufacturing & Timber Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 549. Thomas J. Scully, claimant of the barge *I. F. Chapman*, petitioner, *v.* Jacob Kazarian. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 552. Fred B. Jones, petitioner, *v.* Bouker Contracting Company, claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 553. Frederick Leyland & Company (Ltd.) et al., petitioners, *v.* The 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.

*Order.*—It is ordered that the cases heretofore placed on the summary docket, viz: Nos. 201, 284, 293, 348, 366, 407, 454, 252, and 253, be assigned for argument at the head of the call for Monday, November 5, next.

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No. 571. Laura Eichel et al., appellants, *v.* United States Fidelity & Guaranty Company. Motion to advance submitted by Mr. William M. Hall for the appellants. Motion to dismiss or affirm submitted by Mr. B. M. Ambler for the appellee in support of the motion, and by Mr. William M. Hall for the appellants in opposition thereto.

No. 236. City of Chelsea, plaintiff in error, *v.* City of Boston. Motion to dismiss submitted by Mr. John A. Sullivan and Mr. Joseph P. Lyons for the plaintiff in error in support of the motion, and by Mr. Wilton J. Lambert, Mr. Louis R. Kiernan, and Mr. Samuel R. Cutler for the plaintiff in error in opposition thereto.

No. 363. Boston Store of Chicago *v.* American Graphophone Company et al. Motion to advance submitted by Mr. Richard D. Daniels for The Boston Store of Chicago in support of the motion, and by Mr. Elisha K. Camp for The American Graphophone Company in opposition thereto.

No. 719. The Planters' Steamship Company, petitioner, *v.* Rolf Seeberg Ship Chandlery Company, claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler and Mr. John D. Grace for the petitioner, with leave to counsel for the respondent to file brief on or before Friday next.

No. 707. Barnes-Ames Company, petitioner, *v.* W. & C. T. Jones Steamship Company (Ltd.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. L. Russell Alden in behalf of Mr. Charles S. Haight and Mr. John W. Griffin for the petitioner.

No. 733. International Paper Company, plaintiff in error, *v.* The Commonwealth of Massachusetts; and

No. 734. The Locomobile Company of America, plaintiff in error, *v.* The Commonwealth of Massachusetts.

Motion to advance to be heard with the case of Cheney Brothers Company et al *v.* Commonwealth of Massachusetts, No. 12 on the docket for the present term, as one case, submitted by Mr. William Harold Hitchcock and Mr. Henry C. Atwill for the defendant in error in support of the motion.

No. 691. Richard Watson, master of the British steamship *Student*, et al., petitioners, *v.* Mattie Kreszewski, administratrix, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. George Forbes for the petitioners.

No. 1133, October Term, 1916. John Frederick Wallach et al., petitioners, *v.* Cornelius K. G. Billings. Motion for leave to present petition for rehearing submitted by Mr. Edward R. Johnston in behalf of counsel for the petitioners.

No. 119. Eduardo Ricaud et al. *v.* The American Metal Company (Ltd.). Leave granted to file brief as amici curiæ, on motion of Mr. Duane E. Fox in behalf of Mr. Charles D. Hayt, Mr. Clyde C. Dawson, and Mr. Fred R. Wright.

No. 718. The City of New Orleans et al., petitioners, *v.* Penn Bridge Company. Leave granted to file brief for the respondent, on motion of Mr. R. C. Milling for the respondent.

No. 723. Pocahontas Consolidated Collieries Company (Inc.), petitioner, *v.* F. L. Johnson, administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Hugh Robert Hawthorne and Mr. S. C. Graham for the petitioner.

No. 619. J. M. Kellogg, executor, etc., plaintiff in error, *v.* Miss Letitia King, administratrix, etc. Motion to dismiss or affirm submitted by Mr William H. Watkins for the defendant in error in support of the motion, and by Mr. E. F. Noel for the plaintiff in error in opposition thereto.

No. 300. Lincoln Gas & Electric Light Company, appellant, *v.* The City of Lincoln et al. Argument continued by Mr. C. Petrus Peterson for the appellees, and concluded by Mr. E. C. Strode for the appellant.

No. 416. The Illinois Central Railroad Company, appellant, *v.* State Public Utilities Commission of Illinois et al.; and

No. 448. State Public Utilities Commission et al., appellants, *v.* The United States et al.

Argument commenced by Mr. Silas H. Strawn for the railroad companies, and continued by Mr. George T. Buckingham for the State Public Utilities Commission of Illinois et al., and by Mr. Joseph W. Folk for Interstate Commerce Commission.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 9, will be as follows: Nos. 416 (and 448), 4, Original, 20, 426, 427 (and 428, 429, 430, and 431), 461, 192, 199, 349, 424, 359, and 499.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 9, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Robert D. Vance, of Henderson, Ky.; George F. Haid, of St. Louis, Mo.; James C. Jones, jr., of St. Louis, Mo.; and Milfred Otho Garner, of New York City, were admitted to practice.

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The Chief Justice announced the following order of the Court:

No. 234. William E. Peck and Company, Incorporated, plaintiff in error, *v.* John Z. Lowe, jr., collector of internal revenue, etc. It is ordered that this cause be reassigned for argument on Monday, December 10, next, at the head of the call for that day.

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No. 197. The Delaware, Lackawanna and Western Railroad Co., plaintiff in error, *v.* George D. Fish. In error to the Supreme Court of the State of New York. Dismissed without costs to either party, per stipulation of counsel.

No. 547. Adah B. Walton, administratrix, etc., plaintiff in error, *v.* Edward B. Pryor et al., receivers, etc. In error to the Supreme Court of the State of Illinois. Dismissed with costs on motion of counsel for the plaintiff in error.

No. 416. Illinois Central Railroad Company, appellant, *v.* State Public Utilities Commission of Illinois et al., and

No. 448. State Public Utilities Commission of Illinois et al., appellants, *v.* The United States et al. Argument continued by Mr. Joseph W. Folk for the Interstate Commerce Commission, by Mr. James H. Wilkerson, for the State Public Utilities Commission of Illinois et al., concluded by Mr. Robert Bruce Scott, for the Illinois Central Railroad Company and submitted by Mr. Solicitor General Davis, for the United States.

No. 4, Original. The State of Arkansas, complainant, *v.* The State of Tennessee. Argued by Mr. Caruthers Ewing for the complainant and by Mr. G. T. Fitzhugh for the defendant.

No. 20. W. A. Cissna, plaintiff in error, *v.* The State of Tennessee. Reargument commenced by Mr. Caruthers Ewing for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 10, will be as follows: Nos. 20, 426, 427 (and 428, 429, 430, and 431), 461, 192, 199, 349, 424, 359, and 499.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 10, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Charles R. Frankham, of Columbus, Ohio, was admitted to practice.

No. 20. W. A. Cissna, plaintiff in error, *v.* The State of Tennessee. Reargument continued by Mr. Caruthers Ewing for the plaintiff in error, by Mr. John P. Bullington for the defendant in error, and concluded by Mr. Caruthers Ewing for the plaintiff in error.

No. 426. Guy B. Biddinger, appellant, *v.* The Commissioner of Police of the City of New York. Argument commenced by Mr. Walter H. Pollak for the appellant, continued by Mr. Louis Marshall and by Mr. Robert S. Johnstone for the appellee, and by Mr. Walter H. Pollak for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 11, will be as follows: Nos. 426, 427 (and 428, 429, 430, and 431), 461, 192, 199, 349, 424, 359, 499, and 2.

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## SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 11, 1917.

Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

S. A. Gilbert Cox, of Boston, Mass., was admitted to practice.

No. 426. Guy B. Biddinger, appellant, *v.* The Commissioner of Police of the City of New York. Argument concluded by Mr. Walter H. Pollak for the appellant.

No. 427. W. T. Hendrickson, judge, etc., petitioner, *v.* Lewis Apperson;

No. 428. W. T. Hendrickson, judge, etc., petitioner, *v.* Elizabeth Creager;

No. 429. W. T. Hendrickson, judge, etc., petitioner, *v.* Hugh S. Gardner;

No. 430. W. T. Hendrickson, judge, etc., petitioner, *v.* Mildred E. Hocker; and

No. 431. W. T. Hendrickson, judge, etc., petitioner, *v.* Sterling Land & Investment Company. Argued by Mr. Helm Bruce for the petitioner, and by Mr. L. A. Faurest for the respondents.

No. 473. Gast Realty & Investment Company et al., plaintiffs in error, *v.* Schneider Granite Company. Advanced for argument with No. 461, on motion of Mr. Thomas G. Rutledge for the Gast Realty & Investment Company et al.

No. 461. Schneider Granite Company, plaintiff in error, *v.* Gast Realty & Investment Company et al.; and

No. 473. Gast Realty & Investment Company et al., plaintiffs in error, *v.* Schneider Granite Company. Argument commenced by Mr. Hickman P. Rodgers for Schneider Granite Company, and continued by Mr. Thomas P. Rutledge for Gast Realty & Investment Company et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 12, will be as follows: Nos. 461 (and 473), 192, 199, 349, 424, 359, 499, 2, 3, and 4.

# SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 12, 1917.

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Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Benjamin S. Ohnick, of Seattle, Wash., was admitted to practice.

No. 159. Frank R. Williams, appellant, *v.* Charles Potter et al. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Dismissed with costs, on motion of counsel for the appellant.

No. 2. The State ex rel. Willis J. Roussel, plaintiff in error, *v.* Jared Y. Sanders, governor, et al. Passed temporarily.

No. 3. Tremont Lumber Company, plaintiff in error, *v.* Mrs. Nora Reagan. Submitted by Mr. John C. Theus for the plaintiff in error, and by Mr. S. D. Pearce and Mr. H. Garland Dupre for the defendant in error.

No. 461. Schneider Granite Company, plaintiff in error, *v.* Gast Realty & Investment Company et al.; and

No. 473. Gast Realty & Investment Company et al., plaintiffs in error, *v.* Schneider Granite Company. Argument continued by Mr. David Goldsmith for the Gast Realty & Investment Company et al., and concluded by Mr. William K. Koerner for Schneider Granite Company.

No. 192. Paul Scharrenberg, petitioner, *v.* The Dollar Steamship Co. et al. Argued by Mr. H. W. Hutton for the petitioner and by Mr. Nathan H. Frank for the respondent.

No. 199. The St. Louis Southwestern Railway Company et al., appellants, *v.* The United States et al. Argument commenced by Mr. Henry G. Herbel for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 15, will be as follows: Nos. 199, 349, 424, 359, 499, 4, 7, 8, 9, and 10 (and 60).

15897—17—11

# SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 15, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Edwin B. Mayer, of Chicago, Ill.; Frank McLaughlin, of Denver, Colo.; Fred Gerlach, of Chicago, Ill.; Sydney Smith, of El Paso, Tex.; Paul Atlee Walker, of Oklahoma City, Okla.; Albert S. Anderson, of Millen, Ga.; Frank N. Sweitzer, of Canton, Ohio; Charles W. Savage, of Cleveland, Ohio; Jeremiah A. Costello, of Washington, D. C.; Phillips Ketchum, of Brookline, Mass.; and J. D. Dresner, of New Orleans, La., were admitted to practice.

No. 31. The Pennsylvania Railroad Company, lessee of the Northern Central Railway Company, plaintiff in error, *v.* Albert G. Towers, E. Clay Timanus, and W. Laird Henry, constituting the Public Service Commission of Maryland. In error to the Court of Appeals of the State of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice Day. Dissenting: The Chief Justice, Mr. Justice McKenna, and Mr. Justice McReynolds.

No. 194. The United States, appellant, *v.* Daniel J. Leary and George Leary, administrators of James D. Leary, deceased, Luther Laffin Kellogg, and Norfolk & Western Railway Company. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Western District of Virginia. Opinion by Mr. Justice Holmes.

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The Chief Justice announced the following orders of the court:

No. 3. Tremont Lumber Company, plaintiff in error, *v.* Mrs. Nora Reagan. In error to the Supreme Court of the State of Louisiana. Per curiam: Judgment affirmed with costs upon the authority of: 1. Knoxville Iron Company *v.* Harbison (183 U. S., 13); 2. Missouri, Kansas & Texas Railway Company *v.* Cade (233 U. S., 642); Missouri, Kansas & Texas Railway Co. *v.* Harris (234 U. S., 412).

No. 236. City of Chelsea, plaintiff in error, *v.* City of Boston. In error to the Supreme Judicial Court of the State of Massachusetts. Per curiam: Dismissed for want of jurisdiction upon the authority of: 1. Equitable Life Assurance Society *v.* Brown (187 U. S., 308, 314); Manhattan Life Ins. Co. *v.* Cohn (234 U. S., 123, 137); Easterling Lumber Co. *v.* Pierce (235 U. S., 380); 2. Worcester *v.* Worcester Consolidated Street Railway (196 U. S., 539); Kies *v.* Lowrey (199 U. S., 233); Stewart *v.* Kansas City (239 U. S., 14).

No. 485. Clara A. Wheeler et al., appellants, *v.* The City and County of Denver et al. Appeal from the United States Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of: 1. Hannis Distilling Company *v.* Baltimore (216 U. S., 285); Fay *v.* Crozer (217 U. S., 455); Hendricks *v.* United States (223 U. S., 178, 184). See City and County of Denver *v.* New York Trust Company; City and County of Denver *v.* Denver Union Water Company (229 U. S., 123); Wheeler *v.* City and County of Denver (229 U. S., 342, 352). 2. Robinson *v.* Caldwell (165 U. S., 359); Loeb *v.* Columbia Township (179 U. S., 472); Macfadden *v.* United States (213 U. S., 288); Boise Water Co. *v.* Boise City (230 U. S., 98).

No. 619. J. M. Kellogg, executor, estate of Mrs. Mary H. Miles, deceased, plaintiff in error, *v.* Letitia King, administratrix, estate of Charles L. King, deceased. In error to the Supreme Court of the State of Mississippi. Per curiam: Dismissed for want of jurisdiction upon the authority of: 1. Telluride Power & Transmission Co. *v.* Rio Grande Western Railway Co. (175 U. S., 639); First National Bank *v.* Estherville (215 U. S., 341); 2. Choteau *v.* Gibson (111 U. S., 200); San Francisco *v.* Itsell (133 U. S., 65); Wood *v.* Cheshbrough (228 U. S., 672).

No. 1133. October Term, 1916. John Frederick Wallach et al., petitioners, *v.* Cornelius K. G. Billings. Motion for leave to present a petition for rehearing herein denied.

No. 363. Boston Store of Chicago *v.* American Graphophone Company et al. Motion to advance granted, and case assigned for argument on Monday, January 7, next, after the cases heretofore assigned for that day.

No. 733. International Paper Company, plaintiff in error, *v.* The Commonwealth of Massachusetts; and

No. 734. The Locomobile Company of America, plaintiff in error, *v.* The Commonwealth of Massachusetts. Motion to advance for argument with case No. 12 granted.

No. 589. Ball Engineering Company, petitioner, *v.* J. G. White & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 593. The United States of America, petitioner, *v.* The Cleveland, Cincinnati, Chicago & St. Louis Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 594. The United States of America, petitioner, *v.* Biwabik Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 600. Capitol Transportation Company, petitioner, *v.* Cambria Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 622. Donatto Fillippon, petitioner, *v.* Albion Vein Slate Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 632. Texas & Pacific Railway Company et al., petitioners, *v.* B. Leatherwood. Petition for a writ of certiorari to the Court of Civil Appeals, Second Supreme Judicial District, of the State of Texas granted.

No. 555. Daisy M. Linkous, administratrix of J. M. Linkous, deceased, petitioner, *v.* The Virginian Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 556. Morris Herrmann, as surviving partner of Morris Herrmann & Company, petitioner, *v.* Henry Bower Chemical Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 559. El Monte de Piedad y Caha de Ahorros de Manila, petitioner, *v.* The Government of the Philippine Islands, represented by the treasurer of the Philippine Islands. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 561. American Manufacturing Company, petitioner, *v.* Hon. George D. Reynolds et al., judges of the St. Louis Court of Appeals, and Louis Alt. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 564. J. W. Chapman and P. R. Thompson, copartners doing business under the firm name of Chapman & Thompson, petitioners, *v.* Java Pacific Line, Stoomvaart-maat-schappy Nederland et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 565. William E. Wallace, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 572. Lewis H. Stanton et al., petitioners, *v.* The City of Pittsburgh. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 573. Alex. H. Sands, jr., as trustee, etc., petitioner, *v.* Fred W. Estabrook. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 582. William R. Moore Dry Goods Company et al., petitioners, *v.* Eli Brooks, bankrupt, and J. M. Jarman, trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 584. Missouri District Telegraph Company, petitioner, *v.* Morris & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 585. Parker-Washington Company et al., petitioners, *v.* The City of St. Louis to the use of Carroll-Porter Boiler & Tank Company. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 562. The Chicago & Alton Railway Company et al., petitioners, *v.* Pressed Steel Car Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 595. Jacob Nellemenn et al., petitioners, *v.* The Steamship *London*, Christian Larsen, master. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 596. Societe Naphtes Transports, petitioner, *v.* Bisso Towboat Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 597. Rolla de Bord, petitioner, *v.* Chicago, Rock Island & Gulf Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Texas denied.

No. 599. Margaret C. Harrison et al., petitioners, *v.* Florence A. Campbell et al. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 601. Midland Valley Railroad Company, plaintiff in error, *v.* Mrs. Maude Griffith, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 602. Midland Valley Railroad Company, petitioner, *v.* Armor Bell, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 604. New York, New Haven & Hartford Railroad Company, petitioner, *v.* Lansing Steamship Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 605. Mark J. Gretsches, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 606. Percival Wilds, as trustee in bankruptcy, etc., petitioner, *v.* Department of Education of the City of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 608. The Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* Elsie Westling, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 620. Abram H. Preman 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. 624. New Orleans & Northeastern Railroad Company et al., plaintiffs in error, *v.* Joe Scarlet. Further consideration of the petition for a writ of certiorari herein postponed to the hearing on the writ of error.

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The Chief Justice also announced that the court will take a recess from Monday, the 22d instant, to Monday, November 5 next.

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No. 504. J. Knox Greer, petitioner, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Davis for the respondent.

No. 575. The United States of America, plaintiff in error, *v.* Edward Bathgate et al.;

No. 576. The United States of America, plaintiff in error, *v.* John J. Burckhauser et al.;

No. 577. The United States of America, plaintiff in error, *v.* Harry Coons et al.;

No. 578. The United States of America, plaintiff in error, *v.* William Farrell et al.;

No. 579. The United States of America, plaintiff in error, *v.* Otto Klayer et al.; and

No. 580. The United States of America, plaintiff in error, *v.* Robert Uricho et al. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 738. Albert Jones, appellant, *v.* H. W. Perkins, deputy United States marshal, et al. Motion to advance for hearing with other draft-law cases submitted by Mr. Solicitor General Davis for the appellee.

No. ——. Hartford Beaumont, assignee of W. Boreck, appellant and plaintiff in error *v.* Mauro Prieto et al. Appeal from and in

error to the Supreme Court of the Philippine Islands. Motion to docket and dismiss submitted by Mr. Henry W. Van Dyke for the appellees and defendants in error.

No. 688. Woo Vey, 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. C. W. Savage and Mr. Thomas S. Dunlap for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Fitts for the respondent.

No. 391. The Railroad Commission of the State of California, plaintiff in error, *v.* The Atchison, Topeka & Santa Fe Railway Company. Motion to advance submitted by Mr. Max Thelen for the plaintiff in error.

No. 706. The Port of Portland, petitioner, *v.* Wilhelm Wilhelmsen, owner of the steamship *Thode Fagelund*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Jackson H. Ralston in behalf of Mr. Joseph N. Teal and Mr. Wirt Minor for the petitioner, and by Mr. William C. Bristol for the respondent.

No. 733. International Paper Company, plaintiff in error, *v.* The Commonwealth of Massachusetts. Leave granted to file brief of Malcolm Donald as amicus curiæ on motion of Mr. Charles T. Tittman in that behalf.

No. 437. Romana Gauzon, appellant and plaintiff in error, *v.* Compania General de Tabacos de Filipinas. Motion to dismiss or affirm submitted by Mr. A. M. Opisso in behalf of Mr. F. C. Fisher for the appellee and defendant in error in support of the motion, and by Mr. F. W. Clements, Mr. Alexander Britton, and Mr. Evans Browne for the appellant and plaintiff in error in opposition thereto.

No. 710. Sundh Electric Company, petitioner, *v.* Cutler-Hammer Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick S. Tyler and Mr. Albert C. Wall for the petitioner, and by Mr. W. Clyde Jones for the respondent.

No. 711. Sundh Electric Company, 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. Frederick S. Tyler and Mr. Albert C. Wall for the petitioner, and by Mr. Frederick P. Fish, Mr. Charles Neave, and Mr. Albert G. Davis for the respondent.

No. 730. United Metals Selling Company, petitioner, *v.* Edward B. Pryor and Edward F. Kearney, as receivers of the Wabash Rail-

road Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. John A. Garver for the petitioner.

No. 731. N. B. K. Pettingill, petitioner, *v.* Walter McK. Jones. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. N. B. K. Pettingill, *pro se*, and by Mr. Francis E. Neagle and Mr. Woodward Emery for the respondent.

No. 720. The Liberal Elevator Company, petitioner, *v.* The Wichita Mill & Elevator Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. E. F. Colladay and Mr. C. M. Williams for the petitioner, and by Mr. Chester I. Long for the respondent.

No. 695. Theodore Dendinger, petitioner, *v.* Arthur L. Bear, tutor, etc. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. J. D. Dresner and Mr. Henry Mooney for the petitioner.

No. 737. William Baulch, petitioner, *v.* The Strathleven Steamship Company (Ltd.). 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. Floyd Hughes for the respondent.

No. 683. Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Mrs. Clara J. Mullins, administratrix, etc. Petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi submitted by Mr. John K. Graves in behalf of Mr. Charles N. Burch and Mr. H. D. Minor for the plaintiffs in error in support of the petition.

No. 533. New York Scaffolding Company, petitioner, *v.* Egbert Whitney. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank Chase Somes for the petitioner, and by Mr. Robert H. Parkinson and Mr. Wallace R. Lane for the respondent.

No. 712. New York Scaffolding Company, petitioner, *v.* Liebel-Binney Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Frank Chase Somes for the petitioner, and by Mr. Robert H. Parkinson and Mr. Wallace R. Lane for the respondent.

No. 713. New York Scaffolding Company, petitioner, *v.* Chain Belt Company and Egbert Whitney. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Frank Chase Somes for the petitioner, and by

Mr. Robert H. Parkinson and Mr. Wallace R. Lane for the respondent.

No. 560. Edward W. Blum, petitioner, *v.* The Bumiller-Remelin Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Welville Church in behalf of Mr. George B. Parkinson for the petitioner, and by Mr. Charles L. Sturtevant for the respondent.

No. 516. Corrugated Bar Company, petitioner, *v.* Trussed Concrete Steel Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James A. Carr for the petitioner, and by Mr. Fred L. Chappell for the respondent.

No. 445. Bob Terrell, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James C. Denton and Mr. Guy H. Sigler for the petitioner.

No. 525. Carey W. Stone, guardian, etc., plaintiff in error, *v.* Emmett P. Stone, next friend of Thomas S. Stone. Motion to dismiss or affirm submitted by Mr. Moses N. Amis and Mr. Robert W. Winston for the defendant, in error in support of the motion, and by Mr. Murray Allen, Mr. William C. Douglass, and Mr. Clyde A. Douglass for the plaintiff in error, in opposition thereto.

No. 7. The St. Louis Poster Advertising Company, appellant, *v.* City of St. Louis et al. Passed, to be heard with No. 566, on motion of Mr. Harry A. Hegarty in behalf of counsel.

No. 8. Daniel J. Leary, appellant, *v.* The Mayor and Aldermen of the City of Jersey City et al. Passed temporarily, on motion of Mr. James D. Carpenter, jr., in behalf of counsel.

No. 9. The United States, plaintiff in error, *v.* Harvey C. Shauver. Passed, on motion of Mr. Solicitor General Davis for the plaintiff in error.

No. 199. The St. Louis Southwestern Railway Company et al., appellants, *v.* The United States et al. Argument continued by Mr. Henry G. Harbel for the appellants, by Mr. Assistant Attorney General Frierson for The United States, by Mr. C. W. Needham for the Interstate Commerce Commission, and concluded by Mr. Henry G. Harbel for the appellants.

No. 24, Original. Ex parte In the matter of Park & Tilford, petitioner. Argument commenced by Mr. Vincent P. Donihee for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 16, will be as follows: Nos. 349, 424, 359, 499, 4, 10, 60, 12 (and 733 and 734), 13, and 14.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 16, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Adolph Boskowitz, of New York City, was admitted to practice.

No. 686. The City of Chicago, petitioner, *v.* White Transportation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit, submitted by Mr. F. M. Phelps in behalf of Mr. Samuel A. Ettelson and Mr. Chester E. Cleveland for the petitioner.

No. 13. P. J. Hamill, plaintiff in error, *v.* The Joseph Schlitz Brewing Company. In error to the Supreme Court of the State of Iowa. Dismissed with costs pursuant to the tenth rule.

No. 14. International Harvester Company of New Jersey et al., appellants, *v.* The United States. Passed temporarily, on motion of Mr. Charles Henry Butler in behalf of counsel.

No. 24, Original. *Ex parte* in the matter of Park and Tilford, petitioners. Argument concluded by Mr. Assistant Attorney General Warren for the respondents.

No. 349. The Contributors to the Pennsylvania Hospital, plaintiffs in error, *v.* The City of Philadelphia et al. Argued by Mr. Owen J. Roberts for the plaintiffs in error and by Mr. John P. Connelly and Mr. Ernest Lowengrund for the defendant in error.

No. 424. Fidelity and Columbia Trust Company, as executor, etc., plaintiff in error, *v.* City of Louisville. Argument commenced by Mr. William W. Crawford, for the plaintiff in error, and continued by Mr. Pendleton Beckley and Mr. George Cary Tabb, for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 17, will be as follows: Nos. 424, 359, 499, 4, 10, 60, 12 (and 733 and 734), 15, 16, and 17.

# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, OCTOBER 17, 1917.

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Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

David M. Picton, jr., of Corpus Christi, Tex., Axel V. Beeken, of Bloomfield, N. J., John F. McKinlay, of Detroit, Mich., and Saul Zielonka, of Cincinnati, Ohio, were admitted to practice.

No. 280. B. V. Moore, plaintiff in error, *v.* Walter V. Taylor, commissioner of insurance, etc., et al. Motion for substitution of S. A. Olsness, commissioner of insurance, John Steen, as treasurer, and J. R. Waters, State examiner for the State of North Dakota, as the parties defendant in error herein, granted, on motion of Mr. William Langer, for the defendants in error.

No. 280. B. V. Moore, plaintiff in error, *v.* S. A. Olsness, commissioner of insurance et al. Motion to require an additional supersedeas bond or to vacate stay submitted by Mr. William Langer for the defendants in error in support of the motion, by Mr. Aubrey Lawrence for the plaintiff in error in opposition thereto. Motions to dismiss or affirm or to advance submitted by Mr. William Langer for the defendants in error in support of the motions, and by Mr. Aubrey Lawrence for the plaintiff in error in opposition thereto.

No. 15. The Keetoowah Society et al., appellants, *v.* Franklin K. Lane, Secretary of the Interior. Appeal from the Court of Appeals of the District of Columbia. Dismissed pursuant to the tenth rule.

No. 424. Fidelity and Columbia Trust Company as executor, etc., plaintiff in error, *v.* City of Louisville. Argument continued by Mr. George Cary Tabb for the defendant in error and concluded by Mr. William W. Crawford for the plaintiff in error.

No. 359. Samuel C. Cohen, as trustee, etc., petitioner, *v.* Elias W. Samuels. Argued by Mr. Lawrence B. Cohen for the petitioner, and by Mr. Samuel Sturtz for the respondent.

No. 499. Crew Levick Company, plaintiff in error, *v.* Commonwealth of Pennsylvania. Argued by Mr. David Wallerstein for the plaintiff in error, and by Mr. Joseph L. Kun for the defendant in error.

No. 4. C. J. Olson, plaintiff in error, *v.* The State of North Dakota. In error to the Supreme Court of the State of North Dakota. Dismissed with costs pursuant to the sixteenth rule, on motion of Mr. William Langer for the defendant in error.

No. 10. The City of Cincinnati, appellant, *v.* The Cincinnati and Hamilton Traction Company et al. Reargument commenced by Mr. Charles A. Groom for appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 18, will be as follows: Nos. 10, 60, 12 (and 733 and 734), 16, 17, 18, 19, 26 (and 27), 28, and 29.

# SUPREME COURT OF THE UNITED STATES.

THURSDAY, OCTOBER 18, 1917.

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Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Herbert S. Phillips, of Tampa, Fla.; Samuel M. Clement, jr., of Philadelphia, Pa.; and Robert H. Sykes, of Raleigh, N. C., were admitted to practice.

No. 507. Elina Skarderud, plaintiff in error, *v.* The Tax Commission of the State of North Dakota. Motion to advance submitted by Mr. William Langer for the defendant in error.

No. 28. Chicago, Rock Island and Pacific Railway Company, plaintiff in error *v.* The State of Kansas on the relation of S. M. Brewster, attorney general, et al. Submitted by Mr. Paul E. Walker for the plaintiff in error and by Mr. James P. Coleman and Mr. F. C. Lindsey for the defendants in error.

No. 29. The Salt Lake Investment Company, plaintiff in error, *v.* Oregon Short Line Railroad Company. Passed.

No. 10. The City of Cincinnati, appellant, *v.* The Cincinnati and Hamilton Traction Company et al. Reargument continued by Mr. Charles A. Groom for the appellant, by Mr. Alfred C. Cassatt for the appellees, and concluded by Mr. Lawrence Maxwell for the appellees.

No. 60. The Northern Ohio Traction and Light Company et al., plaintiffs in error, *v.* The State of Ohio on the relation of Hubert C. Pontius, prosecuting attorney, etc. Argument commenced by Mr. John C. Welty for the plaintiffs in error and continued by Mr. Frank N. Sweitzer and Mr. Hubert C. Pontius for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 19, will be as follows, Nos. 60, 12 (733 and 734), 16, 17, 18, 19, 26 (and 27), 30, 34, 35 (and 36).

15897—17—15

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, OCTOBER 19, 1917.  

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Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Alvin M. Owsley, of Denton, Tex.; William Easton Hutchison, of Garden City, Kans.; George Philip, of Rapid City, S. Dak.; and Garner W. Green, of Jackson, Miss., were admitted to practice.

No. 60. The Northern Ohio Traction & Light Company et al., plaintiffs in error, *v.* The State of Ohio on the relation of Hubert C. Pontius, prosecuting attorney, etc. Argument continued by Mr. Hubert C. Pontius for the defendant in error, and concluded by Mr. Joseph S. Clark for the plaintiffs in error.

No. 12. Cheney Brothers Company et al., plaintiffs in error, *v.* The Commonwealth of Massachusetts;

No. 733. International Paper Company, plaintiff in error, *v.* The Commonwealth of Massachusetts; and

No. 734. The Locomobile Company of America, plaintiff in error, *v.* The Commonwealth of Massachusetts. Argued by Mr. Charles A. Snow for the plaintiffs in error, and by Mr. William Harold Hitchcock for the defendant in error.

Adjourned until Monday next at 12 o'clock.

15897—17—16

# SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 22, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Samuel Pasco, of Pensacola, Fla.; John B. Sutton, of Tampa, Fla.; Charles D. Lockwood, of Stamford, Conn.; Frank S. Roberts, of Lockport, Tex.; Albert H. Miller, of Toledo, Ohio; Everett Dulaney Ott, of Harrisonburg, Va.; Lunsford Loving Hamner, of Washington, D. C.; and William M. Hain, of Harrisburg, Pa., were admitted to practice.

No. 645. W. L. Bruce, as administrator, et al., petitioners, *v.* William Tobin. Petition for a writ of certiorari to the Supreme Court of the State of South Dakota denied. Opinion by Mr. Chief Justice White.

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The Chief Justice also announced the following orders of the court:  
 No. 504. J. Knox Greer, petitioner, *v.* The United States. Ordered that this case be placed on the summary docket.

No. 391. The Railroad Commission of the State of California, plaintiff in error, *v.* The Atchison, Topeka & Santa Fe Railway Company. Ordered that this case be placed on the summary docket.

No. 525. Carey W. Stone, guardian, etc., plaintiff in error, *v.* Emmett P. Stone, next friend of Thomas S. Stone. Ordered that this case be placed on the summary docket.

No. 738. Albert Jones, appellant, *v.* H. W. Perkins, deputy United States marshal, et al., etc. Motion to advance granted, and cause assigned for argument on Monday, December 10 next.

No. 575. The United States of America, plaintiff in error, *v.* Edward Bathgate et al.;

No. 576. The United States of America, plaintiff in error, *v.* John J. Burckhauser et al.;

No. 577. The United States of America, plaintiff in error, *v.* Harry Coons et al.;

No. 578. The United States of America, plaintiff in error, *v.* William Farrell et al.;

No. 579. The United States of America, plaintiff in error, *v.* Otto Klayer et al.; and

No. 580. The United States of America, plaintiff in error, *v.* Robert Uricho et al. Motion to advance granted, and cases assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 507. Elina Skarderud, plaintiff in error, *v.* The Tax Commission of the State of North Dakota. Motion to advance granted, and cause assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 649. Ada T. Cushing, executrix, etc., plaintiff in error, *v.* John H. Whaley et al. Further consideration of the petition for a writ of certiorari herein postponed to the hearing on the writ of error.

No. 640. Chicago & Alton Railroad 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.

No. 646. The New York Central Railroad Company, petitioner, *v.* Samuel Goldberg. Petition for a writ of certiorari to the Supreme Court of the State of New York granted.

No. 647. The people of Porto Rico et al., plaintiffs in error, *v.* Jose Muratti. Petition for a writ of certiorari herein granted.

No. 657. Peter Chelentis, petitioner, *v.* Luckenbach Steamship Company, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 698. P. D. Camp et al., petitioners, *v.* Morgan V. Gress. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 636. B. H. Dress, petitioner, *v.* Sarah J. Armstrong et al. Petition for a writ of certiorari to the Supreme Court of the State of Iowa denied.

No. 637. The Morse Dry Dock & Repair Company, owner, etc., petitioner, *v.* Conron Brothers Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 638. Eugene L. Younge, 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. 642. Steamship *Queensmore* (Ltd.), claimant, etc., petitioner, *v.* Henry Nanninga Company et al. Petition for a writ of certiorari

to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 659. Kansas City, Mexico & Orient Railway Company of Texas, petitioner, *v.* C. A. Finke. Petition for a writ of certiorari to the Court of Civil Appeals, Eighth Judicial District of the State of Texas, denied.

No. 675. Gulf, Colorado & Santa Fe Railway Company et al., petitioners, *v.* J. P. Nelson. Petition for a writ of certiorari to the Supreme Court of the State of Texas denied.

No. 682. Barber & Company (Inc.), petitioner, *v.* Sulzberger & Sons Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 687. Florence McDonald et al., petitioners, *v.* John F. Ralston et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 692. Iowa State Travelling Men's Association *v.* Alma M. Ruge. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 718. The City of New Orleans et al., petitioners, *v.* Penn Bridge Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

691. Richard Watson, master, etc., et al., petitioners, *v.* Mattie Kreszewski, administratrix, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 707. Barnes-Ames Company, petitioner, *v.* W. & C. T. Jones Steamship Company (Ltd.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 723. Pocahontas Consolidated Collieries Company (Inc.), petitioner, *v.* F. L. Johnson, administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 586. The United States of America and Thomas Thomas *v.* Woo Jan. Motion to advance submitted by Mr. Solicitor General Davis for The United States.

No. 716. George Orlov et al., petitioners, *v.* Abraham Aronson et al., etc. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts submitted by Mr. Francis B. James and Mr. Edward F. McClennen for the petitioners, and by Mr. Samuel Sigilman for the respondents.

No. 732. Ella Getkin, petitioner, *v.* The Pennsylvania Railroad Company. Petition for a writ of certiorari to the Court of Common

Pleas of Dauphin County, State of Pennsylvania, submitted by Mr. William M. Hargest and Mr. William M. Hain for the petitioner.

No. 655. F. F. Doane, petitioner, *v.* California Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, submitted by Mr. E. C. Brandenburg and Mr. William B. Ogden for the petitioner, and by Mr. Peyton Gordon for the respondent.

No. 708. James Howard Sanner, petitioner, *v.* The Western Maryland Railway Company. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland, submitted by Mr. William C. Sullivan for the petitioner, and by Mr. George R. Gaither for the respondent. Leave granted to file necessary printed copies of record within 10 days, on motion of Mr. William C. Sullivan for the petitioner.

No. 202. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* Ella Dutton, as administratrix, etc. Motion to dismiss or affirm submitted by Mr. L. D. Jennings for the defendant in error in support of the motion, with leave to Mr. Frederic D. McKenney for the plaintiff in error to file brief in opposition within three days.

No. 476. Steamship Bowdoin Company, plaintiff in error, *v.* Industrial Accident Commission of the State of California et al. Motion to reverse submitted by Mr. F. W. Clements in behalf of Mr. Edward J. McCutchen and Mr. Ira J. Campbell for the plaintiff in error.

No. 678. Kate P. McNaughton, appellant, *v.* W. D. Stephens, governor etc., et al.; and

No. 679. L. E. Nickell and Robert J. Burke, appellants, *v.* W. D. Stephens, governor etc., et al. Motions to advance submitted by Mr. Lucas P. Loving in behalf of counsel.

No. 23, Original. The State of Georgia, complainant, *v.* The Trustees of the Cincinnati Southern Railway and The Cincinnati, New Orleans & Texas Pacific Railway Company. Leave granted to file replication herein, on motion of Mr. C. B. Ellis in behalf of counsel for the complainant. Motion for an order for the taking of testimony submitted by Mr. C. B. Ellis in behalf of counsel for the complainant.

No. 273. The Postal Telegraph-Cable Company, plaintiff in error, *v.* The City of Newport, Ky. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Brent Spence for the defendant in error in support of the motion, and Mr. Morrison R. Waite and Mr. John Randolph Schindel for the plaintiff in error in opposition thereto.

No. 699. Harry Miller and Fritz Miller, 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. George F. Deiser for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 736. The Globe Steamship Company, claimant etc., petitioner, *v.* Henry Moss. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frank S. Bright in behalf of Mr. Thomas H. Garry for the petitioner.

No. 131. The Stevirmac Oil & Gas Company, plaintiff in error, *v.* C. E. Dittman et al. Submitted pursuant to the twentieth rule by Mr. George S. Ramsey, Mr. Edgar A. de Meules, and Mr. Malcolm E. Rosser for the plaintiff in error, and by Mr. Jesse H. Wise for the defendants in error.

Adjourned until Monday, November 5, at 12 o'clock.

The day call for Monday, November 5, will be as follows: Nos. 201, 284, 293, 348, 366, 407, 454, 252 (and 253), 16, and 17.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 5, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Thomas B. Lantry, of Chicago, Ill., Jacob C. DePutron, of West Falls Church, Va., and William R. Castle, of Honolulu, T. H., were admitted to practice.

No. 192. Paul Scharrenberg, petitioner, *v.* The Dollar Steamship Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Northern District of California. Opinion by Mr. Justice Clarke.

No. 426. Guy B. Biddinger, appellant, *v.* The Commissioner of Police of the City 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 Clarke.

No. 411. S. F. Kelley, trustee of the Gibraltar Investment & Home Building Company, bankrupt, appellant, *v.* Thomas Gill. Appeal from the District Court of the United States for the Southern District of California. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 427. W. T. Hendrickson, judge of the County Court of Taylor County, Ky., petitioner, *v.* Lewis Apperson;

No. 428. W. T. Hendrickson, judge of the County Court of Taylor County, Ky., petitioner, *v.* Elizabeth Craeger;

No. 429. W. T. Hendrickson, judge of the County Court of Taylor County, Ky., petitioner, *v.* Hugh S. Gardner;

No. 430. W. T. Hendrickson, judge of the County Court of Taylor County, Ky., petitioner, *v.* Mildred E. Hocker; and

No. 431. W. T. Hendrickson, judge of the County Court of Taylor County, Ky., petitioner, *v.* Sterling Land & Investment Company. On writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgments affirmed with costs; and causes

remanded to the District Court of the United States for the Western District of Kentucky. Opinion by Mr. Justice McReynolds.

No. 146. The United States of America, as trustee and guardian of the Omaha Tribe of Indians and of Rose Wolf Setter, a member of said tribe, petitioner, *v.* Hiram Chase. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment of United States Circuit Court of Appeals for the Eighth Circuit reversed, and judgment of District Court of the United States for the District of Nebraska affirmed; and cause remanded to said District Court. Opinion by Mr. Justice Van Devanter.

No. 571. Laura Eichel et al., appellants, *v.* United States Fidelity & Guaranty Company. 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 Western District of Pennsylvania. Opinion by Mr. Justice Van Devanter.

No. 33. Charles H. Buchanan, plaintiff in error, *v.* William Warley. In error to the Court of Appeals of the State of Kentucky. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 24. Original. *Ex parte* in the matter of Park & Tilford, petitioner. Rule discharged and petition for writ of mandamus dismissed. Opinion by Mr. Justice Day.

No. 437. Romana Gauzon, appellant and plaintiff in error, *v.* Compania General de Tabacos de Filipinas. Appeal from and in error to the Supreme Court of the Philippine Islands. Judgment affirmed with costs and appeal dismissed. Opinion by Mr. Justice Day.

No. 424. Fidelity & Columbia Trust Company, as executor and trustee of the estate of L. P. Ewald, plaintiff in error, *v.* City of Louisville. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Chief Justice White.

No. 337. M. H. Smith, appellant, *v.* Interstate Commerce Commission. Appeal from the Supreme Court of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 339. Addison R. Smith, appellant, *v.* Interstate Commerce Commission. Appeal from the Supreme Court of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 340. George W. Jones, appellant, *v.* Interstate Commerce Commission. Appeal from the Supreme Court of the District of Columbia. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 359. Samuel C. Cohen, as trustee in bankruptcy of Elias W. Samuels, bankrupt, petitioner, *v.* Elias W. Samuels. 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 accordance with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 349. The Contributors to the Pennsylvania Hospital, plaintiff in error, *v.* The City of Philadelphia et al. In error to the Supreme Court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 110. Lee Wilson & Company, appellant, *v.* The United States. 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 Arkansas. Opinion by Mr. Chief Justice White.

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

No. 28. The Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* The State of Kansas ex rel. S. M. Brewster, Attorney General, etc., et al. In error to the Supreme Court of the State of Kansas. Per curiam: Judgment affirmed with costs upon the authority of *St. Louis Southwestern Railway Company v. Arkansas* (235 U. S., 350).

No. 280. R. V. Moore, plaintiff in error, *v.* Walter C. Taylor, commissioner of insurance of the State of North Dakota, et al. In error to the Supreme Court of the State of North Dakota. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Equitable Life Assurance Society v. Brown* (187 U. S., 308, 314), *Consolidated Turnpike v. Norfolk, etc., Ry. Co.* (228 U. S., 596, 600), *Manhattan Life Ins. Co. v. Cohen* (234 U. S., 123, 137); (2) *Butler v. Pennsylvania* (10 How., 402, 415, 416), *Newton v. Commissioners* (100 U. S., 548, 559), *Taylor v. Beckham* (178 U. S., 548), *Wilson v. North Carolina* (169 U. S., 586); (3) *Railroad Company v. County of Otoe* (16 Wall., 667, 676), *Kies v. Lowrey* (199 U. S., 233), *Stewart v. Kansas City* (239 U. S., 14), *Heim v. McCall* (239 U. S., 175).

No. 586. The United States of America et al *v.* Woo Jan. Motion to advance granted, and cause assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 678. Kate P. McNaughton, appellant, *v.* W. D. Stephens, governor, et al. Ordered that this case be placed on the summary docket.

No. 679. L. E. Nickell et al., appellants, *v.* W. D. Stephens, governor, et al. Ordered that this case be placed on the summary docket.

No. 202. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* Ella Dutton, as administratrix, etc. Ordered that this case be placed on the summary docket.

No. 273. The Postal Telegraph-Cable Company, plaintiff in error, *v.* The City of Newport, Ky. Ordered that this case be placed on the summary docket.

No. 476. Steamship Bowdoin Company, plaintiff in error, *v.* Industrial Accident Commission of the State of California et al. Ordered that this case be placed on the summary docket.

No. 683. Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Mrs. Clara J. Mullins, administratrix, etc. Further consideration of the petition for writ of certiorari herein postponed to the hearing on the writ of error.

No. 689. S. D. Barrett, petitioner, *v.* The Virginian Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 445. Bob Terrell, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eight Circuit denied.

No. 516. Corrugated Bar Company, petitioner, *v.* Trussed Concrete Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 560. Edward W. Blum, petitioner, *v.* The Bumiller-Remelin Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 655. F. F. Doane, petitioner, *v.* California Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 686. The City of Chicago, petitioner, *v.* White Transportation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 688. Woo Vey, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 695. Theodore Dendinger, petitioner, *v.* Arthur L. Bear, tutor, etc. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 699. Harry Miller et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 706. The Port of Portland, petitioner, *v.* Wilhelm Wilhelmsen. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 708. James Howard Sanner, petitioner, *v.* The Western Maryland Railway Company. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland denied.

No. 710. Sundh Electric Company, petitioner, *v.* Cutler Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 711. Sundh Electric Company, 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. 716. George Orlov et al., petitioners, *v.* Abraham Aronson et al., etc. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts denied.

No. 719. The Planters' Steamship Company, petitioner, *v.* Rolf Seeberg Ship Chandlery Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 720. The Liberal Elevator Company, petitioner, *v.* The Wichita Mill & Elevator Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 730. United Metals Selling Company, petitioner, *v.* Edward B. Pryor et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 731. N. B. K. Pettingill, petitioner, *v.* Walter McK. Jones. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 732. Ella Getkin, petitioner, *v.* The Pennsylvania Railroad Company. Petition for a writ of certiorari to the Court of Common Pleas of Dauphin County, State of Pennsylvania, denied.

No. 736. Globe Steamship Company, claimant, etc., petitioner, *v.* Henry Moss. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 737. William Baulch, petitioner, *v.* The Strathleven Steamship Company (Ltd.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

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No. 612. Charles M. Simpson, 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. Wade

H. Ellis in behalf of Mr. George H. Eichelberger for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 603. Ray Consolidated Copper Company, plaintiff in error, *v.* Dan Veazey. Motion to advance submitted by Mr. Alexander Britton for the plaintiff in error.

No. 743. Southern Railway Company, petitioner, *v.* Thomas Young. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina, submitted by Mr. H. O'B. Cooper, Mr. L. E. Jeffries, Mr. Benjamin Lindsay Abney, and Mr. J. E. McDonald for the petitioner, and by Mr. J. Fraser Lyon for the respondent.

Nos. 268 and 269. Henry A. Oetjen, plaintiff in error, *v.* Central Leather Company. Motion to advance submitted by Mr. H. Ralph Burton in behalf of Mr. James D. Carpenter, jr., for the plaintiff in error.

No. 440. H. J. Gunning et al., plaintiffs in error, *v.* Peter Morrison et al. Motion to advance to be heard with No. 147, submitted by Mr. John J. Hamilton in behalf of counsel.

No. 742. Hartford Life Insurance Company, petitioner, *v.* Nannie M. Johnson. Petition for a writ of certiorari to the Supreme Court of the State of Missouri, submitted by Mr. James C. Jones, Mr. George F. Haid, and Mr. James C. Jones, jr., for the petitioner, and by Mr. Charles W. German for the respondent.

No. 726. The People of Porto Rico, petitioner, *v.* Eduardo Wys. Petition for a writ of certiorari to the Supreme Court of Porto Rico, submitted by Mr. Edward S. Bailey and Mr. Samuel T. Ansell for the petitioner.

No. 727. The People of Porto Rico, petitioner, *v.* Aniceto Berrios. Petition for a writ of certiorari to the Supreme Court of Porto Rico, submitted by Mr. Edward S. Bailey and Mr. Samuel T. Ansell for the petitioner.

No. —, Original. Ex parte in the matter of Annie S. Simmons, petitioner. Motion for leave to file petition for a writ of mandamus, submitted by Mr. Paul Dulaney in behalf of Mr. Roger Foster for the petitioner.

No. 721. Great Northern 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 Ninth Circuit, submitted by Mr. W. W. Millan in behalf of Mr. E. C. Lindley, Mr. F. V. Brown, and Mr. Charles S. Albert for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Frier-son for the respondent.

No. 226. The T. H. Symington Company, petitioner, *v.* The National Malleable Castings Company et al. Motion to advance to be heard with No. 170, submitted by Mr. E. A. Mechlin in behalf of counsel for the petitioner.

No. 729. Clemente Ramirez, petitioner, *v.* The People of Porto Rico. Petition for a writ of certiorari to the Supreme Court of Porto Rico submitted by Mr. Carroll G. Walter for the petitioner, and by Mr. Samuel T. Ansell and Mr. Edward S. Bailey for the respondent.

No. 378. New York Life Insurance Company, plaintiff in error, *v.* Leo F. Dodge. Motion to dismiss or affirm submitted by H. A. Hegarty in behalf of Mr. Louis H. Breuer for the dependant in error in support of the motion, and by Mr. James C. Jones and Mr. James H. McIntosh for the plaintiff in error in opposition thereto.

No. 745. Morgan O. Llewellyn and Southern Surety Insurance Company, petitioners, *v.* The State of New Mexico. Petition for a writ of certiorari to the Supreme Court of the State of New Mexico and for a supersedeas submitted by Mr. J. Wilmer Latimer in behalf of Mr. Francis C. Wilson and Mr. S. P. Weisiger for the petitioners.

No. 741. H. Bradley Davidson and John C. Davidson, petitioners, *v.* The E. F. Brooks Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John C. Gittings for the petitioners, and by Mr. Henry F. Woodard and Mr. Daniel Thew Wright for the respondent.

No. 542. Alberto Sandoval and Felix Sandoval, petitioners, *v.* Ida C. Pfeuffer et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph W. Bailey in behalf of Mr. Don A. Bliss for the petitioners, and by Mr. S. J. Brooks for the respondents.

No. 150. Eugene W. Moran, plaintiff in error, *v.* Central Railroad Company of New Jersey. Submitted pursuant to the twentieth rule by Mr. Frank M. Hardenbrook for the plaintiff in error, and by Mr. Charles E. Miller for the defendant in error.

No. 350. Helen Bell, as administratrix of George Bell, deceased, plaintiff in error, *v.* The Chesapeake & Ohio Railway Company. Motion to dismiss or affirm or place on the summary docket submitted by Mr. E. L. Worthington, Mr. W. D. Cochran, and Mr. Lenwright Browning for the defendant in error in support of the motion, and by Mr. Allan D. Cole for the plaintiff in error in opposition thereto.

No. 55. Jose Sanchez y Armijo, plaintiff in error, *v.* The State of New Mexico. In error to the Supreme Court of the State of New Mexico. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 357. Wells Fargo & Company et al., appellants, *v.* Clarence C. Caldwell, attorney general, etc., et al. Appeal from the District Court of the United States for the District of South Dakota. Dismissed, per stipulation, and mandate granted.

No. 617. Liverpool & London & Globe Insurance Company (Ltd.), appellant, *v.* James J. Bailey, secretary of state of the State of Louisiana. 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. 201. Franz Tempel, plaintiff in error, *v.* The United States. Argued by Mr. Thomas B. Lantry for the plaintiff in error, and by Mr. Solicitor General Davis for the defendant in error.

No. 284. The United States, petitioner, *v.* Iver Ingebretsen Ness. Argued by Mr. Solicitor General Davis for the petitioner, and by Mr. Denis M. Keleher for the respondent.

No. 293. H. J. Jones et al., plaintiffs in error, *v.* Buffalo Creek Coal & Coke Company. Argued by Mr. Maynard F. Stiles for the plaintiffs in error, and by Mr. William R. Lilly and Mr. R. C. Alston for the defendant in error.

No. 348. Southern Pacific Company, plaintiff in error, *v.* Frank R. Stewart. Submitted by Mr. Henley C. Booth and Mr. William F. Herrin for the plaintiff in error, and by Mr. Thomas Armstrong, jr., for the defendant in error.

No. 366. William A. Trogler et al., appellants, *v.* The United States et al. Argued by Mr. Edwin H. Park for the appellants, and by Mr. A. A. Lee and Mr. Solicitor General Davis for the appellees.

Nos. 252 and 253. The Hartford Life Insurance Company, plaintiff in error, *v.* Rosa Barber. Argument commenced by Mr. James C. Jones for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 6, will be as follows: Nos. 252 (and 253), 407, 454, 16, 17, 18, 19, 26 (and 27), 30, and 34.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 6, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

George W. Davis, of Saginaw, Mich., Frank A. Rockwith, of Saginaw, Mich., Jose C. Hernandez, of San Juan, P. R., and J. Hernandez Usera, of San Juan, P. R., were admitted to practice.

No. 725. J. E. Baldwin, 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. George P. Kimmel in behalf of Mr. A. S. Baskett for the petitioner and by Mr. Solicitor General Davis for the respondent.

Nos. 252 and 253. The Hartford Life Insurance Company, plaintiff in error, *v.* Rosa Barber. Argument continued by Mr. James C. Jones for the plaintiff in error, by Mr. Charles E. Morrow for the defendant in error, and concluded by Mr. James C. Jones for the plaintiff in error.

No. 454. Philadelphia and Reading Coal and Iron Company, plaintiff in error, *v.* John Gilbert. Argued by Mr. Pierre M. Brown, for the plaintiff in error, and submitted by Mr. William M. Seabury for the defendant in error.

No. 16. Ben F. Looney, attorney general of the State of Texas, appellant, *v.* Crane Company. Reargued by Mr. C. M. Cureton for the appellant and by Mr. Joseph M. McCormick for the appellee.

No. 407. The People of the State of New York ex rel. New York and Queens Gas Company, plaintiff in error, *v.* Edward E. McCall et al., commissioners, etc. Argument commenced by Mr. John A. Garver for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 7, will be as follows: Nos. 407, 17, 18, 19, 26 (and 27), 30, 34, 35 (and 36), 38, 39 (and 40).

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 7, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

Jacob Chasoff, of St. Louis, Mo., Carl A. Mapes, of Washington, D. C., and Clay Hamilton, of Topeka, Kans., were admitted to practice.

No. —, Original. Ex parte In the matter of Frank M. Slater, public administrator of the city of St. Louis, Mo., etc., petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. George B. Webster for the petitioner.

No. 407. The People of the State of New York ex rel. New York & Queens Gas Company, plaintiff in error, *v.* Edward E. McCall et al., commissioners, etc. Argument continued by Mr. John A. Garver for the plaintiff in error, and concluded by Mr. Godfrey Goldmark for the defendants in error. Leave granted to file briefs on question of jurisdiction alone.

No. 17. The United States of America, appellant, *v.* Lehigh Valley Railroad Company et al. Reargument commenced by Mr. Assistant to the Attorney General Todd for the appellant, continued by Mr. Nicholas W. Hacker for Lehigh Valley Coal Sales Company, by Mr. F. W. Wheaton for the Lehigh Valley Coal Company and Cox Brothers & Company (Inc.), by Mr. Edgar H. Boles for Lehigh Valley Railroad Company, and concluded by Mr. Solicitor General Davis for the appellant.

No. 18. Seaboard Air Line Railway, plaintiff in error, *v.* The State of North Carolina. Submitted by Mr. Murray Allen for the plaintiff in error, and by Mr. James S. Manning and Mr. Robert H. Sykes for the defendant in error.

No. 19. William A. Hartranft, plaintiff in error, *v.* Alexander R. Mulloony, judge of the police court of the District of Columbia. Reargument commenced by Mr. Matthew E. O'Brien for the plaintiff in error, continued by Mr. Assistant Attorney General Frierson for the defendant in error, and continued by Mr. Henry E. Davis for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 8, will be as follows: Nos. 19, 26 (and 27), 30, 34, 35 (and 36), 38, 39 (and 40), 41, 42, and 43.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 8, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Franklin William Fort, of Newark, N. J., Walter Ewing Hope, of New York City, N. Y., and Ralph W. Stoddard, of Springfield, Mass., were admitted to practice.

No. 41. Howard Gould, plaintiff in error, *v.* Katherine Gould. Submitted by Mr. Martin W. Littleton for the plaintiff in error, and by Mr. John L. McNab for the defendant in error.

No. 19. William A. Hartranft, plaintiff in error, *v.* Alexander R. Mallowney, judge of the police court of the District of Columbia. Reargument concluded by Mr. Henry E. Davis for the plaintiff in error.

No. 26. Charles A. Korbly, receiver, etc., appellant, *v.* Springfield Institution for Savings et al.; and

No. 27. Springfield Institution for Savings et al., appellants, *v.* Charles A. Korbly, receiver, etc. Argued by Mr. Charles G. Gardner for Korbly, receiver, etc., and by Mr. Boyd B. Jones for the Springfield Institution for Savings et al.

No. 34. United States of America, for the use of T. H. Kessler and Company, plaintiff in error, *v.* Title Guaranty and Surety Company. Argued by Mr. Claudian B. Northrop for the plaintiff in error, and submitted by Mr. Lewis R. Bryan for the defendant in error.

No. 35. E. O. Ellison, plaintiff in error, *v.* City of Lamoure et al.; and

No. 36. David Lloyd, plaintiff in error, *v.* City of Lamoure et al. Argument commenced by Mr. S. E. Ellsworth for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 9, will be as follows: Nos. 35 (and 36), 30, 38, 39 (and 40), 42, 43, 44, 45, 46, and 47.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 9, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 45. Southern Railway Company, plaintiff in error, *v.* C. S. Cook, administrator of W. M. Poteat, deceased. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 47. Chicago Car Heating Company, appellant, *v.* Gold Car Heating & Lighting Company. Submitted by Mr. Otto Raymond Barnett for the appellant and by Mr. William A. Redding, Mr. Edward Rector, and Mr. Arthur C. Fraser for the appellee.

No. 35. E. O. Ellison, plaintiff in error, *v.* City of La Moure et al.; and

No. 36. David Lloyd, plaintiff in error, *v.* City of La Moure et al. Argument concluded by Mr. S. E. Ellsworth for the plaintiffs in error. No brief filed for the defendants in error.

No. 38. The Sunday Lake Iron Company, plaintiff in error, *v.* The Township of Wakefield. Argued by Mr. Horace Andrews for the plaintiff in error and by Mr. James A. O'Neill for the defendant in error.

No. 39. The United States, appellant. *v.* California Bridge & Construction Company; and

No. 40. California Bridge & Construction Company, appellant, *v.* The United States. Argument commenced by Mr. George A. King for California Bridge & Construction Company.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 12, will be as follows: Nos. 39 (and 40), 30, 42, 43, 44, 46, 48, 49, 50, and 51.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 12, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Harvey A. Baker, of Providence, R. I., Frederic Gilbert Bauer, of Boston, Mass., Cassius E. Gates, of Seattle, Wash., Alfred H. Lundin, of Seattle, Wash., George W. Huntress, of San Antonio, Tex., Theodore A. Walters, of Caldwell, Idaho, John L. Hunt, of Topeka, Kans., and Ethelbert Ward, of Denver, Colo., were admitted to practice.

No. 199. The St. Louis Southwestern Railway Company et al., appellants, *v.* The United States and Interstate Commerce Commission. Appeal from the District Court of the United States for the Western District of Kentucky. Decree affirmed. Opinion by Mr. Justice Brandeis.

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The Chief Justice announced the following orders of the court:

No. 34. The United States of America for the use of T. H. Kessler & Company, plaintiff in error, *v.* Title Guaranty & Surety Company. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Per curiam: Judgment affirmed with costs upon the authority of *Illinois Surety Company v. Peeler* (240 U. S., 214) and cause remanded to the District Court of the United States for the Southern District of Texas.

No. 35. E. O. Ellison, plaintiff in error, *v.* City of La Moure et al.; and

No. 36. David Lloyd, plaintiff in error, *v.* City of La Moure et al. In error to the Supreme Court of the State of North Dakota. Per curiam: Dismissed for want of jurisdiction upon the authority of *Kansas City Star v. Julian* (215 U. S., 589); *McCorquodale v. Texas* (211 U. S., 432, 437); *St. Louis & San Francisco Ry. Co. v. Shepherd* (240 U. S., 240, 241).

No. 150. Eugene W. Moran, plaintiff in error, *v.* Central Railroad Company of New Jersey. In error to the Court of Errors and Appeals of the State of New Jersey. Per curiam: Judgment affirmed with costs upon the authority of *Chicago, Burlington & Quincy R. R. Co. v. Harrington* (241 U. S., 177); *Lehigh Valley R. R. Co. v. Barlow* (244 U. S., 183).

No. 350. Helen Bell, as administratrix of George Bell, deceased, plaintiff in error, *v.* The Chesapeake & Ohio Railway Company. In error to the Court of Appeals of the State of Kentucky. Per curiam: Judgment affirmed with costs upon the authority of *Chicago Junction Railway Co. v. King* (222 U. S., 222); *Seaboard Air Line Railway Co. v. Padgett* (236 U. S., 668); *Baltimore & Ohio Railroad Co. v. Whitacre* (242 U. S., 169).

No. 366. William A. Trogler et al., appellants, *v.* The United States et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of: 1. *Whitney v. Dick* (202 U. S., 132, 135); *McClellan v. Carland* (217 U. S., 268, 278). 2. *Smith v. Indiana* (191 U. S., 138, 148-150); *McCandless v. Pratt* (211 U. S., 437, 440).

No. —, Original. Ex parte in the matter of Annie S. Simons, petitioner. Motion for leave to file petition for a writ of mandamus or other appropriate relief granted, and rule to show cause ordered to issue returnable Monday, December 10, next.

No. 226. The T. H. Symington Company, petitioner, *v.* The National Malleable Castings Company et al. Motion to advance for hearing with case No. 170 granted.

Nos. 268 and 269. Henry A. Oetjen, plaintiff in error, *v.* Central Leather Company. Motion to advance for hearing with case No. 119 granted.

No. 440. H. J. Gunning et al., plaintiffs in error, *v.* Peter Morrison et al. Motion to advance for hearing with case No. 147 granted.

No. 603. Ray Consolidated Copper Company, plaintiff in error, *v.* Dan Veazey. Motion to advance for hearing after case No. 162 granted.

No. 378. New York Life Insurance Company, plaintiff in error, *v.* Leo F. Dodge. Ordered that this case be placed on the summary docket.

No. 742. Hartford Life Insurance Company, petitioner, *v.* Nannie M. Johnson. Petition for a writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 542. Alberto Sandoval et al., petitioners, *v.* Ida C. Pfeuffer et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 612. Charles M. Simpson, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 721. Great Northern 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 Ninth Circuit denied.

No. 725. J. E. Baldwin, 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. 726. The People of Porto Rico, petitioner, *v.* Eduardo Wys. Petition for a writ of certiorari to the Supreme Court of Porto Rico denied.

No. 727. The People of Porto Rico, petitioner, *v.* Aniceto Berrios. Petition for a writ of certiorari to the Supreme Court of Porto Rico denied.

No. 729. Clemente Ramirez, petitioner, *v.* The people of Porto Rico. Petition for a writ of certiorari to the Supreme Court of Porto Rico denied.

No. 741. H. Bradley Davidson et al., petitioners, *v.* The E. F. Brooks Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 743. Southern Railway Company, petitioner, *v.* Thomas Young. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina denied.

No. 745. Morgan O. Llewellyn et al., petitioners, *v.* The State of New Mexico. Petition for a writ of certiorari to the Supreme Court of the State of New Mexico denied.

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No. 50. Union Oil Company of California, plaintiff in error, *v.* S. R. Smith. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. W. S. Penfield in behalf of counsel.

No. 48. San Pedro, Los Angeles & Salt Lake Railroad Company, plaintiff in error, *v.* The United States. Submitted by Mr. Alexander Britton, Mr. Evans Browne, Mr. F. W. Clements, and Mr. A. S. Halsted for the plaintiff in error, and by Mr. Assistant Attorney General Frierson for the defendant in error.

No. 39. The United States, appellant, *v.* California Bridge & Construction Company; and

No. 40. California Bridge & Construction Company, appellant, *v.* The United States. Argument continued by Mr. Assistant Attorney General Thompson for the United States, and concluded by Mr. George A. King for California Bridge & Construction Company.

No. 30. Norman S. Wear, impleaded sub-nom. The Wear Sand Company et al., plaintiffs in error, *v.* The State of Kansas ex rel. S. M. Brewster, attorney general. Argued by Mr. Francis C. Downey for the plaintiffs in error and by Mr. J. L. Hunt for the defendant in error.

No. 42. American Radiator Company, plaintiff in error, *v.* John F. Rogge, administrator, etc. Argument commenced by Mr. Franklin W. Fort for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 13, will be as follows: Nos. 42, 43, 44, 46, 49, 51, 52, 53, 56, and 57.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 13, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Ewing H. Scott, of Des Moines, Iowa; Charles J. Fisk, of Minot, N. Dak.; and George F. Short, of Idabel, Okla.; were admitted to practice.

No. 57. Cincinnati, Hamilton & Dayton Railway Company, plaintiff in error, *v.* Joseph M. McCollum, administrator, etc. Submitted by Mr. Harvey J. Elam and Mr. Morrison R. Waite, for the plaintiff in error, and by Mr. Merrill Moores for the defendant in error.

No. 42. American Radiator Company, plaintiff in error, *v.* John F. Rogge, administrator, etc. Argument continued by Mr. Franklin W. Fort, for the plaintiff in error, by Mr. John K. English, for the defendant in error, and concluded by Mr. Franklin W. Fort, for the plaintiff in error.

No. 43. John George Day et al., etc., appellants, *v.* The United States. Argued by Mr. Benjamin Carter for the appellants, and by Mr. Assistant Attorney General Thompson for the appellee.

No. 44. The United States of America ex rel. William F. Arant *v.* Franklin K. Lane, Secretary of the Interior. Argument commenced by Mr. H. Prescott Gately for Arant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 14, will be as follows: Nos. 44, 46, 49, 51, 52, 53, 56, 58, 59, and 61.

15897—17—24

# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 14, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 58. Rock Spring Distilling Company et al., petitioners, *v.* W. A. Gaines and Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Charles Ray Dean in behalf of counsel.

No. 61. Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, plaintiff in error, *v.* Alvin J. Fink. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. G. Bowdoin Craighill in behalf of counsel.

No. 44. The United States of America ex rel. William F. Arant *v.* Franklin K. Lane, Secretary of the Interior. Argument continued by Mr. H. Prescott Gatley for Arant and concluded by Mr. Assistant Attorney General Warren for Franklin K. Lane, Secretary of the Interior.

No. 46. The Germania Refining Company et al., plaintiffs in error, *v.* Oramel B. Fuller, auditor general, et al. Argued by Mr. Charles D. Chamberlin for the plaintiffs in error and submitted by Mr. Samuel H. Pepper and Mr. Alex J. Groesbeck for the defendants in error.

No. 49. Francis Stephen Medcraf, appellant, *v.* Robert T. Hodge, as sheriff of King County, Washington. Argument commenced by Mr. Cassius E. Gates for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 15, will be as follows: Nos. 49, 51, 52, 53, 56, 59, 62, 63, 64, and 65.

15897—17—25

# SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 15, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Elinor D. Pratt, of San Francisco, Cal.; Charles T. Curry, of Bradentown, Fla.; Henry W. Brush, of Buffalo, N. Y.; John E. Garner, of Springfield, Tenn.; and Horace G. McKeever, of Enid, Okla.; were admitted to practice.

No. 63. H. C. King, plaintiff in error, *v.* The Putnam Investment Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Enoch A. Chase in behalf of counsel.

No. 64. The United States of America ex rel. David Bowlegs, a minor, etc., plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. In error to the court of appeals of the District of Columbia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 65. Thomas D. Aitken et al., plaintiffs in error, *v.* The United States of America. In error to the Supreme Court of the Philippine Islands. Dismissed pursuant to the tenth rule.

No. 49. Francis Stephen Medcraf, appellant, *v.* Robert T. Hodge, as sheriff of King County, Washington. Argument concluded by Mr. Cassius E. Gates for the appellant. The court declined to hear counsel for the appellee.

No. 51. The Duncan Townsite Company, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. Argued by Mr. Charles H. Merillat for the plaintiff in error, and by Mr. Assistant Attorney General Kearful for the defendant in error.

No. 52. Cornelia Sweet et al., plaintiffs in error, *v.* Elmer E. Schock, as treasurer, etc., et al. Argued by Mr. Francis W. Clements for the plaintiff in error, and by Mr. S. P. Freeling for the defendant in error.

No. 53. Ed. Crane, plaintiff in error, *v.* J. J. Campbell, sheriff of Latah County, Idaho. Argued by Mr. T. A. Walters for the defendant in error, and submitted by Mr. J. H. Forney for the plaintiff in error.

No. 56. Municipal Securities Corporation, plaintiff in error, *v.* Kansas City. Argument commenced by Mr. W. C. Scarritt for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 16, will be as follows: Nos. 56, 59, 62, 66, 67, 68 (and 80), 69, 70, 71 (and 72), and 73.

# SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 16, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Rufus B. Daniel, of El Paso, Tex., and Walter S. Heilborn, of New York City, were admitted to practice.

No. 69. Enterprise Railway Equipment Company, appellant, *v.* Norfolk & Western Railway Company. Submitted by Mr. H. N. Low and Mr. George I. Haight for the appellant, and by Mr. Theodore W. Reath and Mr. Robert J. Fisher for the appellee.

No. 70. The United States *ex rel.* Louisville Cement Company, plaintiff in error, *v.* Interstate Commerce Commission. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Charles W. Needham for the defendant in error.

No. 56. Municipal Securities Corporation, plaintiff in error, *v.* Kansas City. Argument continued by Mr. W. C. Scarritt for the plaintiff in error, by Mr. A. F. Smith for the defendant in error, and concluded by Mr. W. C. Scarritt for the plaintiff in error.

No. 59. Bellows Falls Power Company, plaintiff in error, *v.* The Commonwealth of Massachusetts. Argued by Mr. Richard Y. Fitzgerald for the plaintiff in error, and by Mr. William Harold Hitchcock for the defendant in error.

No. 62. Carolina Boldt, administratrix, etc., plaintiff in error, *v.* The Pennsylvania Railroad Company. Argument commenced by Mr. Henry W. Brush for the plaintiff in error, and by Mr. Frederic D. McKenney for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 19, will be as follows: 62, 66, 67, 68 (and 80), 71 (and 72), 73, 74, 75, 76, and 77.

15897—17—27

# SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 19, 1917.

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Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Robert A. Kutschbock, of New York City; Archibald A. Gulick, of New York City; Freeman C. Davidson, of Des Moines, Iowa; Charles R. Cummings, of Fall River, Mass.; Howard F. Morgan, of Washington, D. C.; Henry Culbertson Clark, of Jacksonville, Fla.; and Henry Oswald Head, of Sherman, Tex., were admitted to practice.

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No. 41. Howard Gould, plaintiff in error, *v.* Katherine Gould. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

Nos. 252 and 253. The Hartford Life Insurance Company, plaintiff in error, *v.* Rosa Barber. In error to the Supreme Court of the State of Missouri. Judgments reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

Mr. Justice McKenna announced the following orders of the court:

No. 59. Bellows Falls Power Company, plaintiff in error, *v.* The Commonwealth of Massachusetts. In error to the Supreme Judicial Court of the State of Massachusetts. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Equitable Life Assurance Society v. Brown*, 187 U. S., 308, 314; *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.*, 228 U. S., 596, 600; *Manhattan Life Insurance Co. v. Cohen*, 234 U. S., 123, 137; *Easterling Lumber Co. v. Pierce*, 235 U. S., 380. See *Hamilton Company v. Massachusetts*, 6 Wall., 632.

No. 49. Francis Stephen Medcraf, appellant, *v.* Robert T. Hodge, as sheriff of King County, Washington. Appeal from the District Court of the United States for the Western District of Washington. *Per curiam*: Judgment affirmed with costs upon the authority of *Ex parte Royall*, 117 U. S., 241, 251; *In re Frederich*, petitioner,

149 U. S., 70, 77; *Markuson v. Boucher*, 175 U. S., 184; *Urquhart v. Brown*, 205 U. S., 179; *Frank v. Mangum*, 237 U. S., 309, 328, 329.

No. 42. American Radiator Company, plaintiff in error, *v. John F. Rogge*, administrator of the estate of John F. Rogge, jr., deceased. In error to the Supreme Court of the State of New Jersey. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Haire v. Rice*, 204 U. S., 291; *Thomas v. Iowa*, 209 U. S., 258; *Appleby v. Buffalo*, 221 U. S., 524, 529.

No. 69. Enterprise Railway Equipment Company, appellant, *v. Norfolk & Western Railway Company*. Appeal from the District Court of the United States for the Northern District of Illinois. *Per curiam*: Judgment affirmed with costs upon the authority of *Green v. Chicago, Burlington & Quincy Railway Company*, 205 U. S., 530; *W. S. Tyler Co. v. Ludlow-Saylor Wire Co.*, 236 U. S., 723.

No. 47. Chicago Car Heating Company, appellant, *v. Gold Car Heating & Lighting Company*. Appeal from the District Court of the United States for the Northern District of Illinois. *Per curiam*: Judgment affirmed with costs upon the authority of *Green v. Chicago, Burlington & Quincy Railway Co.*, 205 U. S., 530; *W. S. Tyler Co. v. Ludlow-Saylor Wire Co.*, 236 U. S., 723.

No. 46. The Germania Refining Company et al., plaintiffs in error, *v. Oramel B. Fuller*, auditor general, et al. In error to the Supreme Court of the State of Michigan. *Per curiam*: Judgment affirmed with costs upon the authority of *American Refrigerator Transit Co. v. Hall*, 174 U. S., 70; *Union Refrigerator Transit Co. v. Lynch*, 177 U. S., 149.

No. —, Original. Ex parte in the matter of Frank M. Slater, petitioner. Motion for leave to file petition for writ of mandamus granted and rule to show cause ordered to issue, returnable on Monday, December 10, next.

No. 712. New York Scaffolding Company, petitioner, *v. Liebel-Binney Construction Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 713. New York Scaffolding Company, petitioner, *v. Chain Belt Company et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 533. New York Scaffolding Company, petitioner, *v. Egbert Whitney*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit postponed to the hearing of cases Nos. 712 and 713.

Order. It is ordered that the cases heretofore placed on the summary docket, viz: Nos. 504, 391, 525, 678, 679, 202, 273, 476, and 378, be assigned for argument on Monday, January 7, next.

Mr. Justice McKenna also announced that the Court will take a recess from Monday, the 26th instant, to Monday, December 10, next.

No. 75. The United States, appellant, *v.* St. Paul, Minneapolis & Manitoba Railway Company et al. Passed, to be heard with case No. 130, on motion of Mr. Solicitor General Davis for the appellant.

No. 521. Southern Oregon Company, appellant, *v.* The United States. Motion for leave to file petition in the District Court for an order permitting sale of timber on land in controversy submitted by Mr. Solicitor General Davis in behalf of counsel for the appellant.

No. 534. The People of Porto Rico et al., appellants, *v.* Carlos Tapia. Motion to reassign for hearing on the first Monday in January next submitted by Mr. Solicitor General Davis for the appellants.

No. 647. The People of Porto Rico et al., plaintiffs in error and petitioners, *v.* Jose Muratti. Motion to advance and assign for hearing at the same time with No. 534, submitted by Mr. Solicitor General Davis for the plaintiffs in error and petitioners.

No. 744. Minneapolis & St. Louis Railroad Company, 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. George F. Snyder in behalf of Mr. F. M. Miner for the petitioner.

No. 73. Stephen W. Allen et al., plaintiffs in error, *v.* J. F. Trimmer, as treasurer, etc. Passed, per stipulation of counsel.

No. 755. Hargadine-McKittrick Dry Goods Company, petitioner, *v.* Christian J. Zeiting et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. Charles A. Houts for the petitioner, and by Mr. Matt. G. Reynolds for the respondents.

No. 685. Eneas J. McCurdy, county treasurer of Osage County, Oklahoma, et al., appellants, *v.* The United States of America. Motion to advance submitted by Mr. Preston A. Shinn for the appellants.

No. 435. Adelbert A. Weiland, as State engineer, etc., et al., appellants, *v.* The Pioneer Irrigation Company. Motion to dismiss or affirm submitted by Mr. Edwin H. Park for the appellee in support of the motion, and by Mr. Fred Farrar and Mr. Leslie E. Hubbard for the appellants in opposition thereto.

No. 62. Caroline Boldt, administratrix, etc., plaintiff in error, *v.* The Pennsylvania Railroad Company. Argument continued by Mr.

Frederic D. McKenney for the defendant in error, and concluded by Mr. Rufus S. Day for the plaintiff in error.

No. 66. J. Harry Hull, as trustee, etc., plaintiff in error, *v.* The Farmers' Loan & Trust Company et al. Argument commenced by Mr. Walter S. Heilborn for the plaintiff in error, continued by Mr. Frederick Geller for the defendant in error, the Farmers' Loan & Trust Company, and by Mr. Henry B. Twombly for the defendant in error Francis J. Palmer, and concluded by Mr. Walter S. Heilborn for the plaintiff in error.

No. 67. Abercrombie & Fitch Company et al., petitioners, *v.* Fred-eric E. Baldwin et al. Argument commenced by Mr. James R. Offield for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 20, will be as follows: Nos. 67, 68 (and 80), (71 and 72), 74, 76, 77, 78, 79, 81, and 82.

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 20, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

G. C. Fulton, of Astoria, Oreg., and C. S. Schneider, of Paxton, Ill., were admitted to practice.

No. 79. John Johnstone, plaintiff in error, *v.* Andrew Schmidt et al. In error to the Supreme Court of the State of North Dakota. Dismissed with costs, pursuant to the tenth rule.

No. 82. The Missouri Pacific Railway Company, plainiff in error, *v.* The State of Kansas. Continued per stipulation.

No. 67. Abercrombie and Fitch Company et al., petitioners, *v.* Frederic E. Baldwin et al. Argument continued by Mr. James Q. Rice for respondents, and concluded by Mr. James R. Offield for the petitioners.

No. 68. The United States of America, appellant, *v.* Reading Company et al., and

No. 80. Reading Company et al., appellants, *v.* The United States of America. Reargument commenced by Mr. Assistant to the Attorney General Todd for the United States, continued by Mr. Jackson E. Reynolds for the Reading Company, and by Mr. Robert W. DeForest for the Central Railroad Company of New Jersey.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 21, will be as follows: Nos. 68 (and 80), 71 (and 72), 74, 76, 77, 78, 81, 83, 84, and 85.

15897—17—29

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 21, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Ralph H. Case, of Berwyn, Md.; Walter Nelles, of New York, N. Y.; Bert W. Henry, of Portland, Oreg.; Frank T. Miller, of Peoria, Ill.; and Robert E. L. Smith, of Rockville, Md., were admitted to practice.

No. 68. The United States of America, appellant, *v.* Reading Company et al., and

No. 80. Reading Company et al., appellants, *v.* The United States of America. Reargument continued by Mr. Robert W. De Forest for the Central Railroad Company of New Jersey, and concluded by Mr. Solicitor General Davis for the United States.

No. 71. Lucinda Burton, plaintiff in error, *v.* The New York Central & Hudson River Railroad Company, and

No. 72. Cora B. Heeren, plaintiff in error, *v.* The New York Central & Hudson River Railroad Company. Argued by Mr. William F. Connell for the plaintiffs in error, and by Mr. Robert A. Kutschbock for the defendant in error.

No. 74. Whelmina Elizabeth Petersen et al., plaintiffs in error *v.* The State of Iowa ex rel. The State Treasurer et al. Argued by Mr. Hugh O'Neill for the plaintiffs in error, and by Mr. Freeman C. Davidson for the defendants in error.

No. 76. The Houston Oil Company of Texas et al., petitioners, *v.* Cornelia G. Goodrich et al. Argument commenced by Mr. William L. Marbury for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 22, will be as follows: Nos. 76, 77, 78, 81, 83, 84, 85, 86, 87, and 88.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 22, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Lamson S. Harvey, of Kansas City, Kans., and George R. Nutter, of Boston, Mass., were admitted to practice.

No. 84. Stonebraker-Zea Cattle Company, appellant, *v.* The United States. Passed, to be restored to the call pursuant to section 9 of rule 26, on motion of Mr. Assistant Attorney General Kearful for the appellee.

No. 88. George W. Egan, plaintiff in error, *v.* Charles S. McDonald. Motion to continue submitted by Mr. Ralph H. Case for the plaintiff in error in support of the motion, and by Mr. Charles O. Bailey and Mr. John H. Voorhees for the defendant in error in opposition thereto.

No. 86. James McDowall et al., plaintiffs in error, *v.* Edward I. Donovan et al. In error to the Supreme Court of the State of North Dakota. Dismissed with costs, pursuant to the tenth rule.

No. 87. George H. Munroe et al., plaintiffs in error, *v.* Edward I. Donovan et al. In error to the Supreme Court of the State of North Dakota. Dismissed with costs, pursuant to the tenth rule.

No. 76. The Houston Oil Company of Texas et al., petitioners, *v.* Cornelia G. Goodrich et al. Argument continued by Mr. William L. Marbury for the petitioners, by Mr. William D. Gordon for the respondents, and concluded by Mr. H. O. Head for the petitioners.

No. 77. Henry M. Jones et al., plaintiffs in error, *v.* The City of Portland. Argued by Mr. Eben Winthrop Freeman for the plaintiffs in error, and by Mr. Carroll S. Chaplin for the defendant in error.

No. 78. H. S. McGowan et al., appellants, *v.* Columbia River Packers' Association et al. Argument commenced by Mr. Bert W. Henry for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 23, will be as follows: Nos. 78, 81, 83, 85, 89, 90, 91, 92, 93, and 84.

# SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 23, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Ernest E. Zesiger, of Akron, Ohio; Stuart G. Gibboney, of New York City; Jacob J. Kaplan, of Boston, Mass.; and A. L. Doud, of Denver, Colo., were admitted to practice.

No. 91. Louisville & Nashville Railroad Company, appellant, *v.* The United States of America et al. Submitted by Mr. Henry L. Stone and Mr. William A. Colston for the appellant, and by Mr. Assistant Attorney General Frierson for the United States of America, and Mr. Joseph W. Folk for the Interstate Commerce Commission, with leave to counsel for the appellant to file additional brief within one week.

No. 78. H. S. McGowan et al., appellants, *v.* Columbia River Packers' Association et al. Argument continued by Mr. Bert W. Henry for the appellants, by Mr. G. C. Fulton for the appellees, and concluded by Mr. Bert W. Henry for the appellants.

No. 81. Frank L. Kirk et al., plaintiffs in error, *v.* Hans Olson. Argued by Mr. Samuel Herrick for the defendant in error, and submitted by Mr. William G. Porter for the plaintiffs in error.

No. 83. Menasha Wooden Ware Company, plaintiff in error, *v.* Minneapolis, St. Paul & Sault Ste. Marie Railway Company. Argued by Mr. Alfred H. Bright for the defendant in error, and submitted by Mr. A. E. Thompson and Mr. J. C. Thompson for the plaintiff in error.

No. 85. A. M. Duus, Administrator, etc., plaintiff in error, *v.* W. C. Brown, Treasurer of the State of Iowa. Argued by Mr. Nelson Miller for the plaintiff in error, and by Mr. Freeman C. Davidson for the defendant in error.

No. 507. Elina Skarderud, plaintiff in error, *v.* The Tax Commission of the State of North Dakota. Order assigning case for Monday, January 7, 1918, vacated and set aside.

No. 507. Elina Skarderud, plaintiff in error, *v.* The Tax Commission of the State of North Dakota. Submitted by Mr. Edward Engerud for the plaintiff in error, with leave to counsel for the defendant in error to file brief within one week.

Adjourned until Monday next at 12 o'clock.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 26, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Benjamin F. Rice, of Tulsa, Okla.; Thomas D. Lyons, of Tulsa, Okla.; and Welbore S. Burnett, of San Francisco, Cal., were admitted to practice.

No. 454. Philadelphia & Reading Coal & Iron Company, plaintiff in error, *v.* John Gilbert. In error to the Supreme Court of the State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 30. Norman S. Wear, impleaded *sub. nom.* The Wear Sand Company, and F. D. Fowler, plaintiffs in error, *v.* the State of Kansas ex rel. S. M. Brewster, Attorney General. In error to the Supreme Court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 43. John George Day et al., etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 57. Cincinnati, Hamilton & Dayton Railway Company, plaintiff in error, *v.* Joseph M. McCollum, administrator of the estate of Joseph William Roebuck. In error to the Supreme Court of the State of Indiana. *Per curiam:* Judgment affirmed with costs upon the authority of Louisville & Nashville Railroad Company *v.* Melton, 218 U. S., 36, 52, 53; Lindsley *v.* Natural Carbonic Gas Co., 220 U. S., 61, 78; Mutual Loan Company *v.* Martell, 222 U. S., 225, 235; St. Louis, Iron Mountain & Southern Ry. Co. *v.* Arkansas, 240 U. S., 518.

No. —. Hartford Beaumont, Assignee of W. Borck, appellant and plaintiff in error, *v.* Mauro Prieto et al., etc. Motion to docket and dismiss denied.

No. 521. Southern Oregon Company, appellant, *v.* The United States. Motion to permit appellant to file petition in the District Court of the United States granted.

No. 534. The People of Porto Rico et al., appellants, *v.* Carlos Tapia. Motion to reassign for Monday, January 7 next, granted.

No. 647. The People of Porto Rico et al., plaintiffs in error and petitioners, *v.* Jose Muratti. Motion to advance for hearing with case No. 534 granted.

No. 685. Eneas J. McCurdy, county treasurer, etc., et al., appellants, *v.* The United States of America. Motion to advance granted, and cause assigned for argument on Monday, January 7 next, after the cases heretofore assigned for that day.

No. 435. Adelbert A. Weiland, as State engineer, etc., et al., appellants, *v.* The Pioneer Irrigation Company. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits.

No. 88. George W. Egan, plaintiff in error, *v.* Charles S. McDonald. Consideration of the motion to continue this cause postponed to Thursday, December 6, in order to afford time to the plaintiff in error to make the necessary deposit to cover the cost of printing the record, and the consideration of the suggestion of the defendant in error to dismiss also postponed to that day.

No. 744. Minneapolis & St. Louis Railroad Company, 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. 755. Hargadine-McKittrick Dry Goods Company, petitioner, *v.* Christian J. Zeitinger et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 623. Union Pacific Railroad Company, plaintiff in error, *v.* L. A. Laughlin. Motion to dismiss or affirm or transfer to the summary docket submitted by Mr. Edwin A. Krauthoff for the defendant in error in support of the motion, and by Mr. I. N. Watson and Mr. N. H. Loomis for the plaintiff in error in opposition thereto.

No. —, Original. *Ex parte* In the matter of Southwestern Surety Insurance Company, petitioner. Motion for leave to file petition for a writ of prohibition submitted by Mr. Hayden Johnson for the petitioner.

No. 753. John A. Jesson et al., petitioners, *v.* F. G. Noyes, as receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles F. Consaul in behalf of Mr. W. H. Metson for the petitioners, and by Mr. Orion L. Rider for the respondent.

No. 762. James B. Simpson, indicted as James B. Miller, 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. Samuel Herrick and Mr. Thomas E. Hayden for the petitioner.

No. 163. John E. Roller, plaintiff in error, *v.* Charles Catlett, trustee. Motion to dismiss submitted by Mr. Rudolph Bumgardner for the defendant in error in support of the motion, and by Mr. John E. Roller *pro se* in opposition thereto.

Adjourned until Monday, December 10 next, at 12 o'clock.

The day call for Monday, December 10, will be as follows: Nos. 234, 7 Original, 563, 365 (and 438), 523, 626, 656, 663, 664, 665, 666, 680, 681 702, and 738.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 10, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John S. G. Gallagher, of Washington, D. C.; Eli J. Blair, of New York City; Harry L. Patton, of Clovis, N. Mex.; Dora Boneta Whitney, of Benton Harbor, Mich.; George F. Howard, of Houston, Tex.; Harris S. Whitney, of Benton Harbor, Mich.; Claude F. Purkett, of Willows, Cal.; Edward Mascolo, of Washington, D. C.; William C. Rempfer, of Parkston, S. Dak.; John C. Wait, of New York City; John B. Shorett, of Seattle, Wash.; Don Carlos Buell, of New York City; and Edwin Taliaferro, of New York City, were admitted to practice.

No. 26. Charles A. Korbly, receiver of the Pynchon National Bank, appellant, *v.* Springfield Institution for Savings et al.; and

No. 27. Springfield Institution for Savings et al., appellants, *v.* Charles A. Korbly, receiver of the Pynchon National Bank. Appeals from the United States Circuit Court of Appeals for the First Circuit. Decree affirmed, each party to pay its own costs; and cause remanded to the District Court of the United States for the District of Massachusetts. Opinion by Mr. Justice Clarke. Dissenting: Mr. Justice Van Devanter and Mr. Justice Pitney.

No. 39. The United States, appellant, *v.* California Bridge & Construction Company; and

No. 40. California Bridge & Construction Company, appellant, *v.* The United States. Appeals from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 407. The People of the State of New York ex rel. New York & Queens Gas Company, plaintiff in error, *v.* Edward E. McCall et al., Commissioners, constituting the Public Service Commission of the State of New York for the first district. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. 51. The Duncan Townsite Company, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 66. J. Harry Hull, as trustee in bankruptcy of the estate of Francis J. Palmer, bankrupt, plaintiff in error, *v.* The Farmers' Loan & Trust Company et al. In error to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 71. Lucinda Burton, plaintiff in error, *v.* The New York Central & Hudson River Railroad Company; and

No. 72. Cora B. Heeren, plaintiff in error, *v.* The New York Central & Hudson River Railroad Company. In error to the Supreme Court of the State of New York. Judgments affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 284. The United States, petitioner, *v.* Iver Ingebretsen Ness. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed; and cause remanded to the District Court of the United States for the Northern District of Iowa for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 293. H. C. Jones et al., plaintiffs in error, *v.* Buffalo Creek Coal & Coke Company. In error to the District Court of the United States for the Southern District of West Virginia. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 18. Seaboard Air Line Railway, plaintiff in error, *v.* The State of North Carolina. In error to the Supreme Court of the State of North Carolina. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Van Devanter.

No. 53. Ed. Crane, plaintiff in error, *v.* J. J. Campbell, sheriff of Latah County, Idaho. In error to the Supreme Court of the State of Idaho. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 11. Hitchman Coal & Coke Company, petitioner, *v.* John Mitchell, individually, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Decree of the Circuit Court of Appeals reversed, and the decree of the District Court of the United States for the Northern District of West Virginia modified and affirmed; and cause remanded to the said district court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Brandeis, Mr. Justice Holmes, and Mr. Justice Clarke.

No. 23. Eagle Glass & Manufacturing Company, appellant, *v.* Thomas W. Rowe, individually and as president of American Flint Glass Workers' Union, et al. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. Appeal dismissed for want of jurisdiction, petition for writ of certiorari granted, record on appeal to stand as return to the writ, and decree of the Circuit Court of Appeals, so far as it directed that the temporary injunction be dissolved, affirmed, but so far as it directed a dismissal of the bill, reversed, and cause remanded to the District Court of the United States for the Northern District of West Virginia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Brandeis, Mr. Justice Holmes, and Mr. Justice Clarke.

No. 461. Schneider Granite Company, plaintiff in error. *v.* Gast Realty & Investment Company and Emily Gast; and

No. 473. Gast Realty & Investment Company and Emily Gast, plaintiffs in error, *v.* Schneider Granite Company. In error to the Supreme Court of the State of Missouri. Judgment affirmed, each party to pay its own costs. Opinion by Mr. Justice Pitney.

No. 499. Crew-Levick Company, plaintiff in error, *v.* Commonwealth of Pennsylvania. In error to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Pitney.

No. 81. Frank L. Kirk, Elisha S. Kirk, and Elma E. Kirk, plaintiffs in error, *v.* Hans Olson. In error to the Supreme Court of the State of South Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 131. The Stevirmac Oil & Gas Company, plaintiff in error, *v.* C. E. Dittman et al. In error to the District Court of the United States for the Eastern District of Oklahoma. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 77. Henry M. Jones et al., plaintiffs in error, *v.* The City of Portland. In error to the Supreme Judicial Court of the State of Maine. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 52. Cornelia Sweet et al., plaintiffs in error, *v.* Elmer E. Schock, as Treasurer, etc., et al. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 67. Abercrombie & Fitch Company et al., petitioners, *v.* Fred-eric E. Baldwin 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 McKenna.

No. 44. *The United States of America ex rel. William F. Arant v. Franklin K. Lane, Secretary of the Interior.* On a certificate from the Court of Appeals of the District of Columbia. Dismissed for want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 74. *Whelmina Elizabeth Peterson et al., legatees of Anna Margrethe Anderson, deceased, plaintiffs in error, v. The State of Iowa ex rel. The State Treasurer et al.* In error to the Supreme Court of the State of Iowa. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 85. *A. M. Duus, administrator, etc., plaintiff in error, v. W. C. Brown, treasurer, etc.* In error to the Supreme Court of the State of Iowa. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 16. *Ben F. Looney, Attorney General of the State of Texas, appellant, v. Crane Company.* Appeal from the District Court of the United States for the Northern District of Texas. Decree affirmed with costs. Opinion by Mr. Chief Justice White.

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

No. 163. *John E. Roller, plaintiff in error, v. Charles Catlett, trustee.* In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of *Deming v. Carlisle Packing Co.*, 226 U. S., 102, 105; *Consolidated Turnpike v. Norfolk & C. Railway Co.*, 228 U. S., 596, 600; *Stewart v. Kansas City, Kansas*, 239 U. S., 14.

No. 507. *Elina Skarderud, plaintiff in error, v. The Tax Commission of the State of North Dakota.* In error to the Supreme Court of the State of North Dakota. Per curiam: Judgment affirmed with costs upon the authority of *Duus v. Brown*, this day decided, ante, p. —.

No. 83. *Menasha Wooden Ware Company, plaintiff in error, v. Minneapolis, St. Paul & Sault Ste. Marie Railway.* In error to the Circuit Court of Winnebago County, State of Wisconsin. Per curiam: Judgment affirmed with costs upon the authority of *Armour Packing Company v. United States*, 209 U. S., 56, 80, et seq.; *L. & N. R. R. Co. v. Mottley*, 219 U. S., 467; *Portland Railway & C. Co. v. Railroad Commission of Oregon*, 229 U. S., 397, 412, 413; *New York Central & Hudson River R. R. Co. v. Gray*, 239 U. S., 583.

No. —, Original. *Ex parte* In the matter of Southwestern Surety Insurance Company, petitioner. Motion for leave to file petition for

writ of prohibition herein granted, and a rule to show cause awarded returnable Monday, January 7th next.

No. 623. Union Pacific Railroad Company, plaintiff in error, *v.* L. A. Laughlin. Ordered that this case be placed on the summary docket.

No. 753. John A. Jesson et al., petitioners, *v.* F. G. Noyes, as Receiver of the Washington-Alaska Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 762. James B. Simpson, indicted as James B. Miller, 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. 88. George W. Egan, plaintiff in error, *v.* Charles S. McDonald. The provisions of rule 10 having been now complied with by the plaintiff in error, the motion to dismiss for failure to print the record is denied. The motion to continue to the next term is also denied, and the case assigned for hearing on Monday, January 28th next.

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No. 101. Oliver B. Saalfield, Administrator, etc., appellant. *v.* The United States. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Solicitor General Davis for the appellee.

No. 115. The Grand Trunk Western Railway Company, appellant, *v.* The United States. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. Solicitor General Davis for the appellee.

No. 325. The United States, plaintiff in error, *v.* Thomas Soldana et al.;

No. 327. S. A. Hays, collector of internal revenue, etc., petitioner, *v.* The Gauley Mountain Coal Company:

No. 334. The Goldfield Consolidated Mines Company *v.* Joseph J. Scott, as collector of U. S. internal revenue, etc.;

No. 371. The Toledo Newspaper Company et al., plaintiffs in error. *v.* The United States of America:

No. 421. E. J. Lynch, collector of internal revenue, etc., petitioner, *v.* Henry Turrish:

No. 422. E. J. Lynch, collector of internal revenue, etc., petitioner, *v.* H. C. Hornby:

No. 468. The United States, plaintiff in error, *v.* Joseph L. Schider, trading as Jos. L. Schider & Company;

No. 492. Emanuel J. Doyle, collector of internal revenue, petitioner, *v.* Mitchell Brothers Company;

No. 593. The United States of America, petitioner, *v.* The Cleveland, Cincinnati, Chicago & St. Louis Railway Company; and

No. 594. The United States of America, petitioner, *v.* Biwabik Mining Company. Motions to advance submitted by Mr. Solicitor General Davis for the United States.

No. 452. Southern Pacific Company, plaintiff in error, *v.* John Z. Lowe, jr., U. S. Collector of Internal Revenue, etc. Motion to dismiss submitted by Mr. Solicitor General Davis for the defendant in error in support of the motion, and by Mr. Gordon M. Buck for the plaintiff in error in opposition thereto.

No. 705. Charles A. Peabody, plaintiff in error, *v.* Mark Eisner, Collector of Internal Revenue, etc. Motion to dismiss submitted by Mr. Solicitor General Davis for the defendant in error in support of the motion, and by Mr. Henry W. Clark for the plaintiff in error in opposition thereto.

No. 754. H. H. Riddell, 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. W. Y. Masters for the petitioner, with leave to the Solicitor General to file a brief on or before Friday next.

No. 601. Midland Valley Railroad Company, plaintiff in error, *v.* Mrs. Maude Griffith, administratrix, etc. Motion to dismiss or affirm and for damages submitted by Mr. Philip P. Campbell in behalf of Mr. W. L. Cunningham and Mr. C. T. Atkinson for the defendant in error in support of the motion, and by Mr. L. T. Michener for the plaintiff in error in opposition thereto.

No. 661. John B. Turner, petitioner, *v.* Board of Trade of the City of Chicago. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Alex. S. Lanier in behalf of Mr. Joseph E. Johnson for the petitioner, and by Mr. Henry S. Robbins for the respondent.

No. 611. John D. Ireland, plaintiff in error, *v.* Arthur Woods, Police Commissioner of the City of New York. Motion to advance submitted by Mr. Don Carlos Buell in behalf of Mr. Robert S. Johnstone for the defendant in error.

No. 656, etc. Charles E. Ruthenberg et al., plaintiffs in error, *v.* The United States. Leave granted to file a brief herein as *amicus curiæ*, on motion of Mr. Walter Nelles in that behalf.

No. 777. Central California Canneries Company et al., petitioners, *v.* Dunkley Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Percy Hills in behalf of Mr. William K. White for the petitioners, and by Mr. Fred L. Chappell for the respondent.

No. 11. Hitchman Coal & Coke Company, petitioner, *v.* John Mitchell, individually, et al. Motion of petitioner for rule against certain respondents for contempt submitted by Mr. Hannis Taylor and Mr. George R. E. L. Gilchrist for the petitioners, and by Mr. Charles E. Hogg for the respondents, with leave to counsel for the respondent to file brief within 60 days.

No. 656, etc. Charles E. Ruthenberg et al., plaintiffs in error, *v.* The United States of America. Leave granted to file brief herein as *amici curiae*, on motion of Mr. Hannis Taylor in that behalf.

No. 452. Southern Pacific Company, plaintiff in error, *v.* John Z. Lowe, jr., U. S. Collector of Internal Revenue. Motion to advance submitted by Mr. A. A. Hoehling, jr., in behalf of Mr. Gordon M. Buck for the plaintiff in error.

No. 563. Henry R. Towne, plaintiff in error, *v.* Mark Eisner, collector, etc. Leave granted to file brief herein as *amicus curiae*, on motion of Mr. A. A. Hoehling, jr., in behalf of Mr. Gordon M. Buck.

No. 769. Meyer Graubard, plaintiff in error, *v.* The United States of America. Advanced to be heard with No. 656 and other like cases, on motion of Mr. Edwin T. Taliaferro for the plaintiff in error.

No. 757. A. W. Lohman, petitioner, *v.* Stock Yards Loan Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. H. Merillat in behalf of Mr. H. P. White for the petitioner, and by Mr. B. F. Deatherage and Mr. Robert F. Blair for the respondent.

No. 697. Sidney J. Brooks, receiver, etc., appellant, *v.* Empire Trust Company et al. Motion to dismiss submitted by Mr. Thomas H. Franklin and Mr. Stephen H. Olin for the appellees in support of the motion, and by Mr. Chester H. Terrell and Mr. Joseph W. Bailey for the appellant in opposition thereto.

No. 676. U. S. Fidelity & Guaranty Company, plaintiff in error, *v.* The State of Mississippi et al. In error to the Supreme Court of the State of Mississippi. Dismissed, with costs, on motion of counsel for the plaintiff in error.

No. 26, Original. Ex parte In the matter of Annie S. Simons, petitioner. Argued by Mr. Roger Foster for the petitioner and by Mr. Edgar T. Brackett for the respondent.

No. 234. William E. Peck & Company, Inc., plaintiff in error, *v.* John Z. Lowe, jr., Collector of Internal Revenue, etc. Argument commenced by Mr. Charles P. Spooner for the plaintiff in error and continued by Mr. Assistant Attorney General Fitts for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 11, will be as follows: Nos. 234, 7 Original, 563, 365 (and 438), 523, 626. and 656 (and 663, 664, 665, 666, 680, 681, 702, 738, and 769).

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 11, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Norman A. Dodge, of Fort Worth, Tex., was admitted to practice.

No. 234. William E. Peck and Company, Incorporated, plaintiff in error, *v.* John Z. Lowe, jr., collector of internal revenue, etc. Argument continued by Mr. Assistant Attorney General Fitts for the defendant in error and concluded by Mr. Richard V. Lindabury for the plaintiff in error.

No. 7, Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Argument commenced by Mr. J. C. Thompson for the complainant, continued by Mr. C. Edward Wright for the defendant, and concluded by Mr. R. A. Hollister for the complainant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 12, will be as follows: Nos. 563, 365 (and 438), 523, 626, 656 (and 663, 664, 665, 666, 680, 681, 702, 738, and 769).

15897—17—35

# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 12, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Jackiel W. Joseph, of Indianapolis, Ind.; Allen W. Kent, of Mount Clemens, Mich.; Louis Karasik, of Brooklyn, N. Y.; Frank E. Gill, of Sioux City, Iowa; Jacob F. Kass, of Sioux City, Iowa; C. V. Porter, jr., of Baton Rouge, La.; Edward John McVann, of Omaha, Nebr.; Alex. Sidney Rosenthal, of New York City; and G. K. Sutherland, of Homing, Okla., were admitted to practice.

No. 563. Henry R. Towne, plaintiff in error, *v.* Mark Eisner, collector of United States internal revenue, etc. Argued by Mr. Charles E. Hughes for the plaintiff in error, and by Mr. Solicitor General Davis for the defendant in error.

No. 365. Theodore S. Rosen et al., petitioners, *v.* The United States; and

No. 438. Victor Pakas, petitioner, *v.* The United States. Argued by Mr. Terence J. McManus for the petitioners, and by Mr. Assistant Attorney General Fitts for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 13, will be as follows: 523, 626, 656 (and 663, 664, 665, 666, 680, 681, 702, 738, and 769). 89, 90, 92, 93, 94, 95, 96.

15897—17—36

# SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 13, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Harriet Belvel Evans, of Corydon, Iowa; Hiram K. Evans, of Corydon, Iowa; Henry L. Scarlett, of Columbus, Ohio; Alexander Whiteside, of Boston, Mass.; Allen L. Chickering, of San Francisco, Cal.; Ira B. McNeal, of Sharon, Pa.; James W. Deffenbaugh, of Lancaster, Ohio; Frank B. Ebbert, of Chicago, Ill.; Charles M. Earhart, of Cleveland, Ohio; D. W. Odell, of Fort Worth, Tex.; and James A. White, of Columbus, Ohio, were admitted to practice.

No. 523. *The United States v. Antonio Morena*. Argued by Mr. Assistant Attorney General Fitts for The United States. No appearance for Antonio Morena.

No. 626. *Fort Smith & Western Railroad Company et al., appellants, v. Arthur L. Mills, receiver, etc., et al.* Argument commenced by Mr. A. C. Dustin for the appellants, continued by Mr. Assistant Attorney General Frierson for The United States, and concluded by Mr. A. C. Dustin for the appellants.

No. 656. *Charles E. Ruthenberg et al., plaintiffs in error, v. The United States*. Leave granted to withdraw the appearance of Mr. Clarence S. Darrow for the plaintiffs in error, on motion of Mr. Joseph W. Sharts for the plaintiffs in error.

No. 656. *Charles E. Ruthenberg et al., plaintiffs in error, v. The United States*;

No. 663. *Joseph F. Arver, plaintiff in error, v. The United States*;

No. 664. *Alfred F. Grahl, plaintiff in error, v. The United States*;

No. 665. *Otto Wangerin, plaintiff in error, v. The United States*;

No. 666. *Walter Wangerin, plaintiff in error, v. The United States*;

No. 680. *Louis Kramer and Morris Becker, plaintiff in error, v. The United States*;

No. 681. *Louis Kramer, plaintiff in error, v. The United States*;

No. 702. Emma Goldman et al., plaintiffs in error, *v.* The United States;

No. 738. Albert Jones, appellant, *v.* H. W. Perkins, Deputy U. S. Marshal, et al.; and

No. 769. Meyer Graubard, plaintiff in error, *v.* The United States. Argument commenced by Mr. Joseph W. Sharts for the plaintiffs in error in No. 656, continued by Mr. T. E. Latimer for the plaintiffs in error in Nos. 663, 664, 665, and 666, by Mr. Harry Weinberger for the plaintiffs in error in Nos. 680, 681, and 702, by Mr. J. Gordon Jones for the appellant in No. 738, and by Mr. Edwin T. Taliaferro for the plaintiff in error in No. 769.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 14, will be as follows: Nos. 656 (and 663, 664, 665, 666, 680, 681, 702, 738, and 769), 89, 90, 92, 93, 94, 95, 96, 97, and 98.

# SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 14, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

May Patterson, of New York City; J. Du Pratt White, of New York City; E. A. Blythe, of Hugo, Okla.; Alfred Clum, of Cleveland, Ohio; Leon Sanders, of New York City; and John M. Garfield, of Cleveland, Ohio, were admitted to practice.

No. 656. Charles E. Ruthenberg et al., plaintiffs in error, *v.* The United States;

No. 663. Joseph F. Arver, plaintiff in error, *v.* The United States;

No. 664. Alfred F. Grahl, plaintiff in error, *v.* The United States;

No. 665. Otto Wangerin, plaintiff in error, *v.* The United States;

No. 666. Walter Wangerin, plaintiff in error, *v.* The United States;

No. 680. Louis Kramer and Morris Becker, plaintiffs in error, *v.* The United States;

No. 681. Louis Kramer, plaintiff in error, *v.* The United States;

No. 702. Emma Goldman et al., plaintiffs in error, *v.* The United States;

No. 738. Albert Jones, appellant, *v.* H. W. Perkins, deputy United States marshal et al.; and

No. 769. Meyer Graubard, plaintiff in error, *v.* The United States. Argument continued by Mr. Edwin T. Taliaferro for the plaintiff in error in No. 769, by Mr. Solicitor General Davis for the defendant in error and appellees, by Mr. Joseph W. Sharts for the plaintiffs in error in No. 656, and concluded by Mr. Harry Weinberger for the plaintiffs in error in Nos. 680, 681, and 702.

No. 89. A. C. Stellwagen, trustee, etc., *v.* Alfred Clum, trustee, etc. Argued by Mr. Alfred Clum for Clum, trustee, and submitted by Mr. Bernard B. Selling for Stellwagen, trustee.

No. 90. The Atchison, Topeka & Sante Fe Railway Company, appellant, *v.* The Board of County Commissioners of the County of Douglas, State of Colorado, et al. Argued by Mr. S. T. Bledsoe for the appellant and by Mr. A. L. Doud for the appellees.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 17, will be as follows: Nos. 92, 93, 94, 95, 96 (and 97), 98, 99, 100, 102, and 103.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 17, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Orie S. Ware, of Covington, Ky.; Stephen G. Porter, of Pittsburgh, Pa.; Henry V. Borst, of Amsterdam, N. Y.; Harry V. Borst, of Amsterdam, N. Y.; Samuel Caplan, of Albany, N. Y.; Shadrach L. Hodgins, of Twin Falls, Idaho; Alfred G. Hagerty, of San Francisco, Cal.; Ross B. Smith, of Chanute, Kans.; William Healy, of Boise, Idaho; Jacob A. Metzger, of Washington, D. C.; Louis E. Feingold, of Worcester, Mass.; Benjamin Rabalsky, of Boston, Mass.; William A. Seifert, of Pittsburgh, Pa.; and Charles E. Elmquist, of Rush City, Minn., were admitted to practice.

No. 348. Southern Pacific Company, plaintiff in error, *v.* Frank R. Stewart. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed for want of jurisdiction. Opinion by Mr. Justice Day. Dissenting: Mr. Chief Justice White.

No. 78. H. S. McGowan, Erick Lindstrom, and J. P. Coyle, appellants, *v.* Columbia River Packers' Association et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree modified and affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Washington. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 601. Midland Valley Railroad Company, plaintiff in error, *v.* Mrs. Maude Griffity, administratrix, etc. In error to the Supreme Court of the State of Kansas. Per curiam: Dismissed for want of jurisdiction with 5 per cent damages upon the authority of section 237, Judicial Code, as amended by the act of Congress of September 6, 1916, ch. 448, 39 Stat., 726; *Prairie Oil & Gas Co. v. Carter*, 244 U. S., 646. (Petition for a writ of certiorari denied October 15, 1917, ante p. —.)

No. 697. Sidney J. Brooks, receiver, etc., appellant, *v.* Empire Trust Company et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Per curiam: Dismissed for want

of jurisdiction upon the authority of: 1. *Rouse v. Letcher*, 156 U. S., 47; *Gregory v. Van Ee*, 160 U. S., 643; *St. Louis, K. C. & C. R. R. Co. v. Wabash R. R. Co.*, 217 U. S., 247, 250; *Shulthis v. McDougal*, 225 U. S., 561; 2. *Gumbel v. Pitkin*, 113 U. S., 545; *Rouse v. Letcher*, 156 U. S. 47, 60; *Carey v. Houston & Texas Central R. Co.*, 161 U. S., 115.

No. 325. The United States, plaintiff in error, *v. Thomas Soldana et al.* Motion to advance granted, and case assigned for argument on Monday, March 4 next.

No. 327. S. A. Hays, collector of internal revenue, etc., petitioner, *v. The Gauley Mountain Coal Company*;

No. 334. The Goldfield Consolidated Mines Company *v. Joseph J. Scott*, as collector of U. S. internal revenue, etc.;

No. 421. E. J. Lynch, collector of internal revenue, etc., petitioner, *v. Henry Turrish*;

No. 422. E. J. Lynch, collector of internal revenue, etc., petitioner, *v. H. C. Hornby*;

No. 492. Emanuel J. Doyle, collector of internal revenue, petitioner, *v. Mitchell Brothers Company*;

No. 593. The United States of America, petitioner, *v. The Cleveland, Cincinnati, Chicago & St. Louis Railway Company*; and

No. 594. The United States of America, petitioner, *v. Biwabik Mining Company*. Motions to advance granted, and cases assigned for argument at the same time on Monday, March 4 next, after the case heretofore assigned for that day.

No. 371. The Toledo Newspaper Company et al., plaintiffs in error, *v. The United States of America*. Motion to advance granted, and case assigned for argument on Monday, March 4 next, after the cases heretofore assigned for that day.

No. 468. The United States, plaintiff in error, *v. Joseph L. Schider*, trading as Joseph L. Schider & Company. Motion to advance granted, and case assigned for argument on Monday, March 4 next, after the cases heretofore assigned for that day.

No. 611. John D. Ireland, plaintiff in error, *v. Arthur Woods*, police commissioner of the city of New York. Motion to advance granted, and case assigned for argument on Monday, March 4 next, after the cases heretofore assigned for that day.

No. 452. Southern Pacific Company, plaintiff in error, *v. John Z. Lowe, jr.*, U. S. collector of internal revenue, etc. Motion to advance granted, and case assigned for argument on Monday, March 4 next, after the cases heretofore assigned for that day.

No. 661. John B. Turner, petitioner, *v. Board of Trade of the City of Chicago*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 754. H. H. Riddell, 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. 757. A. W. Lohman, petitioner, *v.* Stock Yards Loan Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 777. Central California Canneries Company et al., petitioners, *v.* Dunkley Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

The Chief Justice also announced that the court will take a recess from Friday, the 21st instant, until Wednesday, January 2, 1918.

No. 44. The United States of America ex rel. William F. Arant *v.* Franklin K. Lane, Secretary of the Interior. Mandate granted, on motion of Mr. H. Prescott Gately, for Arant.

No. 773. Southern Pacific Company, petitioner, *v.* Henry L. Bogaert et al., executors, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. F. W. Clements in behalf of Mr. Lewis H. Freedman and Mr. Arthur H. Van Brunt for the petitioner, and by Mr. H. Snowden Marshall for the respondent.

No. 3, Original. The People of the State of New York, complainants, *v.* State of New Jersey et al. Reassigned for argument on Monday, April 15, 1918, on motion of Mr. Frederick S. Tyler in behalf of counsel.

No. 771. Ng Choy Fong, 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. Edward M. Cleary and Mr. Philip S. Ehrlich for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 657. Peter Chelentis, petitioner, *v.* Luckenbach Steamship Company, Inc. Motion to advance submitted by Mr. Fayette B. Dow for the petitioner.

No. 781. Gulf Oil Corporation, petitioner, *v.* C. G. Llewellyn, collector of internal revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Seifert and Mr. James H. Beal for the petitioner.

No. 550. Henry W. Boerner, petitioner, *v.* William Hale Thompson, mayor, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Samuel Herick and Mr. James R. Ward for the petitioner and by Mr. Samuel A. Ettelson and Mr. Chester E. Cleveland for the respondents.

No. 782. Edward W. Morrison, petitioner, *v.* Charles S. Rieman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Samuel Her- rick and Mr. James R. Ward for the petitioner.

No. 19, Original. State of Minnesota, complainant, *v.* State of Wisconsin. Leave granted to file evidence, open, and print same on motion of Mr. C. E. Elmquist in behalf of counsel.

Nos. 121 and 122. George M. Glenn, plaintiff in error, *v.* Southern Express Company. In error to the Supreme Court of the State of North Carolina. Dismissed with costs per stipulation.

No. 92. David J. Waller, jr., et al., trustees, etc., appellants, *v.* Texas & Pacific Railway Company. Argued by Mr. Jesse C. Ad- kins for the appellants and by Mr. Thomas J. Freeman for the appellee.

No. 93. William Filene's Sons Company, petitioner, *v.* Charles F. Wood et al., receivers, etc. Argument commenced by Mr. George R. Nutter for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 18, will be as follows: Nos. 93, 95, 94, 96 (and 97), 98, 99, 100, 102, 103, and 104.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 18, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Willard J. Banyon, of Benton Harbor, Mich.; Dean Burkheimer, of Seattle, Wash.; Henry L. Adams, of Des Moines, Iowa; Andrew G. Smith, Pittsburgh, Pa.; and William H. Dodds, of Pittsburgh, Pa., were admitted to practice.

No. 93. William Filene's Sons Company, petitioner, *v.* Charles F. Weed et al., receivers, etc. Argument continued by Mr. George R. Nutter for the petitioner, by Mr. Frederick H. Nash for the respondents, and concluded by Mr. George R. Nutter for the petitioner.

No. 95. Robert H. Gardiner, trustee, etc., petitioner, *v.* William S. Butler & Company, Inc., et al. Argued by Mr. Alexander Whiteside for the petitioner and by Mr. Frederick H. Nash for the respondents.

No. 94. The United States, appellant, *v.* J. S. Stearns Lumber Company. Argued by Mr. Assistant Attorney General Kearful for the appellant and by Mr. Arthur Dyrenforth for the appellee.

No. 96. Edward F. Johnson, plaintiff in error, *v.* J. D. Lankford et al, and

No. 97. Lawrence Martin, plaintiff in error, *v.* J. D. Lankford et al. Submitted by Mr. Charles West for the plaintiffs in error. No appearance for the defendants in error.

No. 98. Board of Trade of the City of Chicago et al., appellants, *v.* The United States. Argument commenced by Mr. Henry S. Robbins for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 19, will be as follows: Nos. 98, 99, 100, 102, 103, 104, 105, 106, 107, and 108.

15897—17—40 ★

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 19, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Leo A. Rogers, of Boston, Mass.; John E. Morley, of Cleveland, Ohio; and Ira K. Wells, of Seneca, Kans., were admitted to practice.

No. 151. Beekman Winthrop et al., appellants, *v.* Grant Fellows, as Attorney General of the State of Michigan, et al. Appeal from the District Court of the United States for the Eastern District of Michigan. Dismissed with costs, per stipulation.

No. 98. Board of Trade of the City of Chicago et al., appellants, *v.* The United States. Argument continued by Mr. Henry S. Robbins for the appellants, by Mr. Assistant to the Attorney General Todd for the appellee, and concluded by Mr. Henry S. Robbins for the appellants.

No. 99. The United States, appellant, *v.* Frederick A. Sweet, administrator, etc. Argued by Mr. Assistant Attorney General Kearful for the appellant, and by Mr. A. C. Ellis, jr., for the appellees.

No. 100. W. E. Martin, jr., trustee, etc., petitioner, *v.* Commercial National Bank of Macon, Georgia. Argument commenced by Mr. R. Douglas Feagin, for the petitioner, and continued by Mr. Orville A. Park for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 20, will be as follows: No. 100, 102, 106, 104, 105, 103, 107, 108, 109, and 111.

15897—17—41

# SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 20, 1917.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Deventer, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

J. Rodgers McCreery, of Pittsburgh, Pa.; Nicholas R. Criss, of Pittsburgh, Pa.; W. J. Johnson, of Houston, Tex.; and M. C. Lasell, of Aberdeen, S. Dak., were admitted to practice.

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No. 111. Emma T. Krueger, appellant, *v.* The United States. Submitted by Mr. William V. Hodges for the appellant, with leave to counsel for the appellee to file brief within 10 days, on motion of Mr. Assistant Attorney General Kearful for the appellee.

No. 100. W. E. Martin, jr., trustee, etc., petitioner, *v.* Commercial National Bank of Macon, Georgia. Argument continued by Mr. Orville A. Park for the respondent and concluded by Mr. Rudolph S. Wimberly for the petitioner.

No. 102. Secundino Omaechevarria, plaintiff in error, *v.* The State of Idaho. Argument commenced by Mr. Frank P. Prichard for the plaintiff in error, continued by Mr. T. A. Walters and Mr. William Healy for the defendant in error, and concluded by Mr. S. L. Hodgin for the defendant in error.

No. 106. Union Trust Company, petitioner, *v.* Minnie Kahn Grosman et al. Argument commenced by Mr. William H. Atwell for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 21, will be as follows: Nos. 106, 104, 105, 103, 107, 108, 109, 112, 113, and 114.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 21, 1917.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John S. Orr, of Reno, Nev., and Truman Henry Miner, of Chicago, Ill., were admitted to practice.

No. 105. John H. Sears, trustee, appellant, *v.* The City of Akron. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. George W. Wickersham for the appellant.

No. 778. William F. Brothers, appellant, *v.* The United States. Motion for leave to proceed in *forma pauperis*, submitted by Mr. Frederick S. Tyler in behalf of the appellant.

No. 106. Union Trust Company, petitioner, *v.* Minnie Kahn Grossman et al. Argument continued by Mr. William H. Atwell for the petitioner, by Mr. J. M. McCormick for the respondents, and concluded by Mr. William H. Atwell for the petitioner.

No. 104. Union Pacific Railroad Company, plaintiff in error, *v.* Ella Huxoll, administratrix, etc. Argued by Mr. N. H. Loomis and Mr. C. A. Magaw for the plaintiff in error and by Mr. Halleck F. Rose for the defendant in error.

Adjourned until Wednesday, January 2, 1918, at 12 o'clock.

The day call for Wednesday, January 2, will be as follows: Nos. 103, 107, 108, 109, 112, 113, 114, 116, 117 (and 118), 119 (and 268 and 269).

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 2, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Edward Elliott, of San Francisco, Cal., and Festus O. Butt, of Eureka Springs, Ark., were admitted to practice.

No. 14. International Harvester Company of New Jersey et al., appellants, *v.* The United States;

No. 166. Eastman Kodak Company et al., appellants, *v.* The United States of America;

No. 314. The United States, appellant, *v.* American Can Company et al.;

No. 345. The United States, appellant, *v.* The Quaker Oats Company et al.; and

No. 674. Corn Products Refining Company et al., appellants, *v.* The United States of America. Continued, on motion of Mr. Solicitor General Davis for The United States.

No. 165. The United States of America, appellant, *v.* The United States Steel Corporation et al. Motion to continue submitted by Mr. Solicitor General Davis, Mr. Attorney General Gregory, and Mr. Assistant to the Attorney General Todd for the appellant in support of the motion, and by Mr. Richard V. Lindabury, Mr. Cordenio A. Severance, and Mr. David A. Reed for the appellees in opposition thereto.

No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Motion to continue submitted by Mr. Solicitor General Davis, Mr. Attorney General Gregory, and Mr. Assistant to the Attorney General Todd for the appellant in support of the motion, and by Mr. Frederick P. Fish, Mr. Charles F. Choate, jr., and Mr. Malcolm Donald for the appellees in opposition thereto.

No. 68. The United States of America, appellant, *v.* The Reading Company et al.; and

No. 80. The Reading Company et al., appellants, *v.* The United States of America. Motion of The United States for leave to file herein copies of Annual Report of Federal Trade Commission submitted by Mr. Solicitor General Davis for The United States, and by Mr. William Clark Mason, Mr. Jackson E. Reynolds, Mr. Charles Heebner, and Mr. Robert W. de Forest for The Reading Company et al.

No. 694. Robert F. Stroud, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Davis for the defendant in error.

No. 607. The State of Missouri on the relation of The American Manufacturing Company, plaintiff in error, *v.* George D. Reynolds et al., judges, etc., et al. Submitted pursuant to the twentieth rule by Mr. Shepard Barclay for the plaintiff in error and by Mr. E. C. Slevin for the defendants in error.

No. 644. Minnie Evvia Stadelman et al., plaintiffs in error, *v.* W. H. Miner and Charles Worden. Submitted pursuant to the twentieth rule by Mr. John M. Gearin for the plaintiffs in error and by Mr. Guy C. H. Corliss for the defendants in error.

No. 117. E. W. Bliss Company, appellant, *v.* The United States; and

No. 118. The United States, appellant, *v.* E. W. Bliss Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General Davis for the United States.

No. 103. Joseph Wells, appellant, *v.* Daniel C. Roper, First Assistant Postmaster General of the United States. Argued by Mr. Daniel Thew Wright for the appellant and by Mr. Assistant to the Attorney General Todd for the appellee.

No. 107. Supreme Lodge, Knights of Pythias, appellant, *v.* Arthur V. H. Smyth. Argued by Mr. John J. McCall for the appellant and by Mr. Harry V. Borst for the appellee.

No. 108. Harry Susman, appellant, *v.* The Board of Education of the School District of Pittsburgh. Argument commenced by Mr. Andrew G. Smith for the appellant. The court declined to hear further argument.

No. 109. Oscar J. Weeks, doing business under the name of O. J. Weeks & Company, petitioner, *v.* The United States. Submitted by Mr. Walter Jeffreys Carlin for the petitioner and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Frierson for the respondent.

No. 112. Gulf, Colorado & Santa Fe Railway Company, plaintiff in error, *v.* W. E. Vasbinder. Argued by Mr. Alexander Britton for the plaintiff in error and submitted by Mr. R. H. Ward for the defendant in error.

No. 113. The Missouri, Kansas & Texas Railway Company, plaintiff in error, *v.* The State of Texas. Submitted by Mr. Alexander H. McKnight, Mr. C. S. Burg, Mr. Joseph M. Bryson, and Mr. Alexander Britton for the plaintiff in error and by Mr. B. F. Looney and Mr. Luther Nickels for the defendant in error.

No. 114. John L. Ketcham, Jr., appellant, *v.* Colonel Bell Burr et al. Submitted by Mr. William D. Williams for the appellant and by Mr. John J. Carton for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 3, will be as follows: Nos. 116, 119 (and 268 and 269), 120, 123, 124, 125, 126, 127, 128, and 129.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 3, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

J. D. Hank, jr., of Norfolk, Va.; Alexander H. McKnight, of Dallas, Tex.; Julian B. Beaty, of New York City; and John M. Enright, of Jersey City, N. J., were admitted to practice.

No. 702. Emma Goldman et al., plaintiffs in error, *v.* The United States. Leave granted to file additional brief, on motion of Mr. Harry Weinberger for the plaintiffs in error.

No. 123. Nannie C. Gibson, plaintiff in error, *v.* John J. Lentz. Passed, per stipulation.

No. 128. George A. Fuller Company, petitioner, *v.* Otis Elevator Company. Argued by Mr. Edward S. Duvall for the petitioner and by Mr. John S. Flannery and Mr. Frederic D. McKenney for the respondent.

No. 127. Armour & Company, plaintiff in error, *v.* The Commonwealth of Virginia. Argued by Mr. Eppa Hunton, jr., for the plaintiff in error and by Mr. J. D. Hank, jr., for the defendant in error.

No. 119. Eduardo Ricaud et al. *v.* The American Metal Company, Limited. Submitted with leave to counsel to file briefs within two weeks.

No. 268. Henry A. Oetjen, plaintiff in error, *v.* Central Leather Co.; and

No. 269. Henry A. Oetjen, plaintiff in error, *v.* Central Leather Co. Argument commenced by Mr. John M. Enright for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 4, will be as follows: Nos. 268 (and 269), 116, 120, 124, 125, 126, 129, 130 (and 75), 132, and 133.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 4, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

George Springmeyer, of Reno, Nev.; Allen W. Field, of Lincoln, Nebr.; Edgar C. Van Dyke, of Philadelphia, Pa.; James E. Zunts, of New Orleans, La.; Daniel B. Tréfethen, of Seattle, Wash.; Peter Breen, of Butte, Mont.; Allynn Percy Holt, of Crowley, La.; Harlow Morrell Davis, of Boston, Mass.; and Harvey T. Hall, of Roanoke, Va., were admitted to practice.

No. 251. The Batesville Southwestern Railway Company et al., plaintiffs in error, *v.* M. H. Mims. In error to the Supreme Court of the State of Mississippi. Dismissed with costs, per stipulation.

Nos. 268 and 269. Henry A. Oetjen, plaintiff in error, *v.* Central Leather Company. Argument continued by Mr. John M. Enright for the plaintiff in error, by Mr. Emil J. Blair for the defendant in error, and concluded by Mr. John M. Enright for the plaintiff in error.

No. 116. Police Jury of the Parish of Acadia, plaintiff in error, *v.* City of Crowley. Argument commenced by Mr. A. P. Holt for the plaintiff in error, continued by Mr. James E. Zunts and Mr. Philip S. Pugh for the defendant in error, and concluded by Mr. A. P. Holt for the plaintiff in error.

No. 120. Edward Bates, plaintiff in error, *v.* Lucie Bodie. Argument commenced by Mr. A. C. Ricketts for the plaintiff in error, continued by Mr. Samuel P. Davidson for the defendant in error, and concluded by Mr. A. W. Field for the plaintiff in error.

No. 124. Peoples Tobacco Company, Limited, plaintiff in error, *v.* American Tobacco Company. Argument commenced by Mr. Edwin T. Merrick for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 7, will be as follows: Nos. 124, 125, 126, 129, 130 (and 75), 132, 5 Original, 207, 363, and 575.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 7, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

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Harry H. Krinsky, of Chicago, Ill.; Albert Herschel de Propper, of Boston, Mass.; Anna Moscovitz, of New York City; James Henry Longden, of Los Angeles, Cal.; B. S. Womble, of Winston-Salem, N. C.; Charles W. Grimes, of Tulsa, Okla.; John R. Holmes, of Cincinnati, Ohio; Dalton Biggs, of Ontario, Oregon; Douglas Brookman, of San Francisco, Cal.; and Peter V. Ross, of San Francisco, Cal., were admitted to practice.

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No. 365. Theodore S. Rosen et al., petitioners, *v.* The United States; and

No. 438. Victor Pakas, petitioner, *v.* The United States. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgments affirmed, and causes remanded to the District Court of the United States for the Eastern District of New York. Opinion by Mr. Justice Clarke. Dissenting in part: Mr. Justice Van Devanter and Mr. Justice McReynolds.

No. 91. Louisville & Nashville Railroad Company, appellant, *v.* The United States of America and Interstate Commerce Commission. Appeal from the District Court of the United States for the Western District of Kentucky. Decree affirmed. Opinion by Mr. Justice Brandeis.

No. 76. The Houston Oil Company of Texas et al., petitioners, *v.* Cornelia G. Goodrich et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed. Opinion by Mr. Justice McReynolds.

No. 62. Caroline Boldt, administratrix, etc., plaintiff in error, *v.* The Pennsylvania Railroad Company. In error to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed

with costs, and cause remanded to the District Court of the United States for the Western District of New York. Opinion by Mr. Justice McReynolds. (Mr. Justice Day took no part in the consideration and decision of this case.)

No. 10. The City of Cincinnati, appellant, *v.* The Cincinnati & Hamilton Traction Company et al. Appeal from the District Court of the United States for the Southern District of Ohio. Decree modified and affirmed with costs. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke and Mr. Justice Brandeis.

No. 7, Original. The State of Wisconsin, complainant, *v.* Franklin K. Lane, Secretary of the Interior. Bill dismissed with costs. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 94. The United States, appellant, *v.* J. S. Stearns Lumber Company. Appeal from the District Court of the United States for the Western District of Wisconsin. Decree reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration and decision of this case.)

No. 106. Union Trust Company, petitioner, *v.* Minnie Kahn Grosman et al. On writ of certiorari 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. 563. Henry R. Towne, plaintiff in error, *v.* Mark Eisner, collector of United States internal revenue for the third district of the State of New York. In error to the District Court of the United States for the Southern District of New York. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. (Mr. Justice McKenna concurs in the result.)

No. 523. The United States *v.* Antonio Morena. On a certificate from the United States Circuit Court of Appeals for the Third Circuit. First and second questions certified answered in the negative and third question certified answered in the affirmative. Opinion by Mr. Justice McKenna.

No. 92. David J. Waller, jr., et al., trustees, etc., appellants, *v.* The Texas & Pacific Railway Company. 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 McKenna.

No. 663. Joseph F. Arver, plaintiff in error, *v.* The United States of America;

No. 664. Alfred F. Grahl, plaintiff in error, *v.* The United States of America;

No. 665. Otto Wangerin, plaintiff in error, *v.* The United States of America;

No. 666. Walter Wangerin, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Minnesota;

No. 681. Louis Kramer, plaintiff in error, *v.* The United States; and

No. 769. Meyer Graubard, 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. Judgments affirmed. Opinion by Mr. Chief Justice White.

No. 738. Albert Jones, appellant, *v.* H. W. Perkins, deputy U. S. marshall, et al. Appeal from the District Court of the United States for the Southern District of Georgia. Final order affirmed with costs. Opinion by Mr. Chief Justice White.

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

No. 90. The Atchison, Topeka & Santa Fe Railway Company, appellant, *v.* The Board of County Commissioners of the County of Douglas, State of Colorado, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *Phillips v. Negley*, 117 U. S., 665, 671; *Covington v. First National Bank*, 185 U. S., 270; *MacFarland v. Byrnes*, 187 U. S., 246; *United States v. Beatty*, 232 U. S., 463. The petition for a writ of certiorari is denied.

No. 112. Gulf, Colorado & Santa Fe Railway Company, plaintiff in error, *v.* W. E. Vasbinder. In error to the Court of Civil Appeals, Fourth Supreme Judicial District, State of Texas. Per curiam: Judgment reversed with costs upon the authority of *Adams Express Co. v. Croninger*, 226 U. S., 491; *Atchison, Topeka & Santa Fe Ry. Co. v. Robinson*, 233 U. S., 173; *St. Louis, Iron Mountain & Southern Ry. Co. v. Starbird*, 243 U. S., 592; *American Express Co. v. United States Horse Shoe Company*, 244 U. S., 58.

No. 607. The State of Missouri on the relation of the American Manufacturing Company, plaintiff in error, *v.* George D. Reynolds, Albert D. Nortoni, and William H. Allen, judges of the St. Louis Court of Appeals, and Louis Alt. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237, Judicial Code, as amended by the act of Congress of September 6, 1916 (c. 448, 39 Stat., 726); *Prairie Oil & Gas Co. v. Carter*, 244 U. S., 646; *Midland Valley R. R.*

Co. v. Griffith, 245, U. S., —. (Petition for a writ of certiorari denied October 15, 1917, ante p. —.)

No. 644. Minnie Evvia Stadelman et al., plaintiffs in error, v. W. H. Miner et al. In error to the Supreme Court of the State of Oregon. Per curiam: Dismissed for want of jurisdiction upon the authority of *Haire v. Rice*, 204 U. S., 291, 301; *Thomas v. Iowa*, 209 U. S., 258, 263; *Appleby v. Buffalo*, 221 U. S., 524, 529; *Manhattan Life Ins. Co. v. Cohen*, 234 U. S., 123, 134.

No. 68. The United States of America, appellant, v. Reading Company et al.; and

No. 80. Reading Company et al., appellants, v. The United States of America. Motion for leave to file certain public documents granted.

No. 778. William F. Brothers, appellant, v. The United States. Motion for leave to proceed *in forma pauperis* granted.

No. 657. Peter Chelentis, petitioner, v. Luckenbach Steamship Company, Inc. Ordered that this case be placed on the summary docket.

No. 694. Robert F. Stroud, plaintiff in error, v. The United States of America. Motion to advance granted, and cause assigned for argument on Monday, March 4 next, after the cases heretofore assigned for that day.

No. 773. Southern Pacific Company, petitioner, v. Henry L. Bogart et al., executors, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 781. Gulf Oil Corporation, petitioner, v. C. G. Llewellyn, Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 550. Henry W. Boerner, petitioner, v. William Hale Thompson, Mayor, etc., et al. Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 771. Ng Choy Fong, 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. 782. Edward W. Morrison, petitioner, v. Charles S. Rieman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 165. The United States of America, appellant, v. United States Steel Corporation et al. Motion to continue until next term granted.

No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Motion to continue until next term denied.

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No. 640. Chicago & Alton Railroad Company, petitioner, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Davis for the respondent.

No. 126. J. H. Brader, plaintiff in error, *v.* Rachel James, formerly Rachel Reeves. Leave granted to file brief on behalf of The United States within seven days, on motion of Mr. Solicitor General Davis in that behalf.

No. 457. H. A. A. Smith, auditor of the Panama Canal, plaintiff in error, *v.* William H. Jackson. Motion to advance submitted by Mr. John W. Davis in behalf of counsel for the defendant in error.

No. 785. Atlantic Coast Line Railroad Company, petitioner, *v.* Leath E. Tredway, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. William B. McIlwaine for the petitioner.

No. 791. The Washington Post Company, petitioner, *v.* John Armstrong Chaloner. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Wilton J. Lambert, Mr. Joseph W. Bailey, and Mr. Rudolph H. Yeatman for the petitioner, and by Mr. E. F. Colladay, Mr. John Ridout, and Mr. H. S. Barger for the respondent.

No. 787. Lee A. Whitehead 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. Hamilton Moses in behalf of Mr. Benjamin C. Bachrach for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Fitts for the respondent.

No. 792. Pennsylvania Company, petitioner, *v.* Mary Price, administratrix, etc. Petition for a writ of certiorari to the Court of Appeals of Cuyahoga County, State of Ohio, submitted by Mr. Rufus S. Day in behalf of Mr. Andrew Squire and Mr. William L. Day for the petitioner, and by Mr. Charles W. Savage for the respondent.

No. 800. The Port Graham Coal Company, petitioner, *v.* Orren G. Staples. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Rufus S. Day, Mr. Samuel Herrick, and Mr. Joseph W. Cox for the petitioner, and by Mr. Bynum E. Hinton for the respondent.

No. 363. Boston Store of Chicago *v.* American Graphophone Company et al. Leave granted to file brief herein as *amicus curiae*, on motion of Mr. George E. Cruce in that behalf.

No. 790. Philadelphia & Reading Railway Company, petitioner, *v.* Catharine Marland, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. William Clarke Mason and Mr. Charles Heebner for the petitioner.

No. 796. Charles H. Moyer, as trustee, etc, et al., petitioners, *v.* The Butte Miners Union. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Horace N. Hawkins for the petitioners, and by Mr. Peter Breen for the respondent.

No. 124. Peoples Tobacco Company, Limited, plaintiff in error, *v.* American Tobacco Company. Argument continued by Mr. E. T. Merrick for the plaintiff in error, and by Mr. Junius Parker and Mr. George Denegre for the defendant in error, and concluded by Mr. E. T. Merrick for the plaintiff in error.

No. 125. Archibald E. Brightman, plaintiff in error, *v.* Lake Erie & Western Railroad Company. Argued by Mr. William V. Rooker for the plaintiff in error, and by Mr. Samuel D. Miller for the defendant in error.

No. 126. J. H. Brader, plaintiff in error, *v.* Rachel James, formerly Rachel Reeves. Argument commenced by Mr. E. A. Blythe for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 8, will be as follows, Nos. 126, 129, 130, 75, 132, 5, Original, 207, 363, 575 (and 576, 577, 578, 579, and 580), and 586.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 8, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Ira J. Adams, of Lakewood, Ohio; Edward V. Fitzpatrick, of Indianapolis, Ind.; James J. O'Donohoe, of St. Louis, Mo.; Harold J. Baily, of New York City; and Cullen F. Thomas, of Dallas, Tex., were admitted to practice.

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No. 126. J. H. Brader, plaintiff in error, *v.* Rachel James, formerly Rachel Reeves. Argument continued by Mr. D. M. Tibbetts for the plaintiff in error, by Mr. A. M. Works and Mr. Joseph C. Stone for the defendant in error, and concluded by Mr. E. A. Blythe for the plaintiff in error.

No. 129. Philip Nelson, plaintiff in error, *v.* Southern Railway Company. Argued by Mr. A. L. Brooks for the plaintiff in error and by Mr. Garland S. Ferguson, jr., for the defendant in error.

No. 132. Southern Pacific Company et al., plaintiffs in error, *v.* Darnell-Taenzer Lumber Company et al. Argument commenced by Mr. Charles M. Burch for the plaintiffs in error. .

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 9, will be as follows: Nos. 132, 130, 75, 5, Original, 207, 363, 575 (and 576, 577, 578, 579, and 580), 586, 534 (and 647), and 685.

15897—18—48

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 9, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William R. Swissler, of Chicago, Ill.; William E. Shuman, of North Platte, Nebr.; Harry A. Bell, of Steubenville, Ohio; and George Wesley Smith, of Rayville, La.; were admitted to practice.

No. 132. Southern Pacific Company et al., plaintiffs in error, *v.* Darnell-Taenzer Lumber Company et al. Argument continued by Mr. Charles N. Burch for the plaintiffs in error and concluded by Mr. Francis B. James for the defendants in error.

No. 5, Original. The State of Wyoming, complainant, *v.* The State of Colorado et al. Ordered that eight hours be allowed for the re-argument of this case and that four counsel be allowed to take part in the oral argument for the defendants. Reargument commenced by Mr. N. E. Corthell for the complainant, continued by Mr. Leslie E. Hubbard and by Mr. Fred Farrar for the defendants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 10, will be as follows: Nos. 5, Original, 207, 130, 75, 363, 575 (and 576, 577, 578, 579, and 580), 586, 534 (and 647), 685, and 504.

15897—18—49

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 10, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Luther B. Way, of Norfolk, Va.; Hyman Lazarus, of Bayonne, N. J.; Nelson B. Todd, of Boston, Mass.; and I. Parker Veazey, jr., of Great Falls, Mont., were admitted to practice.

No. 5, Original. The State of Wyoming, complainant, *v.* The State of Colorado et al. Reargument continued by Mr. Fred Farrar and Mr. Delph E. Carpenter for the defendants, by Mr. Solicitor General Davis for the United States, and by Mr. Platt Rogers for the defendants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 11, will be as follows: Nos. 5, original, 207, 130, 75, 363, 575 (and 576, 577, 578, 579, and 580), 586, 534 (and 647), 685, and 504.

15897—18—50

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 11, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Seth Teesdale, of Aberdeen, S. Dak., Joseph A. Seidman, of New York City, and J. C. Henriques, of New Orleans, La., were admitted to practice.

No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Leave granted to file brief as amicus curiæ on motion of Mr. Frank Y. Gladney in that behalf.

No. 128. George A. Fuller Company, petitioner, *v.* Otis Elevator Company. Leave granted to Mr. Frederic D. McKenney to file additional brief for the respondent and to Mr. E. S. Duvall to file reply thereto within two days.

No. 5, Original. The State of Wyoming, complainant, *v.* The State of Colorado et al. Reargument continued by Mr. Delph E. Carpenter for the defendants and concluded by Mr. John W. Lacey for the complainant.

No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Ordered that five hours be allowed for the argument in this case. Argument commenced by Mr. H. La Rue Brown for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 14, will be as follows: Nos. 207, 130, 75, 363, 575 (and 576, 577, 578, 579, and 580), 586, 534 (and 647), 685, 504, and 391.

15897—18—51

## SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 14, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

W. B. Strait, of Morriston, Ark., James W. Mehaffy, of Little Rock, Ark., S. C. Bumgarner, of Bristol, Va., Charles E. Dow, of Boston, Mass., George Pilcher, of Norfolk, Va., and Clarence O. McKay, of New York City, were admitted to practice.

No. 114. John L. Ketcham, jr., appellant, *v.* Colonel Bell Burr et al. Appeal from the District Court of the United States for the Eastern District of Michigan. Dismissed for want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 100. W. E. Martin, jr., trustee in bankruptcy of J. H. Virgin, petitioner, *v.* Commercial National Bank of Macon, Georgia. On writ of certiorari 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 Southern District of Georgia. Opinion by Mr. Justice McReynolds.

No. 416. The Illinois Central Railroad Company, appellant, *v.* State Public Utilities Commission of Illinois et al. Appeal from the District Court of the United States for the Northern District of Illinois. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter. (Mr. Justice Holmes took no part in the consideration and decision of this case.)

No. 448. State Public Utilities Commission of Illinois et al., appellants, *v.* The United States et al. Appeal from the District Court of the United States for the Northern District of Illinois. Decree affirmed. Opinion by Mr. Justice Van Devanter. (Mr. Justice Holmes took no part in the consideration and decision of this case.)

No. 113. The Missouri, Kansas & Texas Railway Company, plaintiff in error, *v.* The State of Texas. In error to the Court of Civil Appeals, 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 Holmes.

No. 128. George A. Fuller Company, petitioner, *v.* Otis Elevator Company. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment of the Court of Appeals of the District of Columbia reversed with costs, and judgment of the Supreme Court of the District of Columbia affirmed with costs; and cause remanded to said Supreme Court.

No. 702. Emma Goldman and Alexander Berkman, plaintiffs in error, *v.* The United States. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Chief Justice White.

No. 680. Louis Kramer and Morris Becker, plaintiffs in error, *v.* The United States. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Chief Justice White.

No. 656. Charles E. Ruthenberg et al., plaintiffs 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 White.

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

No. 98. Board of Trade of the City of Chicago et al., appellants, *v.* The United States. How far the repeal before the judgment below of the order or rule of the Board of Trade which is in controversy caused the question of its validity to afford no longer a basis for judicial action because it thereby became purely moot, was not noticed in the arguments submitted on the hearing. Attention of counsel is now directed to that subject and permission granted to file such printed suggestions concerning it as they may be advised on or before Monday, the 28th instant.

No. 108. Harry Susman, appellant, *v.* The Board of Education of the School District of Pittsburgh. Appeal from the District Court of the United States for the Western District of Pennsylvania. *Per curiam*: Dismissed for want of jurisdiction upon the authority of: (1) Witherspoon *v.* Duncan, 4 Wallace, 210, 217; Fallbrook Irrigation District *v.* Bradley, 164 U. S., 112; Soliah *v.* Heskin, 222 U. S., 522. (2) Deming *v.* Carlisle Packing Co., 226 U. S., 102, 105; Consolidated Turnpike *v.* Norfolk, etc., Ry. Co., 228 U. S., 596, 600; Ennis Water Works *v.* Ennis, 233 U. S., 652, 658; Stewart *v.* Kansas City, 239 U. S., 14.

No. 125. Archibald E. Brightman, plaintiff in error, *v.* Lake Erie & Western Railroad Company. In error to the District Court of the United States for the District of Indiana. *Per curiam*: Dismissed for want of jurisdiction upon the authority of: (1) Hannis Distilling Co. *v.* Baltimore, 216 U. S., 285; Fay *v.* Crozer, 217 U. S.,

455; *Hendricks v. The United States*, 223 U. S., 178, 184. (2) *St. Louis & San Francisco Ry. Co. v. James*, 161 U. S., 545; *Southern Ry. Co. v. Allison*, 190 U. S., 236; *Sun Printing & Publishing Association v. Edwards*, 194 U. S., 377, 381; *Missouri Pacific Ry. Co. v. Castle*, 224 U. S., 541, 546.

No. 11. *Hitchman Coal & Coke Company, petitioner, v. John Mitchell, etc., et al.* Upon consideration of the motion filed by the Hitchman Coal & Coke Company November 23, 1917, ordered that the mandate in this case be stayed until the further order of this court, and that a rule issue, returnable March 4, 1918, against Frank J. Hayes, individually and as president of the United Mine Workers of America; John L. Lewis, individually and as vice president of the United Mine Workers of America; William Green, individually and as secretary-treasurer of the United Mine Workers of America; John Moore, individually and as president of district 6, United Mine Workers of America; William Roy, individually and as president of subdistrict 5 of district 6, United Mine Workers of America; Joe Kreamer, individually and as president of the Hitchman Local Union, No. 3250, United Mine Workers of America, McMechen, W. Va.; D. W. Lewis, individually and as secretary-treasurer of said local union; Pete Bartoric, Mike Stefanski, and Steve Kachinski, to show cause why they should not be adjudged guilty of a contempt of this court and of its authority and punished accordingly. Further ordered that the motion of said Hitchman Coal & Coke Company for a rule to show cause against Jacob Semarkovich, individually and as president of the Glendale Local Union, No. 3536, United Mine Workers of America, Glendale, W. Va.; C. M. McCabe, individually and as secretary-treasurer of said local union; Tom Bowes, Orgie Freeman, Jim Murray, and Jim Barton, be denied without prejudice.

No. 457. *H. A. A. Smith, Auditor of the Panama Canal, plaintiff in error, v. William H. Jackson.* Motion to advance granted and case assigned for argument on Monday, March 4 next, after the cases heretofore assigned for that day.

No. 640. *Chicago & Alton Railroad Company, petitioner, v. The United States of America.* Ordered that this case be placed on the summary docket.

No. 432. *American Steel Foundries, petitioner, v. The Tri-City Central Trades Council et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 791. *The Washington Post Company, petitioner, v. John Armstrong Chaloner.* Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 785. Atlantic Coast Line Railroad Company, petitioner, *v.* Leath E. Treadway, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 787. Lee A. Whitehead 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. 790. Philadelphia & Reading Railway Company, petitioner, *v.* Catherine Marland, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 792. Pennsylvania Railroad Company, petitioner, *v.* Mary Price, administratrix, etc. Petition for a writ of certiorari to the Court of Appeals of Cuyahoga County, State of Ohio, denied.

No. 796. Charles H. Moyer, as trustee, etc., et al., petitioners, *v.* The Butte Miners' Union. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 800. The Port Graham Coal Company, petitioner, *v.* Orren G. Staples. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. —, Original. Ex parte In the matter of The United States, petitioner. Motion for leave to file an information for contempt submitted by Mr. Assistant to the Attorney General Todd for the petitioner.

No. 567. The United States, plaintiff in error, *v.* Fred W. Weitzel. Motion to advance submitted by Mr. Assistant to the Attorney General Todd for the plaintiff in error.

No. 806. Navy Yard Route, plaintiff in error, *v.* H. E. Devlin. Motion to advance under the thirty-second rule submitted by Mr. Thomas R. Shepard for the defendant in error.

No. 23, Original. The State of Georgia, complainant, *v.* The Trustees of the Cincinnati Southern Railway et al. Motion for the appointment of an examiner to take testimony herein submitted by Mr. William A. Wimbish for the complainant.

No. 705. Charles A. Peabody, plaintiff in error, *v.* Mark Eisner, collector of internal revenue. Motion to advance submitted by Mr. A. A. Hoehling, jr., in behalf of counsel for the plaintiff in error.

No. 803. Deschutes Railroad Company, petitioner, *v.* Eastern Oregon Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. A. A. Hoehling, jr., in behalf of Mr. A. C. Spencer and Mr. James G. Wilson for the petitioner.

No. 750. Aurelia P. Bernal, 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. Harry Peyton in behalf of Mr. Carlos Bee for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 815. Norfolk County Water Company, petitioner, *v.* City of Norfolk, Virginia, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Luther B. Way for the petitioner, and by Mr. George Pilcher for the respondent.

No. 195. Idora Hill Mining Company, plaintiff in error, *v.* Harry Olson et al. Motion to dismiss submitted by Mr. John W. Keener for the defendants in error in support of the motion.

No. 123. Nannie C. Gibson, plaintiff in error, *v.* John J. Lentz. In error to the Court of Appeals for the Second Judicial District of the State of Ohio. Dismissed with costs per stipulation.

No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Reargument continued by Mr. H. La Rue Brown for the appellant, by Mr. Charles F. Choate, jr., and by Mr. Frederick P. Fish for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 15, will be as follows: Nos. 207, 130, 75, 363, 575 (and 576, 577, 578, 579, and 580), 586, 534 (and 647), 685, 504, and 391.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 15, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Harry S. Monell, of Brooklyn, N. Y.; J. Paul Lamb, of Cleveland, Ohio; and George H. Woodson, of Buxton, Iowa, were admitted to practice.

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No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Reargument continued by Mr. Frederick P. Fish for the appellees and concluded by Mr. H. La Rue Brown, for the appellant.

No. 130. Great Northern Railway Company, plaintiff in error, *v.* J. C. Alexander, administrator, etc. Argued by Mr. I. Parker Veazey, jr., for the plaintiff in error, and by Mr. Cornelius B. Nolan for the defendant in error.

No. 75. The United States, appellant, *v.* St. Paul, Minneapolis and Manitoba Railway Company et al. Argument commenced by Mr. Assistant Attorney General Kearful for the appellant, and continued by Mr. I. Parker Veazey, jr., for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 16, will be as follows: Nos. 75, 363, 575 (and 576, 577, 578, 579, and 580), 586, 534 (and 647), 685, 504, 391, 525, and 678 (and 679).

15897—18—53

# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 16, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Nathan H. Chase, of Minneapolis, Minn., and Jacob Kirschenbaum, of New York City, were admitted to practice.

No. 678. Kate P. McNaughton, appellant, *v.* W. D. Stephens, governor, etc., et al.; and

No. 679. L. E. Nickell et al., appellants, *v.* W. D. Stephens, governor, etc., et al. Submitted by Mr. Tom L. Johnston for the appellants and by Mr. U. S. Webb, Mr. Robert M. Clark, and Mr. Thomas Lee Woolwine for the appellees.

No. 75. The United States, appellant, *v.* St. Paul, Minneapolis & Manitoba Railway Company et al. Argument continued by Mr. I. Parker Veazey for the appellees and concluded by Mr. Assistant Attorney General Kearful for the appellant.

No. 363. Boston Store of Chicago *v.* American Graphophone Company et al. Three hours allowed for the argument of this case and three counsel allowed for American Graphophone Company et al., on motion of Mr. James M. Beck for American Graphophone Company et al. Argument commenced by Mr. Walter Bachrach for Boston Store of Chicago, continued by Mr. Elisha K. Camp, Mr. Daniel N. Kirby, and Mr. James M. Beck for American Graphophone Company et al., and concluded by Mr. Hamilton Moses for Boston Store of Chicago.

No. 575. The United States of America, plaintiff in error, *v.* Edward Bathgate et al.;

No. 576. The United States of America, plaintiff in error, *v.* John J. Burckhauser et al.;

No. 577. The United States of America, plaintiff in error, *v.* Harry Coons et al.;

No. 578. The United States of America, plaintiff in error, *v.* William Farrell et al.;

No. 579. The United States of America, plaintiff in error, *v.* Otto Klayer et al.; and

No. 580. The United States of America, plaintiff in error, *v.* Robert Uricho et al. Argument commenced by Mr. Assistant Attorney General Fitts for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 17, will be as follows: Nos. 575 (and 576, 577, 578, 579, and 580), 586, 534 (and 647), 685, 504, 391, 525, 202, 273, and 476.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 17, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Edward Elliott Hurvey, of Tulsa, Okla.; William C. Fraser, of Omaha, Nebr.; M. G. Bufano, of Morgantown, W. Va.; Frank M. Patterson, of New York City; Vital W. Gareschi, of St. Louis, Mo.; A. S. Harby, of Sumter, S. C.; Lucian W. McLemore, of Sumter, S. C.; and U. S. Goen, of El Paso, Tex., were admitted to practice.

No. 105. John H. Sears, Trustee, appellant, *v.* The City of Akron. Leave granted to file brief as amicus curiæ, on motion of Mr. A. H. Ferguson in that behalf.

No. 575. The United States of America, plaintiff in error, *v.* Edward Bathgate et al.;

No. 576. The United States of America, plaintiff in error, *v.* John P. Burckhauser et al.;

No. 577. The United States of America, plaintiff in error, *v.* Harry Coons et al.;

No. 578. The United States of America, plaintiff in error, *v.* William Farrell et al.;

No. 579. The United States of America, plaintiff in error, *v.* Otto Klayer et al.; and

No. 580. The United States of America, plaintiff in error, *v.* Robert Uricho et al. Argument continued by Mr. Assistant Attorney General Fitts for the plaintiff in error, by Mr. John R. Holmes and Mr. Sherman T. McPherson for the defendants in error, and concluded by Mr. Assistant Attorney General Fitts for the plaintiff in error.

No. 586. The United States of America et al. *v.* Woo Jan. Argued by Mr. Assistant Attorney General Fitts for the United States et al. and submitted by Mr. Francis P. Marvin for Woo Jan.

No. 534. The People of Porto Rico et al., appellants, *v.* Carlos Tapia; and

No. 647. The People of Porto Rico et al., plaintiffs in error, *v.* Jose Muratti. Argument commenced by Mr. Assistant Attorney General Warren for the appellants and plaintiffs in error and continued by Mr. Willis Sweet for the appellees and defendants in error and by Mr. E. S. Bailey for the appellants and plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 18, will be as follows: Nos. 534 (and 647), 685, 504, 391, 525, 202, 273, 476, 378, and 105.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 18, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

W. G. McLaren, of Seattle, Wash.; C. N. Sapp, of Columbia, S. C.; Walter D. Hawk, of Chicago, Ill.; Samuel S. Holmes, of Chicago, Ill.; Mark T. McKee, of Detroit, Mich.; Daniel T. Hagan, of Providence, R. I.; and Patrick W. J. Geary, of Providence, R. I., were admitted to practice.

No. 534. The People of Porto Rico et al., appellants, *v.* Carlos Tapia; and

No. 647. The People of Porto Rico et al., plaintiffs in error, *v.* Jose Muratti. Argument concluded by Mr. E. S. Bailey for the appellants and plaintiffs in error.

No. 685. Evans J. McCurdy, County Treasurer, etc., et al., appellants, *v.* The United States. Argued by Mr. Preston A. Shinn for the appellants and by Mr. Assistant Attorney General Kearful for the appellee.

No. 504. J. Knox Greer, petitioner, *v.* The United States. Argued by Mr. J. C. Denton for the petitioner and submitted by Mr. Assistant Attorney General Warren for the respondent.

No. 391. The Railroad Commission of the State of California, plaintiff in error, *v.* The Atchison, Topeka & Santa Fe Railway Company. Argued by Mr. Douglas Brookman for the plaintiff in error and by Mr. Robert Dunlap for the defendant in error.

No. 525. Carey W. Stone, Guardian, etc., plaintiff in error, *v.* Emmett P. Stone, next friend of Thomas S. Stone. Argued by Mr. Clyde A. Douglass for the plaintiff in error and by Mr. Robert W. Winston for the defendant in error.

No. 202. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* Ella Dutton, as Administratrix, etc. Argued by Mr. L. W. McLemore for the plaintiff in error and by Mr. A. S. Harby for the defendant in error.

No. 273. The Postal Telegraph-Cable Company, plaintiff in error,  
*v.* The City of Newport, Kentucky. Argument commenced by Mr.  
John R. Schindel for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 21, will be as follows: Nos.  
273, 476, 378, 105, 133, 134, 138, 140 (and 141), 142, and 143.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 21, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

Silas Blake Axtell, of New York City; Henry S. Paulus, of Yoakum, Tex.; Albert Sabath, of Chicago, Ill.; Ode L. Rankin, of Chicago, Ill.; William C. McCulloch, of Portland, Oreg.; Othilia G. C. Beals, of Seattle, Wash.; Walter Burges Beals, of Seattle, Wash.; Frank E. Curley, of Tucson, Ariz.; and Leonard Kearney, of Clifton, Ariz., were admitted to practice.

No. 104. Union Pacific Railroad Company, plaintiff in error, *v.* Ella Huxoll, administratrix of the estate of Fred J. Huxoll, deceased. In error to the Supreme Court of the State of Nebraska. Affirmed with costs. Opinion by Mr. Justice Clarke.

No. 132. Southern Pacific Company et al., plaintiffs in error, *v.* Darnell-Taenzer Lumber Company et al. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Western District of Tennessee. Opinion by Mr. Justice Holmes.

No. 120. Edward Bates, plaintiff in error, *v.* Lucie Bodie. In error 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 McKenna.

The Chief Justice announced the following orders of the Court:

No. —, Original. *Ex parte* In the matter of The United States, petitioner. Motion for leave to file an information for contempt. The clerk will transmit a copy of the motion to the judge therein referred to, and consideration thereof is postponed until Monday, February 4, next, leave being granted to him by that date to submit in print such suggestions as he may deem appropriate to be taken into view in considering and disposing of the motion for leave to file.

No. 116. Police Jury of the Parish of Acadia, plaintiff in error, *v.* City of Crowley. In error to the Supreme Court of the State of Louisiana. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Braxton County Court v. West Virginia*, 208 U. S., 192; *McCandless v. Pratt*, 211 U. S., 437; *Marshall v. Dye*, 231 U. S., 250; *Stewart v. Kansas City*, 239 U. S., 14.

No. 202. Atlantic Coast Line Railroad Company, plaintiff in error, *v.* Ella Dutton, as administratrix of the estate of Lee Dutton, deceased. In error to the Supreme Court of the State of South Carolina. *Per curiam*: Judgment affirmed with costs upon the authority of *Chicago Junction Railway Co. v. King*, 222 U. S., 222; *Seaboard Air Line Ry. v. Padgett*, 236 U. S., 668; *Great Northern Ry. Co. v. Knapp*, 240 U. S., 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, 242 U. S., 169; *Southern Railway Co. v. Puckett*, 244 U. S., 571, 574.

No. 391. The Railroad Commission of the State of California, plaintiff in error, *v.* The Atchison, Topeka & Santa Fe Railway Company. In error to the Supreme Court of the State of California. *Per curiam*: Dismissed for want of jurisdiction upon the authority of: (1) *Waters Pierce Oil Co. v. Texas*, 212 U. S., 112, 116; *Leathe v. Thomas*, 207 U. S., 93; *Holden Land Co. v. Inter-State Trading Co.*, 233 U. S., 536, 541; *Mellon Co. v. McCafferty*, 239 U. S., 134. (2) Section 237, Judicial Code, as amended by the act of Congress of September 6, 1916 (c. 448, 39 Stat., 726); *Philadelphia & Reading Coal & Iron Co. v. Gilbert*, 245 U. S. —.

No. 525. Carey W. Stone, guardian of Thomas S. Stone, plaintiff in error, *v.* Emmett P. Stone, next friend of Thomas S. Stone. In error to the Supreme Court of the State of North Carolina. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237, Judicial Code, as amended by the act of Congress of September 6, 1916 (c. 448, 39 Stat., 726); *Prairie Oil & Gas Co. v. Carter*, 244 U. S., 646; *Midland Valley R. R. Co. v. Griffith*, 245 U. S., —.

No. 534. The People of Porto Rico et al., appellants, *v.* Carlos Tapia. Appeal from the District Court of the United States for the District of Porto Rico. *Per curiam*: Judgment reversed upon the authority of *Downes v. Bidwell*, 182 U. S., 244; *Hawaii v. Mankichi*, 190 U. S., 197; *Dorr v. The United States*, 195 U. S., 138; *Rasmussen v. United States*, 197 U. S., 516; *Kopel v. Bingham*, 211 U. S., 468; *Dowdell v. United States*, 221 U. S., 91; *Porto Rico v. Rosaly*, 227 U. S., 270, 274; *Ocampo v. United States*, 234 U. S., 91, 98.

No. 647. The People of Porto Rico et al., plaintiffs in error, *v.* Jose Muratti. In error to the Supreme Court of Porto Rico. *Per*

*curiam*: Judgment reversed upon the authority of *People of Porto Rico v. Tapia*, just decided, and authorities therein cited.

No. 678. Kate P. McNaughton, appellant, *v.* W. D. Stephens, governor of the State of California, et al. Appeal from the District Court of the United States for the Southern District of California. *Per curiam*: Judgment affirmed with costs upon the authority of *McNaughton v. Johnson*, 242 U. S., 344.

No. 679. L. E. Nickell and Robert J. Burke, appellants, *v.* W. D. Stephens, governor of the State of California, et al. Appeal from the District Court of the United States for the Southern District of California. *Per curiam*: Judgment affirmed with costs upon the authority of *Crane v. Johnson*, 242 U. S., 339.

No. 23, Original. The State of Georgia, complainant, *v.* The Trustees of the Cincinnati Southern Railway et al. Ordered that Edward L. Gilmore, Esq., of Atlanta, Ga., be appointed examiner to take and return the testimony in this cause, and that the testimony be taken as provided by the stipulation of counsel for the respective parties.

No. 567. The United States, plaintiff in error, *v.* Fred W. Weitzel. Motion to advance granted and cause assigned for argument on Monday, March 4 next, after the cases heretofore assigned for that day.

No. 705. Charles A. Peabody, plaintiff in error, *v.* Mark Eisner, Collector of Internal Revenue. Motion to advance granted and cause assigned for argument on Monday, March 4 next, after the cases heretofore assigned for that day.

No. 806. Navy Yard Route, plaintiff in error, *v.* H. E. Devlin. Motion to advance denied, but case will be taken as submitted on printed briefs if counsel are so advised.

No. 195. Idora Hill Mining Company, plaintiff in error, *v.* Harry Olson et al. In error to the Supreme Court of the State of Idaho. Dismissed with costs and 5 per cent damages for failure to print the record.

No. 750. Aurelia P. Bernal, 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. 803. Deschutes Railroad Company, petitioner, *v.* Eastern Oregon Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 815. Norfolk County Water Company, petitioner, *v.* City of Norfolk, Virginia, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 656. Charles E. Ruthenberg et al., plaintiffs in error, *v.* The United States of America;

No. 663. Joseph F. Arver, plaintiff in error, *v.* The United States of America;

No. 664. Alfred F. Grahl, plaintiff in error, *v.* The United States of America;

No. 665. Otto Wangerin, plaintiff in error, *v.* The United States of America;

No. 666. Walter Wangerin, plaintiff in error, *v.* The United States of America;

No. 680. Louis Kramer and Morris Becker, plaintiffs in error, *v.* The United States of America;

No. 681. Louis Kramer, plaintiff in error, *v.* The United States of America;

No. 738. Albert Jones, appellant, *v.* H. W. Perkins, Deputy U. S. Marshal, etc., et al.; and

No. 769. Meyer Graubard, plaintiff in error, *v.* The United States of America. Leave granted to issue the mandates at once in these cases, on motion of Mr. Assistant to the Attorney General Todd for The United States.

No. 702. Emma Goldman and Alexander Berkman, plaintiffs in error, *v.* The United States. Motion that mandate herein issue at once submitted by Mr. Assistant to the Attorney General Todd for the defendant in error in support of the motion, and by Mr. Harry Weinberger for the plaintiffs in error in opposition thereto.

No. 568. International News Service, petitioner, *v.* The Associated Press. Motion to advance submitted by Mr. Lawrence Koenigsberger in behalf of counsel.

Nos. 133 and 134. C. F. McGinis et al., plaintiffs in error, *v.* The People of the State of California. Passed temporarily, on motion of Mr. Frederick S. Tyler for the plaintiffs in error.

No. 581. The State of Ohio on the relation of The Hartford Life Insurance Company, plaintiff in error, *v.* Alonzo J. Douds et al., judges, etc. Motion to affirm or place on the summary docket submitted by Mr. Smith W. Bennett for the defendants in error in support of the motion, and by Mr. James C. Jones and Mr. Harry B. Arnold for the plaintiff in error in opposition thereto.

No. 142. City of Birmingham, plaintiff in error, *v.* D. J. O'Connell. Continued per stipulation.

No. 273. The Postal Telegraph-Cable Company, plaintiff in error, *v.* City of Newport, Ky. Argued by Mr. John R. Schindel for the plaintiff in error and by Mr. Brent Spence for the defendant in error.

No. 476. Steamship Bowdoin Company, plaintiff in error, *v.* Industrial Accident Commission of the State of California et al. Argued by Mr. Ira A. Campbell for the plaintiff in error and by Mr. Christopher M. Bradley for the defendants in error.

No. 378. New York Life Insurance Company, plaintiff in error, *v.* Leo F. Dodge. Argued by Mr. James H. McIntosh for the plaintiff in error and by Mr. James J. O'Donohoe for the defendant in error.

No. 27, Original. Ex parte In the matter of Frank M. Slater, etc., petitioner. Argued by Mr. George B. Webster for the petitioner and by Mr. Jacob Chasnoff for the respondent.

No. 105. John H. Sears, trustee, appellant, *v.* The City of Akron. Argument commenced by Mr. George W. Wickersham for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 22, will be as follows: Nos. 105, 138, 140 (and 141), 143, 144, 145, 147 (and 440), 148, 152, and 153.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 22, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

Edwin R. Holmes, of Yazoo City, Miss., was admitted to practice.

No. 147. Louis H. Denee, plaintiff in error, *v.* W. M. Ridpath. Death of defendant in error suggested and appearance of Mary Ridpath Ankeny as executrix of W. M. Ridpath, deceased, filed and entered, per stipulation of counsel, on motion of Mr. Fred H. Morrill for the plaintiff in error.

No. 144. Helen C. Sheckels, surviving executrix of Theodore Sheckels, deceased, appellant, *v.* the District of Columbia. Passed temporarily on motion of Mr. Assistant Attorney General Frierson for the appellee.

No. 145. Robert Miller and William Cooney, plaintiffs in error, *v.* B. O. McClain. Continued per stipulation.

No. 105. John H. Sears, trustee, appellant, *v.* the City of Akron. Argument continued by Mr. George W. Wickersham for the appellant, by Mr. John E. Morley for the appellee, and concluded by Mr. George W. Wickersham for the appellant.

No. 138. Charles F. Ruddy, plaintiff in error, *v.* Herman J. Rossi. Passed temporarily.

No. 140. Hannah L. Andrews, executrix, etc., plaintiff in error, *v.* John Nix & Company; and

No. 141. Hannah L. Andrews, executrix, etc., plaintiff in error, *v.* Joseph D. Hendrickson. Argued by Mr. Samuel H. Richards for the plaintiff in error and by Mr. Henry F. Stockwell for the defendants in error.

No. 143. Emil Eiger et al., plaintiffs in error, *v.* Delia Garrity. Argument commenced by Mr. A. J. Pfisum for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 23, will be as follows: Nos. 143, 147, (and 440), 148, 152, 153, 84, 154, 155, 156, and 157.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 23, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

J. R. Cottingham, of Oklahoma City, Okla., and Philip S. Driver, of Sacramento, Cal., were admitted to practice.

No. 152. Northern Pacific Railway Company, plaintiff in error, *v.* Emma A. Wismer, substituted for George F. Wismer, deceased. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. F. J. Kearful in behalf of counsel for the defendant in error.

No. 84. Stonebraker-Zea Cattle Company, appellant, *v.* The United States. Submitted by Mr. Henry B. Martin for the appellant and by Mr. Assistant Attorney General Kearful for the appellee.

No. 155. Motion Picture Patents Company et al., appellants, *v.* The United States. Passed, on motion of Mr. Melville Church for the appellants.

No. 143. Emil Eiger et al., plaintiffs in error, *v.* Delia Garrity. Argument continued by Mr. A. J. Pflaum for the plaintiffs in error, by Mr. Ode L. Rankin for the defendant in error, and concluded by Mr. A. J. Pflaum for the plaintiffs in error.

No. 147. Louis H. Denee, plaintiff in error, *v.* Mary Ridpath Ankeny, as executrix, etc.; and

No. 440. H. J. Gunning et al., plaintiffs in error, *v.* Peter Morrison et al. Argued by Mr. Fred B. Morrill for the plaintiffs in error and by Mr. Reese H. Voorhees for the defendants in error.

No. 148. Puget Sound Traction, Light & Power Company et al., plaintiffs in error, *v.* Fred W. Newell et al., commissioners, etc. Argument commenced by Mr. W. G. McLaren for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 24, will be as follows: Nos. 148, 153, 154, 156, 157, 158, 160, 161 (and 162), 603, and 164.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 24, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William Waugh Adams, of Washington, D. C., John B. Fogarty, of Everett, Wash., and Henry L. Cohen, of New York City, were admitted to practice.

No. 148. Puget Sound Traction, Light & Power Company et al., plaintiffs in error, *v.* Fred W. Newell et al., Commissioners, etc. Argument concluded by Mr. W. G. McLaren for the defendants in error, and submitted by Mr. James B. Howe for the plaintiffs in error.

No. 153. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* Paul D. Cole. Argued by Mr. Alfred A. Scott for the plaintiff in error, and submitted by Mr. Alfred M. Jackson and Mr. Charles T. Atkinson for the defendant in error.

No. 154. Alice State Bank et al., petitioners, *v.* Houston Pasture Company. Argued by Mr. Henry W. Taft and Mr. Walter P. Napier for the petitioners and by Mr. Joseph W. Bailey for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 25, will be as follows: Nos. 156, 157, 158, 160, 161 (and 162), 603, 164, 144, 167, and 168 (and 393).

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 25, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Francis W. Wozencraft, of Dallas, Tex.; Thomas B. S. O'Dea, of Sioux City, Iowa; Fred A. Boxley, of Kansas City, Mo.; James McCabe, of Seattle, Wash.; F. G. Dorety, of Seattle, Wash.; and Joseph M. Stark, of Topeka, Kans., were admitted to practice.

No. 164. William J. Anicker, appellant, *v.* David Gunsburg et al. Appearance of Bertha H. Gunsburg, Ralph Hochstetter, and Walter P. Cooke, administrators and sole personal representatives of David Gunsburg, deceased, as parties appellees herein filed and entered, on motion of Mr. Frank Hagerman for the appellant.

No. 167. John E. Roller, plaintiff in error, *v.* Lindsay M. Armentrout. Submitted by Mr. John E. Roller pro se, and by Mr. Everett Dulaney Ott for the defendant in error.

No. 156. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* W. P. Schnoutz et al. Submitted by Mr. Joseph M. Bryson, Mr. Alexander Britton, Mr. C. S. Burg, and Mr. A. H. McKnight for the plaintiff in error. No appearance for the defendants in error.

No. 157. H. B. Talley, plaintiff in error, *v.* Daniel S. Burgess et al. Argued by Mr. Thomas D. Lyons for the defendants in error, and submitted by Mr. H. B. Talley pro se.

No. 158. Gulf, Colorado & Santa Fe Railway Company, plaintiff in error, *v.* The State of Texas. Argued by Mr. Gardiner Lathrop for the plaintiff in error, and submitted by Mr. B. F. Looney and Mr. Luther Nickels for the defendant in error.

No. 160. Nicholas V. Bilby et al., plaintiffs in error, *v.* Albert Stewart et al. Submitted by Mr. Lewis C. Lawson for the plaintiffs in error, and by Mr. George C. Crump for the defendants in error.

No. 161. The Arizona Copper Company, Limited, plaintiff in error,  
*v.* Joseph B. Hammer; and

No. 162. The Arizona Copper Company, Limited, plaintiff in error,  
*v.* Richard Bray. Argument commenced by Mr. Ernest W. Lewis  
for the plaintiff in error, continued by Mr. Frank E. Curley and Mr.  
L. Kearney for the defendants in error, and concluded by Mr. John  
A. Garver for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 28, will be as follows: Nos. 603,  
88, 164, 144, 152, 168 (and 393), 169, 170 (and 226), 171, and 172.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 28, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Lane D. Webber, of San Diego, Cal.; S. Hazen Bond, of Washington, D. C.; Ralph B. Fleharty, of Washington, D. C.; Brent Whitehead Blythe, of New York City; Edward W. Rice, of Globe, Ariz.; Phil D. Swing, of El Centro, Cal.; John J. Grant, of Boston, Mass.; Lawrence K. Sager, of New York City; Ralph B. Applewhite, of Brownstown, Ind.; and Faust F. Crampton, of Toledo, Ohio. were admitted to practice.

No. 107. Supreme Lodge Knights of Pythias, appellant, *v.* Arthur V. H. Smyth. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree 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 Clarke.

No. 60. The Northern Ohio Traction & Light Company and the Cleveland Trust Company, plaintiffs in error, *v.* The State of Ohio on the relation of Hubert C. Pontius, prosecuting attorney of Stark County, Ohio. In error to the Supreme Court of the State of Ohio. Judgment 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 Clarke and Mr. Justice Brandeis. (Mr. Justice Day took no part in the consideration and decision of this case.)

No. 99. The United States, appellant, *v.* Frederick A. Sweet, administrator of the estate of Arthur A. Sweet, deceased. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree of Circuit Court of Appeals reversed, and decree of District Court of the United States for the District of Utah affirmed; and cause remanded to said District Court. Opinion by Mr. Justice

Van Devanter. (Mr. Justice McReynolds did not participate in the consideration and decision of this case.)

No. 348. Southern Pacific Company, plaintiff in error, *v.* Frank R. Stewart. Petition for rehearing granted; judgment of December 17, 1917, vacated and set aside and case restored to the docket. Opinion by Mr. Justice Day.

No. 504. J. Knox Greer, petitioner, *v.* The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed; and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna.

No. 96. Edward F. Johnson, plaintiff in error, *v.* J. D. Lankford and Southwestern Surety Insurance Company. In error to the District Court of the United States for the Western District of Oklahoma. Judgment reversed with costs; and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 97. Lawrence Martin, plaintiff in error, *v.* J. D. Lankford and Southwestern Surety Insurance Company. In error to the District Court of the United States for the Western District of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 586. The United States of America and Thomas Thomas *v.* Woo Jan. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit. First question certified answered in the negative, and second question certified answered in the affirmative. Opinion by Mr. Justice McKenna. (Mr. Justice Clarke took no part in the consideration and decision of this case.)

The Chief Justice announced the following order of the Court: No. 153. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* Paul D. Cole. In error to the Supreme Court of the State of Kansas. Per curiam: Judgment affirmed with costs and 10 per cent damages upon the authority of *Chicago Junction Railway Co. v. King*, 222 U. S., 222; *Seaboard Air Line Ry. v. Padgett*, 236 U. S., 668; *Great Northern Railway Co. v. Knapp*, 240 U. S., 464; *Baltimore & Ohio R. R. Co. v. Whitacre*, 242 U. S., 169; *Southern Ry. Co. v. Puckett*, 244 U. S., 571, 574.

No. 156. The Missouri, Kansas & Texas Railway Company of Texas, plaintiff in error, *v.* W. P. Schnoutz and Texas Midland Railroad Company. In error to the County Court of Kauffman County, State of Texas. Per curiam: Judgment reversed upon the authority of *Texas & Pacific Ry. Co. v. Mugg*, 202 U. S., 242; *Kansas City Southern Ry. Co. v. Albers Commission Co.*, 223 U. S., 573,

596-598; *Illinois Central R. R. Co. v. Henderson Elevator Co.*, 226 U. S., 441; *Kansas City Southern Ry. Co. v. Carl*, 227 U. S., 639, 653. See *Louisville & Nashville R. R. Co. v. Maxwell*, 237 U. S., 94.

No. 84. *Stonebraker-Zea Company*, appellant, *v. The United States*. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Judgment affirmed upon the authority of *McCaskill Co. v. The United States*, 216 U. S., 504, 514; *Washington Securities Co. v. The United States*, 234 U. S., 76, 78; *Wright-Blodgett Co. v. The United States*, 236 U. S., 397, 402, 405; *Causey v. United States*, 240 U. S., 399, 401; and cause remanded to the District Court of the United States for the Western District of Oklahoma.

No. 167. *John E. Roller*, plaintiff in error, *v. Lindsay M. Armentrout*. In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of: 1. *Deming v. Carlisle Packing Co.*, 226 U. S., 102, 105; *Consolidated Turnpike v. Norfolk, &c., Ry. Co.*, 228 U. S., 596, 600; *Ennis Water Works v. Ennis*, 233 U. S., 652, 658; *Stewart v. Kansas City*, 239 U. S., 14; 2. *Eustis v. Bolles*, 150 U. S., 361; *Leathe v. Thomas*, 207 U. S., 93; *Holden Land Co. v. Inter-State Trading Co.*, 233 U. S., 536, 541; *Mellon Co. v. McCafferty*, 239 U. S., 134.

No. 581. *The State of Ohio on the relation of The Hartford Life Insurance Company*, plaintiff in error, *v. Alonzo J. Douds et al.* In error to the Supreme Court of the State of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 Judicial Code as amended by the act of Congress of September 6, 1916 (c. 448, 39 Stat., 726); *Philadelphia & Reading Coal & Iron Co. v. Gilbert*, 245 U. S., —.

No. 702. *Emma Goldman et al.*, plaintiffs in error, *v. The United States*. Motion that mandate issue at once granted.

No. 568. *International News Service*, petitioner, *v. The Associated Press*. Motion to advance granted, and cause assigned for argument on Monday, April 15 next.

The Chief Justice also announced that the Court will take a recess from Monday, February 4 next, to Monday, March 4 next.

No. —, Original. Ex parte in the matter of *The United States*, petitioner. Motion for leave to amend information for contempt submitted by Mr. Solicitor General Davis for the petitioner.

No. 704. *W. C. Hammer*, United States attorney, etc., appellant, *v. Roland H. Dagenhart et al.* Motion to advance submitted by Mr. Solicitor General Davis for the appellant.

No. 811. *S. L. Heatherly*, administrator, etc., petitioner, *v. Louisville & Nashville Railroad Company*. Petition for a writ of cer-

tiorari to the Court of Appeals of the State of Kentucky, submitted by Mr. Conrad H. Syme for the petitioner, and by Mr. B. D. Warfield for the respondent.

No. 180. Watts, Watts & Company, Limited, petitioner, *v.* Unione Austriaca Di Navigazione, etc. Passed, on motion of Mr. L. Russell Alden in behalf of counsel for the respondent.

No. 554. The Western Union Telegraph Company, appellant, *v.* The Baltimore & Ohio Railroad Company. Motion to advance submitted by Mr. J. M. Hartfield in behalf of counsel for the appellee, with leave to Mr. Bynum E. Hinton, for the Postal Telegraph-Cable Company, to file brief as amicus curiæ in opposition to the motion.

No. 812. Edward Stroecker, as trustee, etc., petitioner, *v.* Mariam A. Patterson and H. J. Patterson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. Charles J. Heggerty for the petitioner.

No. 170. William H. Miner, petitioner, *v.* The T. H. Syring Company; and

No. 226. The T. H. Syring Company, petitioner, *v.* The National Malleable Castings Company et al. Passed, on motion of Mr. Ernest F. Mechlin in behalf of counsel.

No. 807. Rigney & Company, petitioner, *v.* Aunt Jemima Mills Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. F. F. Crampton and Mr. T. K. Bryant for the petitioner, and by Mr. Frank F. Reed and Mr. Edward S. Rogers for the respondent.

No. —, Original. Ex parte In the matter of Michael Quinn, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. William C. Prentiss for the petitioner.

No. 369. El Paso Sash & Door Company, plaintiff in error, *v.* E. M. Carraway. Motion to dismiss or affirm submitted by Mr. Frank G. Morris for the defendant in error in support of the motion, and by Mr. Charles B. Braun for the plaintiff in error in opposition thereto.

No. 603. Ray Consolidated Copper Company, plaintiff in error, *v.* Dan Veazey. Argued by Mr. William H. King for the plaintiff in error. No counsel appeared for the defendant in error. Leave granted to Mr. Edward W. Rice to file brief herein as amicus curiæ.

No. 88. George W. Egan, plaintiff in error, *v.* Charles S. McDonald. Submitted by Mr. George W. Egan pro se, and by Mr. Charles O. Bailey and Mr. John H. Voorhees for the defendant in error.

No. 164. William J. Anicker, appellant, *v.* Bertha H. Gunsburg et al., administrators and sole personal representatives of David

Gunsburg, deceased, et al. Argued by Mr. Frank Hagerman for the appellant, and by Mr. George S. Ramsey for the appellees.

No. 144. Helen C. Sheckels, surviving executrix of Theodore Sheckels, deceased, appellant, *v.* The District of Columbia. Argued by Mr. John Raum for the appellant, and by Mr. Assistant Attorney General Thompson for the appellee.

No. 152. Northern Pacific Railway Company, plaintiff in error, *v.* Emma A. Wismer, substituted for George F. Wismer, deceased. Argument commenced by Mr. Charles Donnelly for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 29, will be as follows: Nos. 152, 168 (and 393), 169, 171, 172, 58, 174, 175, 176, and 177.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 29, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Richmond Weed, of New York City, was admitted to practice.

No. 126. J. H. Brader, plaintiff in error, *v.* Rachel James, formerly Rachel Reeves. Leave granted to file reply brief on motion of Mr. William W. Hastings in behalf of counsel for the plaintiff in error.

No. 152. Northern Pacific Railway Company, plaintiff in error, *v.* Emma A. Wismer. substituted for George F. Wismer, deceased. Argument continued by Mr. Charles Donnelly for the plaintiff in error and concluded by Mr. Assistant Attorney General Kearful for the defendant in error.

No. 168. Marconi Wireless Telegraph Company of America, petitioner, *v.* Emil J. Simon. Argued by Mr. L. F. H. Betts and Mr. John W. Griggs for the petitioner and by Mr. Walter H. Pumphrey for the respondent.

No. 393. William Cramp and Sons Ship and Engine Building Company, petitioner, *v.* International Curtis Marine Turbine Company et al. Argument commenced by Mr. Clifton V. Edwards for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 30, 1918, will be as follows: Nos. 393, 169, 171, 172, 58, 174, 176, 177, 178, and 179.

15897—18—63

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 30, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John A. Lawler, of Hastings, Nebr.; Arthur Stahl, of St. Louis, Mo.; Hugh Satterlee, of Rochester, N. Y.; and Charles Ashton Noone, of Chattanooga, Tenn., were admitted to practice.

No. 756. B. F. Looney, Attorney General, etc., et al., appellants, *v* Eastern Texas Railway Company. Motion to advance submitted by Mr. Joseph W. Bailey in behalf of counsel for the appellants.

No. 393. William Cramp & Sons Ship & Engine Building Company, petitioner, *v* International Curtis Marine Turbine Company et al. Argument continued by Mr. Frederick P. Fish for the respondents and concluded by Mr. Abraham M. Beitler for the petitioner.

No. 169. Franklin K. Lane, Secretary of the Interior, et al., appellants, *v* John G. Morrison, Jr., for and on behalf of himself and all other members of the Chippewa Tribe of Indians, etc. Argued by Mr. Assistant Attorney General Warren for the appellants and by Mr. Webster Ballinger for the appellee.

No. 171. John P. Brogan, plaintiff in error, *v* The National Surety Company. Argument commenced by Mr. John A. Cline for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 31, will be as follows: Nos. 171, 172, 58, 174, 176, 177, 178, 179, 181, and 183.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 31, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Louis Stone Moore, of Thomasville, Ga., was admitted to practice.

No. 181. Bert Williams et al., plaintiffs in error, *v.* A. P. Sandles et al. In error to the Supreme Court of the State of Ohio. Dismissed with costs, pursuant to the tenth rule.

No. 183. Adams State Bank, plaintiff in error, *v.* The People of the State of Illinois. Continued per stipulation.

No. 171. John P. Brogan, plaintiff in error, *v.* The National Surety Company. Argument continued by Mr. John A. Cline for the plaintiff in error, and concluded by Mr. John M. Garfield for the defendant in error.

No. 172. Great Northern Railway Company, plaintiff in error, *v.* Adaline Donaldson, as administratrix, etc. Argued by Mr. F. G. Dorety for the plaintiff in error and by Mr. James McCabe for the defendant in error.

No. 58. Rock Springs Distilling Company et al., petitioners, *v.* W. A. Gaines & Company. Argument commenced by Mr. Luther Ely Smith for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, February 1, will be as follows: Nos. 58, 174, 176, 177, 178, 179, 184, 185, 186, and 187.

15897—18—65

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, FEBRUARY 1, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William W. Spalding, of Lebanon, Ky., was admitted to practice.

No. 58. Rock Springs Distilling Company et al., petitioners, *v.* W. A. Gaines & Company. Argument continued by Mr. Luther Ely Smith for the petitioners, by Mr. Edmund F. Trabue and Mr. James L. Hopkins for the respondent, and concluded by Mr. Luther Ely Smith for the petitioners.

No. 179. Ford Motor Company, appellant, *v.* John S. Chambers, as controller of the State of California, et al. Argued by Mr. W. F. Williamson for the appellant and submitted by Mr. U. S. Webb and Mr. Raymond Benjamin for the appellees.

Adjourned until Monday next at 12 o'clock.

15897—18—66

## SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 4, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Samuel S. Breslin, of New York City; Tom D. Smith, of Hia-watha, Kans.; Roger C. Butterfield, of Grand Rapids, Mich.; Harry N. Quigley, of Cincinnati, Ohio; William Glenn Terrell, of Tallahassee, Fla.; Frederick Archibald Copestake, of Stockton, Cal.; Herman H. Phleger, of San Francisco, Cal.; Charles E. Townsend, of San Francisco, Cal.; Horace Marden Albright, of Berkeley, Cal.; Rebecca Laurens Love, of Washington, D. C.; Walter Holbrook McClenon, of Washington, D. C.; Einar Chrystie, of New York City; and Samuel E. Swayze, of Washington, D. C., were admitted to practice.

No. 109. Oscar J. Weeks, doing business under the name of O. J. Weeks & Co., petitioner, *v.* The United States. On writ 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 Van Devanter.

No. 89. A. C. Stellwagen, trustee for Margaret Zengerle, *v.* Alfred Clum, trustee in bankruptcy of the Georgian Bay Company. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit. First and second questions answered in the negative. Opinion by Mr. Justice Day.

No. 93. William Filene's Sons Company, petitioner, *v.* Charles F. Weed et al. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Massachusetts for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. (Mr. Justice Brandeis took no part in the consideration or decision of this case.)

No. 95. Robert H. Gardiner, trustee of the Perry Real Estate Trust, petitioner, *v.* William S. Butler & Company (Inc.) et al.

On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of Massachusetts 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. 369. El Paso Sash and Door Company, plaintiff in error, *v.* E. M. Carraway. In error to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *McCorquodale v. Texas*, 211 U. S., 432, 437; *Waters Pierce Oil Co. v. Texas*, 212 U. S., 112, 118; *Kansas City Star Co. v. Julian*, 215 U. S., 589; *St. Louis & San Francisco Ry. Co. v. Shepherd*, 240 U. S., 240, 241. (2) *Miller v. Cornwall R. R. Co.*, 168 U. S., 131, 134; *Harding v. Illinois*, 196 U. S., 78, 84 et seq.; *Bowe v. Scott*, 233 U. S., 658, 664, 665.

No. —, Original. Ex parte in the matter of Michael Quinn, petitioner. Motion for leave to file petition for a writ of mandamus granted, and rule to show cause awarded returnable Monday, March 4 next.

No. 554. The Western Union Telegraph Company, appellant, *v.* The Baltimore & Ohio Railroad Company. Motion to advance denied, without prejudice to a renewal of same.

No. 704. W. C. Hammer, United States attorney, *v.* Roland H. Dagenhart et al. Motion to advance granted, and cause assigned for argument on Monday, April 15 next, after the case heretofore assigned for that day.

No. 756. B. F. Looney, Attorney General et al., appellants, *v.* Eastern Texas Railroad Company et al. Motion to advance granted, and cause assigned for argument on Monday, April 15 next, after the cases heretofore assigned for that day.

No. 807. Rigney & Company, petitioner, *v.* Aunt Jemima Mills Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 811. S. L. Heatherly, administrator, etc., petitioner, *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky denied.

No. 812. Edward Stroecker, as trustee, etc., petitioner *v.* Mariam A. Patterson et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. —, Original. Ex parte The United States, petitioner. On motion for leave to file an information for contempt. Per curiam:

Although of opinion that the suggestions filed by the defendant judge in answer to the motion for leave to file an information for contempt are inadequate to sustain his failure to impose and give effect to the sentence as required by our mandate, we nevertheless deem it unnecessary now to pass upon the application for leave to file the information for the following reasons:

1. Because the suggestions presented by the judge leave no room for controversy that his action, although without the limits of his discretion, was yet based upon a mistaken assumption to the contrary.

2. Because we are sure that pointing out such mistake will lead to a complete and prompt compliance with our former mandate and render further action upon the motion unnecessary,

It is, therefore, ordered that the consideration of the motion be postponed until Monday, March 4 next.

No. 539. John Knoell and George Knoell, plaintiffs in error, *v.* The United States. Motion to dismiss submitted by Mr. Solicitor General Davis for the defendant in error in support of the motion, and by Mr. R. O. Moon for the plaintiffs in error in opposition thereto.

No. 694. Robert F. Stroud, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Kansas. Judgment reversed upon confession of error; and cause remanded for further proceedings, on motion of Mr. Solicitor General Davis for the defendant in error, and mandate granted.

No. 752. Louis H. Perlman, appellant and plaintiff in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General Davis for the defendant in error in support of the motion, with leave to counsel for the plaintiff in error to file brief in opposition within two weeks.

No. 489. Glasgow Navigation Company, Limited, appellant, *v.* Munson Steamship Line. Motion to dismiss or affirm submitted by Mr. L. Russell Alden in behalf of Mr. John W. Griffin for the appellee in support of the motion, and by Mr. John M. Woolsey, Mr. Charles R. Hickox, and Mr. Cletus Keating for the appellant in opposition thereto.

No. 843. John L. Creveling, petitioner, *v.* J. T. Newton, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Delos G. Haynes, Mr. Robert S. Blair, and Mr. Paul A. Blair for the petitioner.

No. 821. Macbeth-Evans Glass Company, petitioner, *v.* General Electric Company. Petition for a writ of certiorari to the United

States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Paul Synnestvedt and Mr. Joseph Wilby for the petitioner, with leave to counsel for respondent to file brief within three days.

No. 808. Joseph Schlitz Brewing Company, petitioner, *v.* Houston Ice & Brewing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph A. Burkart in behalf of Mr. Russell Jackson for the petitioner.

No. 831. Erie Railroad Company, petitioner, *v.* John R. Shuart et al. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. W. W. Bride in behalf of Mr. Thomas Watts for the petitioner and by Mr. Reeves T. Strickland for the respondent.

No. 154. Alice State Bank et al., petitioners, *v.* Houston Pasture Company. Leave granted to file an additional brief for respondent on or before Wednesday next, on motion of Mr. Joseph W. Bailey for the respondent.

No. 423. Southern Bell Telephone & Telegraph Company, plaintiff in error, *v.* W. E. Hollifield. In error to the Supreme Court of the State of North Carolina. Dismissed with costs, on motion of counsel for the plaintiff in error.

Adjourned until Monday, March 4, at 12 o'clock.

The day call for Monday, March 4, will be as follows: Nos. 325, 327 (and 334, 421, 422, 492, 593, and 594), 371, 468, 611, 452, 457, 567, 705, and 174.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 4, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Martin Brown, of Moundsville, W. Va.; Arthur H. Ewald, of Cincinnati, Ohio; W. B. Hamilton, of Dallas, Tex.; James C. Davis, of Muskogee, Okla.; Jonah J. Goldstein, of New York City; Harry G. Anderson, of Brooklyn, N. Y.; T. B. Cosgrove, of San Diego, Cal.; Joseph Owen Carson, of Indianapolis, Ind.; Alfred E. Stricklett, of Covington, Ky.; Cairolì Gigliotti, of Chicago, Ill.; William J. Waguespack, of New Orleans, La.; Charles Shelby Coffey, of Washington, D. C.; Louis Howard Salinger, of Carroll, Iowa; Raymond Dawson, of Jersey City, N. J.; Franklin Leonidas Maier, of Massillon, Ohio; John C. Burke, of Newport, R. I.; Oscar E. Waer, of Grand Rapids, Mich.; Harold James Richardson, of St. Paul, Minn.; I. F. Raudabaugh, of Celina, Ohio; Thaddeus A. Adams, of Charlotte, N. C.; Clarence M. Hawkins, of Denver, Colo.; Lee Champion, of Denver, Colo.; George B. Thatcher, of Carson City, Nev.; and Paul V. Keyser, of Washington, D. C., were admitted to practice.

No. 140. Hannah L. Andrews, executrix of the will of Benajah D. Andrews, deceased, plaintiff in error, *v.* John Nix & Company; and

No. 141. Hannah L. Andrews, executrix of the will of Benajah D. Andrews, deceased, plaintiff in error, *v.* Joseph D. Hendrickson. In error to the Court of Errors and Appeals of the State of New Jersey. Judgments affirmed with costs. Opinion by Mr. Justice Clarke.

No. 130. Great Northern Railway Company, plaintiff in error, *v.* J. C. Alexander, administrator of the estate of John P. Hall, deceased. In error to the Supreme Court of the State of Montana. Dismissed for want of jurisdiction. Opinion by Mr. Justice Clarke.

No. 152. Northern Pacific Railway Company, plaintiff in error *v.* Emma A. Wismer, substituted for George F. Wismer, deceased. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of Washington. Opinion by Mr. Justice Clarke.

No. 88. George W. Egan, plaintiff in error, *v.* Charles S. McDonald. In error to the Supreme Court of the State of South Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 98. Board of Trade of the City of Chicago et al., appellants, *v.* The United States. Appeal from the District Court of the United States for the Northern District of Illinois. Decree reversed; and cause remanded with directions to dismiss the bill. Opinion by Mr. Justice Brandeis. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 105. John H. Sears, trustee, appellant, *v.* The City of Akron. Appeal from the District Court of the United States for the Northern District of Ohio. Decree affirmed with costs. Opinion by Mr. Justice Brandeis. (Mr. Justice Day and Mr. Justice Clarke took no part in the consideration or decision of this case.)

No. 129. Philip Nelson, plaintiff in error, *v.* Southern Railway Company. In error to the Supreme Court of the State of North Carolina. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 160. Nicholas V. Bilby et al., plaintiffs in error, *v.* Albert Stewart et al. In error to the Supreme Court of the State of Oklahoma. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 171. John P. Brogan, plaintiff in error, *v.* The National Surety Company. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment of Circuit Court of Appeals reversed with costs and judgment of the District Court of the United States for the Western District of Michigan affirmed with costs, and case remanded to said District Court. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McKenna. Mr. Justice Pitney, and Mr. Justice McReynolds.

No. 685. Eneas J. McCurdy, county treasurer of Osage County, Oklahoma, et al., appellants, *v.* The United States of America. Appeal from the District Court of the United States for the Western District of Oklahoma. Decree reversed and cause remanded with direction to dismiss the bill. Opinion by Mr. Justice Brandeis.

No. 147. Louis H. Denee, plaintiff in error, *v.* Mary Ridpath Ankeny, executrix of W. M. Ridpath, deceased; and

No. 440. H. J. Gunning et ux., plaintiffs in error, *v.* Peter Morrison et ux. In error to the Supreme Court of the State of Washington. Judgments affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 169. Franklin K. Lane, Secretary of the Interior, et al., appellants, *v.* John G. Morrison, jr., for and on behalf of himself and all other members of the Chippewa Tribe of Indians in Minnesota

similarly situated. Appeal from the Court of Appeals of the District of Columbia. Decree reversed with costs, and cause remanded with directions to affirm the decree of the Supreme Court of the District of Columbia. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice McKenna.

No. 575. The United States of America, plaintiff in error, *v.* Edward Bathgate et al.;

No. 576. The United States of America, plaintiff in error, *v.* John J. Burckhauser et al.;

No. 577. The United States of America, plaintiff in error, *v.* Harry Coons et al.;

No. 578. The United States of America, plaintiff in error, *v.* William Farrell et al.;

No. 579. The United States of America, plaintiff in error, *v.* Oscar Klayer et al.; and

No. 580. The United States of America, plaintiff in error, *v.* Robert Uricho et al. In error to the District Court of the United States for the Southern District of Ohio. Judgments affirmed. Opinion by Mr. Justice McReynolds.

No. 4, Original. The State of Arkansas, complainant, *v.* The State of Tennessee. Questions submitted by the parties for determination by the court answered. Commission to be appointed to locate the boundary line between the States at the place in question in accordance with the principles set forth in the opinion of the court. Opinion by Mr. Justice Pitney.

No. 294. City and County of Denver et al., appellants, *v.* The Denver Union Water Company; and

No. 295. The Denver Union Water Company, appellant, *v.* City and County of Denver et al. Appeals from the District Court of the United States for the District of Colorado. Decree modified and affirmed; costs to be paid by The City and County of Denver et al. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Holmes, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 330. Albert E. Sutton et al., appellants, *v.* John H. C. L. English et al. Appeal from the District Court of the United States for the Eastern District of Texas. Decree affirmed, with costs. Opinion by Mr. Justice Pitney.

No. 27, Original. Ex parte in the matter of Frank M. Slater, etc., petitioner. Rule discharged and petition for writ of mandamus dismissed. Opinion by Mr. Justice Van Devanter.

No. 733. International Paper Company, plaintiff in error, *v.* The Commonwealth of Massachusetts. In error to the Supreme Judicial Court of the State of Massachusetts. 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. 734. The Locomobile Company of America, plaintiff in error, *v.* The Commonwealth of Massachusetts. In error to the Supreme Judicial Court of the State of Massachusetts. 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. 12. Cheney Brothers Company et al., plaintiffs in error, *v.* The Commonwealth of Massachusetts. In error to the Supreme Judicial Court of the State of Massachusetts. Judgment reversed with costs, as to Cheney Brothers Company, and affirmed with costs as to other plaintiffs in error; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 56. Municipal Securities Corporation, plaintiff in error, *v.* Kansas City. In error to the Supreme Court of the State of Missouri. Dismissed for want of jurisdiction. Opinion by Mr. Justice Day.

No. 111. Emma T. Krueger, appellant, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the District of Colorado. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 124. People's Tobacco Company, Limited, plaintiff in error, *v.* American Tobacco Company. In error to the District Court of the United States for the Eastern District of Louisiana. Judgment affirmed with costs. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 126. J. H. Brader, plaintiff in error, *v.* Rachel James, formerly Rachel Reeves. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 143. Emil Eiger et al., plaintiffs in error, *v.* Delia Garrity. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 157. H. B. Talley, plaintiff in error, *v.* Daniel S. Burgess et al. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 164. William J. Anicker, appellant, *v.* Bertha H. Gunsburg et al., etc. Appeal from the United States Circuit Court of Appeals

for the Eighth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Day.

No. 172. Great Northern Railway Company, plaintiff in error, *v.* Adaline Donaldson, as administratrix, etc. In error to the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 158. Gulf, Colorado & Santa Fe Railway Company, plaintiff in error. *v.* The State of Texas. In error to the Court of Civil Appeals. Third Supreme Judicial District, State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: The Chief Justice, Mr. Justice McKenna, and Mr. Justice McReynolds.

No. 127. Armour & Company, plaintiff in error. *v.* The Commonwealth of Virginia. In error to the Supreme Court of Appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

No. 363. Boston Store of Chicago *v.* American Graphophone Company et al. On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit. First question certified answered in the affirmative. and second, third, and fourth questions answered in the negative. Opinion by Mr. Chief Justice White. Concurring opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice Holmes and Mr. Justice Van Devanter.

No. 393. William Cramp & Sons Ship & Engine Building Company, petitioner, *v.* International Curtis Marine Turbine Company et al. On writ 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 Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 168. Marconi Wireless Telegraph Company of America, petitioner, *v.* Emil J. Simon. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decrees of Circuit Court of Appeals and District Court 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 of the opinion of this court. Opinion by Mr. Chief Justice White. Dissenting: Mr. Justice McKenna.

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

No. 489. Glasgow Navigation Company (Ltd.), appellant, *v.* Munson Steamship Line. Appeal from the United States Circuit Court of Appeals for the Second Circuit. *Per curiam*: Dismissed for want

of jurisdiction upon the authority of: (1) Section 128, Judicial Code; *Oregon Ry. & Nav. Co. v. Balfour*, 179 U. S., 55. See *MacFadden v. United States*, 213 U. S., 288; *Chott v. Ewing*, 237 U. S., 197. (2) Section 237, Judicial Code, as amended by the act of Congress of September 6, 1916 (sec. 6, c. 448, 39 Stat., 726). See *Glasgow Nav. Co. (Ltd.) v. Munson S. S. Co.*, 243 U. S., 643.

No. 179. *Ford Motor Company*, appellant, *v. John S. Chambers*, as Controller of the State of California, et al. Appeal from the District Court of the United States for the Northern District of California. *Per curiam*: Judgment affirmed with costs upon the authority of *Arkansas Building & Loan Association v. Madden*, 175 U. S., 269; *Boise Artesian Water Co. v. Boise City*, 213 U. S., 276; *Singer Sewing Machine Co. v. Benedict*, 229 U. S., 481.

No. 476. *Steamship Bowdoin Company*, plaintiff in error, *v. Industrial Accident Commission of the State of California et al.* In error to the Supreme Court of the State of California. *Per curiam*: Judgment reversed upon the authority of *Southern Pacific Co. v. Jensen*, 244 U. S., 205; *Clyde Steamship Co. v. Walker*, 244 U. S., 255.

Nos. 474 and 475. *Alaska Pacific Steamship Company*, plaintiff in error, *v. Industrial Accident Commission of the State of California et al.* In error to the Supreme Court of the State of California. *Per curiam*: Stipulations of counsel to the effect that the same judgments may be entered in these cases as in case No. 476 having been filed, the judgments are therefore reversed and the cases remanded for further proceedings.

No. 539. *John Knoell et al.*, plaintiffs in error, *v. The United States*. In error to the United States Circuit Court of Appeals for the Third Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *MacFadden v. The United States*, 213 U. S., 288; *Friedman v. The United States*, 244 U. S., 643.

No. 148. *Puget Sound Traction, Light & Power Company et al.*, plaintiffs in error, *v. Fred W. Newell et al.*, Commissioners, etc. In error to the Supreme Court of the State of Washington. *Per curiam*: Dismissed for want of jurisdiction upon the authority of: (1) *First National Bank v. Estherville*, 215 U. S., 341, 346; *Rogers v. Clark Iron Co.*, 217 U. S., 589; *Roller v. Murray*, 234 U. S., 738. (2) *St. Anthony Falls Water Co. v. Board of Water Commissioners*, 168 U. S., 349, 358, 370-371; *Joy v. St. Louis*, 201 U. S., 322, 342; *Weems Steamboat Co. v. People's Co.*, 214 U. S., 345, 355. (3) *Deming v. Carlisle Packing Co.*, 226 U. S., 102, 105; *Consolidated Turnpike v. Norfolk, etc., Ry. Co.*, 228 U. S., 596, 600; *Ennis Water Works v. Ennis*, 233 U. S., 652, 658.

No. 752. Louis H. Perlman, appellant and plaintiff in error *v.* The United States. Ordered that this case be placed on the summary docket.

No. 808. Joseph Schlitz Brewing Company, petitioner, *v.* Houston Ice & Brewing Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 831. Erie Railroad Company, petitioner, *v.* John R. Shuart et al., etc. Petition for a writ of certiorari to the Supreme Court of the State of New York granted.

No. 821. Macbeth-Evans Glass Company, petitioner, *v.* General Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 843. John L. Creveling, petitioner, *v.* J. T. Newton, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 29, Original. *Ex parte* in the matter of Michael Quinn, petitioner. Return to rule filed on motion of Mr. Solicitor General Davis for the respondent.

No. 614. The United States of America, plaintiff in error, *v.* The Federal Publishing Company; and

No. 615. The United States of America, plaintiff in error, *v.* The Butterick Company. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 767. Hugo Yanyar, plaintiff in error, *v.* The United States of America; and

No. 768. Otto Yanyar, plaintiff in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General Davis for the defendant in error.

No. 781. Gulf Oil Corporation, petitioner, *v.* C. G. Llewellyn, Collector of Internal Revenue. Motion to advance submitted by Mr. Solicitor General Davis for the respondent.

No. 823. Jacob Rouss, petitioner, *v.* The Association of the Bar of the City of New York. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Charles E. Le Barbier for the petitioner, and by Mr. George W. Wickersham and Mr. Einar Chrystie for the respondent.

No. 799. George F. Montgomery, appellant, *v.* Arthur Woods, police commissioner of the city of New York. Motion to advance submitted by Mr. Robert S. Johnstone for the appellee.

No. 832. Alfred T. Peterson, 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. R. A.

Ayers for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 11. Hitchman Coal & Coke Company, petitioner, *v.* John Mitchell, individually, et al. Return to rule to show cause filed, on motion of Mr. Charles E. Hogg for the respondents.

No. 898. Graysonia-Nashville Lumber Company et al., petitioners, *v.* Alvin D. Goldman, trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James T. Lloyd in behalf of Mr. H. S. Priest, Mr. Morton Jourdan and Mr. T. E. Francis for the petitioners, Mr. W. E. Hemingway, Mr. G. B. Rose, Mr. J. F. Loughborough and Mr. V. M. Miles for the respondent.

No. 885. Frank A. Bone, petitioner, *v.* Commissioner of Marion County. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Clarence E. Mehlhope for the petitioner, and by Mr. V. H. Lockwood for the respondent.

No. 886. The Michigan Central Railroad Company, 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. J. Walter Dohany and Mr. Frank E. Robson for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant to the Attorney General Todd for the respondent.

No. 242. Grant N. Jefferson et al., plaintiffs in error, *v.* William J. Cook et al., as administrators, etc. Death of William J. Cook and Albert Z. English, administrators, suggested, and the appearance of D. N. Fink and Ed Hart, as administrators as parties defendants in error herein, filed and entered on motion of Mr. W. W. Hastings in behalf of counsel.

No. 352. The Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* W. G. McNeill. Death of W. G. McNeill suggested, and appearance of D. A. McNeill, as administrator, as the party defendant in error herein, filed and entered on motion of Mr. H. Garland Dupre in behalf of counsel.

Nos. 387 and 388. Alaska Pacific Fisheries, plaintiff in error, *v.* The Territory of Alaska. Motion to dismiss submitted by Mr. George B. Grigsby for the defendant in error in support of the motion, and by Mr. Harvey M. Friend for the plaintiff in error in opposition thereto.

No. 442. Alaska Salmon Company, plaintiff in error, *v.* The Territory of Alaska. Motion to dismiss submitted by Mr. George B. Grigsby for the defendant in error in support of the motion.

No. 837. Anne Marie Berg et al., petitioners, *v.* Charles D. Baker. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Halvor Steenerson for the petitioners.

No. 842. Mattie Rieger, petitioner, *v.* Robert Abrams. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. W. E. Humphrey in behalf of Mr. Dallas V. Halverstadt for the petitioner.

No. 896. Guaranty Trust Company of New York, petitioner, *v.* Kingdom of Roumania. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Jo V. Morgan and Mr. Frank M. Patterson for the petitioner, and by Mr. Joseph M. Hartfield for the respondent.

No. 846. Erie Railroad Company, petitioner, *v.* Edwin J. Hilt, jr., an infant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. J. S. Flannery in behalf of Mr. George S. Hobart for the petitioner, and by Mr. James J. Murphy for the respondent.

No. 848. Albert G. Dickinson, petitioner, *v.* The O. & W. Thum Company; and

No. 849. The A. K. Ackerman Company, petitioner, *v.* The O. & W. Thum Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. J. S. Flannery in behalf of Mr. Roger W. Butterfield and Mr. Willard F. Keeney for the petitioners, and by Mr. Fred L. Chappell for the respondent.

No. 851. Edward B. Pryor et al., as receivers, etc., petitioners, *v.* Allega Williams. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. J. S. Flannery in behalf of Mr. J. L. Minnis for the petitioner.

No. 855. McClintic-Marshall Construction Company, petitioner, *v.* Elnora Forgy. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. H. M. Langworthy, Mr. O. H. Dean, and Mr. W. D. McLeod for the petitioner, and by Mr. Daniel V. Howell for the respondent.

No. 874. Illinois Central Railroad Company, petitioner, *v.* Alline Skinner; administratrix, etc. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky submitted by Mr. C. D. Drayton in behalf of Mr. Robert V. Fletcher; Mr. Charles K. Wheeler, Mr. Edmund F. Trabue, and Mr. Blewett Lee for the petitioner.

No. 810. Edward Jefferson Bryan, plaintiff in error, *v.* Louisville & Nashville Railroad Company. Motion to dismiss or affirm submitted

by Mr. C. D. Drayton in behalf of Mr. Henry L. Stone and Mr. Edward S. Jouett for the defendant in error in support of the motion and by Mr. Shepard Barclay for the plaintiff in error in opposition thereto. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. C. Calhoun in behalf of Mr. Shepard Barclay for the petitioner.

No. 722. Louis H. Orr, appellant, *v.* Henry M. Allen et al. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of counsel.

No. 232. H. A. Moss and J. F. Bradford, plaintiffs in error, *v.* C. C. Moore et al. Death of Peter Martin suggested and appearance of Union Trust Company of San Francisco, administrator, etc., as a party defendant in error filed and entered on motion of Mr. Alexander Britton for the defendants in error. Motion to dismiss submitted by Mr. Alexander Britton, Mr. Evans Browne, Mr. William F. Herrin, and Mr. E. S. Pillsbury for the defendants in error in support of the motion.

No. 452, etc. Southern Pacific Company, plaintiff in error, *v.* John Z. Lowe, jr., U. S. collector, etc. Leave granted to file brief as *amicus curiae* on motion of Mr. R. R. Reed in that behalf.

No. 735. Jacob M. Dickinson, as receiver, etc., plaintiff in error, *v.* George C. Stiles. Motion to dismiss or affirm submitted by Mr. W. C. English in behalf of Mr. George H. Lamar for the defendant in error in support of the motion, and by Mr. McNeil V. Seymour for the plaintiff in error in opposition thereto.

No. 854. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* L. J. Ray, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Sidney F. Taliaferro, Mr. R. J. Roberts, and Mr. M. L. Bell for the petitioner.

No. 867. Hamburg-Amerikanisch-Packetfahrt Aktien-Gesellschaft, etc., 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. L. Russell Alden in behalf of Walter C. Noyes for the petitioner.

No. 850. Capital Savings Bank & Trust Company, petitioner, *v.* Inhabitants of the Town of Framingham. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Samuel E. Swayze and Mr. Charles F. Choate, jr., for the petitioner, and by Mr. Alfred Hemenway and Mr. Edwin H. Abbot, jr., for the respondent.

No. 11. Hitchman Coal & Coke Company, petitioner, *v.* John Mitchell, individually, et al. Motion to dismiss contempt proceedings as to Steve Kachinsky submitted by Mr. Martin Brown, counsel for Kachinsky.

No. —, Original. State of Iowa, complainant, *v.* Abraham Slimmer, jr., et al. Motion for leave to file bill of complaint submitted by Mr. H. M. Havner for the complainant.

No. 739. E. H. Emery & Company, appellant, *v.* American Refrigerator Transit Company. Motion to advance under thirty-second rule submitted by Mr. H. M. Havner in behalf of Mr. Chester W. Whitmore for the appellant.

No. —, Original. Ex parte in the matter of William H. Blymyer, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. William H. Blymyer for the petitioner.

No. —, Original. State of Nevada, complainant, *v.* Crown Willamette Paper Company. Motion for leave to file bill of complaint submitted by Mr. George B. Thatcher and Mr. William C. Prentiss for the complainant.

No. 29. Original. Ex parte in the matter of Michael Quinn, petitioner. Leave granted to file pleas on or before Monday next, on motion of Mr. W. C. Prentiss for the petitioner.

No. 413. Interboro Brewing Company (Inc.), petitioner, *v.* The Standard Brewing Company of Baltimore. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed with costs, on motion of counsel for the petitioner.

No. 331. David Goldsmith, et al., plaintiffs in error, *v.* Alfred C. F. Meyer. In error to the St. Louis Court of Appeals of the State of Missouri. Dismissed per stipulation.

No. 631. David Goldsmith et al., plaintiffs in error, *v.* Alfred C. F. Meyer. In error to the Supreme Court of the State of Missouri. Dismissed per stipulation.

No. 325. The United States, plaintiff in error, *v.* Thomas Soldana et al. Argued by Mr. Assistant Attorney General Warren for the plaintiff in error. No appearance for the defendant in error.

No. 327. S. A. Hays, collector of internal revenue, etc., petitioner. *v.* The Gauley Mountain Coal Company;

No. 334. The Goldfield Consolidated Mines Company *v.* Joseph J. Scott, as collector of U. S. internal revenue, etc.;

No. 421. E. J. Lynch, collector of internal revenue, etc., petitioner, *v.* Henry Turrish;

No. 422. E. J. Lynch, collector of internal revenue, etc., petitioner. *v.* H. C. Hornby;

No. 492. Emanuel J. Doyle, collector of internal revenue, petitioner, *v.* Mitchell Brothers Company;

No. 593. The United States of America, petitioner, *v.* The Cleveland, Cincinnati, Chicago & St. Louis Railway Company:

No. 594. The United States of America, petitioner, *v.* Biwabik Mining Company;

No. 452. Southern Pacific Company, plaintiff in error, *v.* John Z. Lowe, jr., U. S. collector of internal revenue, etc.; and

No. 705. Charles A. Peabody, plaintiff in error, *v.* Mark Eisner, collector, etc. Eight and three quarters hours allowed for the oral argument of these cases. Argument commenced by Mr. Solicitor General Davis for the Collectors and The United States.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 5, will be as follows: Nos. 327 (and 334, 421, 422, 492, 593, 594, 452, and 705), 468, 611, 457, 567, 174, 371, 29, 176, and 177.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 5, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Orland R. Cawfis, of Columbus, Ohio; John Marks, of Napoleonville, La.; Nat E. Lignon, of Tulsa, Okla.; Litta B. Campbell, of Los Angeles, Cal.; Kemper B. Campbell, of Los Angeles, Cal.; Louis R. Glavis, of San Francisco, Cal.; Joseph S. Rosalsky, of New York City; Thomas McCusker, of Portland, Oreg.; William L. Cundiff, of Danville, Ill.; and Charles T. Gundy, of Atchison, Kans., were admitted to practice.

No. 334. *The Goldfield Consolidated Mines Company v. Joseph J. Scott*, as collector of United States internal revenue, etc. Leave granted to file brief of counsel for the Goldfield Consolidated Mines Company when received, on motion of Mr. Solicitor General Davis in behalf of counsel.

No. 327. *S. A. Hays*, collector of internal revenue, etc., petitioner, *v. The Gauley Mountain Coal Company*;

No. 334. *The Goldfield Consolidated Mines Company v. Joseph J. Scott*, as collector of United States internal revenue, etc.;

No. 421. *E. J. Lynch*, collector of internal revenue, etc., petitioner, *v. Henry Turrish*;

No. 422. *E. J. Lynch*, collector of internal revenue, etc., petitioner, *v. H. C. Hornby*;

No. 492. *Emanuel J. Doyle*, collector of internal revenue, petitioner, *v. Mitchell Brothers Company*;

No. 593. *The United States of America*, petitioner, *v. The Cleveland, Cincinnati, Chicago & St. Louis Railway Company*;

No. 594. *The United States of America*, petitioner, *v. Biwabik Mining Company*;

No. 452. *Southern Pacific Company*, plaintiff in error, *v. John Z. Lowe, jr.*, United States collector of internal revenue, etc.; and

No. 705. *Charles A. Peabody*, plaintiff in error, *v. Mark Eisner*, collector, etc. Argument continued by Mr. Solicitor General Davis

for the collectors and the United States, by Mr. Gordon M. Buck for the plaintiff in error in No. 452, by Mr. Henry W. Clark for the plaintiff in error in No. 705, and by Mr. A. W. Clapp for the respondents in Nos. 421 and 422.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 6, will be as follows: Nos. 327 (and 334, 421, 422, 492, 593, 594, 452, and 705), 468, 611, 457, 567, 174, 371, 29, 176, and 177.

# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 6, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Arthur C. Patterson, of New York City; Eugene L. Garey, of Chicago, Ill.; and Paul Lamoreaux, of Chicago, Ill., were admitted to practice.

No. 874. Illinois Central Railroad Company, petitioner, *v.* Alline Skinner, administratrix, etc. Leave granted to file brief for respondent on motion of Mr. David A. Baer in that behalf.

No. 327. S. A. Hays, collector of internal revenue, etc., petitioner, *v.* The Gauley Mountain Coal Company;

No. 334. The Goldfield Consolidated Mines Company, *v.* Joseph J. Scott, as collector of United States internal revenue, etc.;

No. 421. E. J. Lynch, collector of internal revenue, etc., petitioner, *v.* Henry Turrish;

No. 422. E. J. Lynch, collector of internal revenue, etc., petitioner, *v.* H. C. Hornby;

No. 492. Emanuel J. Doyle, collector of internal revenue, petitioner, *v.* Mitchell Brothers Company;

No. 593. The United States of America, petitioner, *v.* The Cleveland, Cincinnati, Chicago, & St. Louis Railway Company;

No. 594. The United States of America, petitioner, *v.* Biwabik Mining Company;

No. 452. Southern Pacific Company, plaintiff in error, *v.* John Z. Lowe, jr., United States collector of internal revenue, etc.; and

No. 705. Charles A. Peabody, plaintiff in error, *v.* Mark Eisner, collector, etc. Argument continued by Mr. A. W. Clapp for respondents in Nos. 421 and 422, by Mr. George Hoadley for respondent in No. 593, by Mr. Mark Norris for respondent in No. 492, and concluded by Mr. A. C. Dustin for respondent in No. 594, and case No. 327 submitted by Mr. Henry B. Closson for respondent and No. 334 submitted by Mr. Henry M. Hoyt, 2d, for The Goldfield Consolidated Mines Company.

No. 468. The United States, plaintiff in error, *v.* Joseph L. Schider, trading as Joseph L. Schider & Co. Argued by Mr. Assistant Attorney General Frierson for the plaintiff in error and by Mr. Joseph S. Rosalsky for the defendant in error.

No. 611. John D. Ireland, plaintiff in error, *v.* Arthur Woods, police commissioner of the city of New York. Argued by Mr. George W. Wickersham for the plaintiff in error and by Mr. Robert S. Johnstone for the defendant in error.

No. 457. H. A. A. Smith, auditor of the Panama Canal, plaintiff in error *v.* William H. Jackson. Argument commended by Mr. B. F. Harrah for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 7, will be as follows: Nos. 457, 567, 371, 174, 29, 176, 177, 178, 184, and 185.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 7, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Theodore D. Halpin, of Lapeer, Mich., and William E. Russell, of New York City, were admitted to practice.

No. 457. H. A. A. Smith, Auditor of the Panama Canal, plaintiff in error, *v.* William H. Jackson. Argument continued by Mr. B. F. Harrah for the plaintiff in error and concluded by Mr. Joseph W. Bailey for the defendant in error.

No. 567. The United States, plaintiff in error, *v.* Fred W. Weitzel. Argued by Mr. Assistant Attorney General Warren for the plaintiff in error and by Mr. A. E. Stricklett for the defendant in error.

No. 174. Union Pacific Railroad Company, plaintiff in error, *v.* Charles M. Hadley, as administrator, etc. Argued by Mr. Nelson L. Loomis for the plaintiff in error and by Mr. John J. Halligan for the defendant in error.

No. 371. The Toledo Newspaper Company et al., plaintiffs in error, *v.* The United States of America. Argument commenced by Mr. Lawrence Maxwell for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 8, will be as follows: Nos. 371, 29, 176, 177, 178, 184, 185, 186, 187, and 188.

15897—18—72

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 8, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Jasper Yeates Brinton, of Philadelphia, Pa.; Samuel A. Gluck, of Brooklyn, N. Y.; George W. Pancoast, of Ashland, Ohio; T. V. Golden, of O'Neill, Nebr.; John Stone Hoskins, of Birmingham, Ala.; Edward V. Conwell, of New York City; A. Henry Goldstein, of Chicago, Ill.; Emil N. Zolla, of Chicago, Ill.; Dexter T. Barrett, of Lincoln, Nebr.; Peter W. McKiernan, of Providence, R. I.; and James M. Byrne, of Providence, R. I., were admitted to practice.

No. 371. The Toledo Newspaper Company et al., plaintiffs in error, *v.* The United States of America. Argument continued by Mr. Lawrence Maxwell for the plaintiffs in error, by Mr. William L. Day and Mr. Assistant Attorney General Fitts for the defendant in error, and concluded by Mr. Lawrence Maxwell for the plaintiffs in error.

No. 29. The Salt Lake Investment Company, plaintiff in error, *v.* Oregon Short Line Railroad Company. Argued by Mr. W. H. King for the plaintiff in error, and by Mr. Henry W. Clark for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 11, will be as follows: Nos. 176, 177, 178, 184, 185, 186, 187, 188, 189, and 70.

15897—18—73

# SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 11, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Isaac Anderson Loeb, of Chicago, Ill.; Arthur J. Shores, of New York City; Harry A. L. Barker, of Washington, D. C.; Robert M. Searls, of San Francisco, Cal.; Eugene S. Blease, of Newberry, S. C.; Francis W. Walker, of Chicago, Ill.; Alva A. Andrews, of Bemidji, Minn.; Mark H. Slosson, of Los Angeles, Cal.; Eugene Hubbard, of Louisville, Ky.; Laurence A. Janney, of Chicago, Ill.; and Armanis F. Knotts, of Gary, Ind., were admitted to practice.

Nos. 268 and 269. Henry A. Oetjen, plaintiff in error, *v.* Central Leather Company. In error to the Circuit Court of Hudson County, State of New Jersey. Judgments affirmed with costs. Opinion by Mr. Justice Clarke.

No. 119. Eduardo Ricaud et al. *v.* The American Metal Company, Limited. On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit. First and third questions answered in the affirmative and second question in the negative. Opinion by Mr. Justice Clarke.

No. 20. W. A. Cissna, plaintiff in error, *v.* The State of Tennessee. In error 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 Pitney.

The Chief Justice announced the following orders of the court:

No. —, original. State of Iowa, complainant. *v.* Abraham Slimmer, jr., Charles Bechhoefer, Adolph Lipman, and the State of Minnesota. On motion for leave to file bill of complaint. Consideration of the application for leave to file a bill of complaint in this cause is postponed to April 15 next, on which date leave is granted the parties to be heard orally concerning the same, the complainant in the meanwhile to give to those made defendants notice of the application and of this order, and in addition the clerk is directed to transmit to the governor of Minnesota a copy of this order.

No. 767. Hugo Yanyar, plaintiff in error, *v.* The United States of America; and

No. 768. Otto Yanyar, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Rhode Island. *Per curiam*: Judgments affirmed upon the authority of *Arver v. The United States*, 245 U. S. —.

No. —, original. State of Nevada, complainant, *v.* Crown Wilamette Paper Company. Motion for leave to file the bill of complaint granted, and process ordered to issue returnable on the first day of the next term.

No. 614. The United States of America, plaintiff in error, *v.* The Federal Publishing Company. Motion to advance granted, and case assigned for argument on Tuesday, October 8, next.

No. 615. The United States of America, plaintiff in error, *v.* The Butterick Company. Motion to advance granted, and case assigned for argument on Tuesday, October 8, after the case heretofore assigned for that day.

No. 781. Gulf Oil Corporation, petitioner, *v.* C. G. Llewellyn, collector of internal revenue. Motion to advance granted, and case assigned for argument on Tuesday, October 8, next, after the cases heretofore assigned for that day.

No. 722. Louis H. Orr, appellant, *v.* Henry M. Allen et al. Motion to advance granted, and case assigned for argument on Tuesday, October 8, next, after the cases heretofore assigned for that day.

No. 735. Jacob M. Dickinson, as receiver, etc., plaintiff in error, *v.* George C. Stiles. Ordered that this case be placed on the summary docket.

No. 739. E. H. Emery & Company, appellant, *v.* American Refrigerator Transit Company. Ordered that this case be placed on the summary docket.

No. 799. George F. Montgomery, appellant, *v.* Arthur Woods, police commissioner of the city of New York. Ordered that this case be placed on the summary docket.

No. 232. H. A. Moss and J. F. Bradford, plaintiffs in error, *v.* C. C. Moore et al. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 846. Erie Railroad Company, petitioner, *v.* Edwin J. Hilt, jr., an infant, by his next friend, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 851. Edward B. Pryor et al, as receivers, etc., petitioners, *v.* Allega Williams. Petition for a writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 885. Frank A. Bone, petitioner, *v.* Commissioner of Marion County. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 823. Jacob Rouss, petitioner, *v.* The Association of the Bar of the City of New York. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 832. Alfred T. Peterson, 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. 837. Anne Marie Berg et al., petitioners, *v.* Charles D. Baker. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 842. Mattie Rieger, petitioner, *v.* Robert Abrams. Petition for a writ of certiorari to the Supreme Court of the State of Washington denied.

No. 850. Capital Savings Bank & Trust Company, petitioner, *v.* Inhabitants of the Town of Framingham. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 854. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* L. J. Ray, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 855. McClintic-Marshall Construction Company, petitioner, *v.* Elnora Forgy. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 867. Hamburg - Amerikanische - Packetfahrt Aktien - Gesellschaft, etc., 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. 874. Illinois Central Railroad Company, petitioner, *v.* Alline Skinner, administratrix, etc. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky denied.

No. 886. The Michigan Central Railroad Company, 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. 896. Guaranty Trust Company of New York, petitioner, *v.* Kingdom of Roumania. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 898. Graysonia-Nashville Lumber Company et al., petitioners, *v.* Alvin D. Goldman, trustee. Petition for a writ of certiorari to

the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 463. The United States of America and Mrs. Josephine Brown. appellants, *v.* New Orleans Pacific Railway Company et al.;

No. 464. The United States of America and William R. Turner. appellants, *v.* New Orleans Pacific Railway Company et al.; and

No. 465. The United States of America and Stephen N. Grant. appellants, *v.* New Orleans Pacific Railway Company et al. Motion to advance submitted by Mr. Assistant Attorney General Fitts for the appellants.

No. 543. Alaska Pacific Fisheries, appellant. *v.* The United States of America. Motion to advance submitted by Mr. Assistant Attorney General Fitts for the appellee.

No. 613. The United States of America. plaintiff in error, *v.* Edward M. Comyns and Charles L. Byron. Motion to advance submitted by Mr. Assistant Attorney General Fitts for the plaintiff in error.

No. 884. Judson Harmon et al., receivers, etc., petitioners, *v.* Lucinda Barber, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Morison R. Waite and Mr. John Randolph Schindel for the petitioners and by Mr. C. B. Matthews for the respondent.

No. 728. Valentine T. Collard, administrator, etc., plaintiff in error, *v.* Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company. Motion to dismiss submitted by Mr. William W. Crawford, Mr. Edmund F. Trabue, and Mr. John C. Doolan for the defendant in error.

No. 879. H. P. Meikleham, petitioner. *v.* Mrs. Virginia A. Grafton. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William H. Sholes in behalf of Mr. Arthur G. Powell and Mr. Robert C. Alston for the petitioner and by Mr. George E. Maddox for the respondent.

No. 320. Illinois Central Railroad Company, plaintiff in error, *v.* Mrs. Marshall Lanis, administratrix, etc. Motion to dismiss or affirm submitted by Mr. H. Garland Dupré in behalf of Mr. Girault Farrar for the defendant in error in support of the motion. and by Mr. Gustave Lemle, Mr. Hunter C. Leake, Mr. Blewett Lee, and Mr. R. V. Fletcher for the plaintiff in error in opposition thereto.

No. 180. Watts, Watts & Company, Limited, petitioner. *v.* Unione Austriaca di Navigazione, etc. Motion to restore case to call submitted by Mr. Charles Henry Butler in behalf of Mr. J. Parker Kirlin, Mr. John M. Woolsey, and Mr. Cletus Keating for the petitioner in support of the motion and by Mr. L. Russell Alden. Mr.

John W. Griffin, and Mr. Charles S. Haight for the respondent in opposition thereto.

No. 858. Rhodes E. Cave and Frank M. Slater, plaintiffs in error, *v.* The State of Missouri ex rel. James P. Newell. Motion to dismiss submitted by Mr. Jackson H. Ralston in behalf of Mr. George F. Haid and Mr. Frank H. Sullivan for the defendant in error in support of the motion and by Mr. Elliott W. Major, Mr. Charles G. Revelle, Mr. Selden P. Spencer, and Mr. George B. Webster for the plaintiffs in error in opposition thereto.

No. 897. Craig Mountain Lumber Company, Limited, petitioner, *v.* James Sumey. Petition for a writ of certiorari to the Supreme Court of the State of Idaho submitted by Mr. Jackson H. Ralston for the petitioner and by Mr. William R. Harr and Mr. Charles H. Bates for the respondent.

No. 857. John Fair New, 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. E. C. Brandenburg in behalf of Mr. R. E. Ragland for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Fitts for the respondent.

No. 845. The Viavi Company, petitioner, *v.* The Vimedia Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John A. Barnes for the petitioner.

No. 888. Armanis F. Knotts, petitioner, *v.* Clark Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. W. J. Whinery for the petitioner and by Mr. Joseph W. Moses, Mr. Hamilton Moses, and Mr. Walter Bachrach for the respondent.

No. 257. J. F. Shepard et al., appellants, *v.* James M. Barkley, moderator of the general assembly, etc., et al. Motion to amend petition for and order granting appeal and citation thereon submitted by Mr. James T. Lloyd in behalf of Mr. Charles E. Morrow for the appellants in support of the motion and by Mr. Frank Hagerman for the appellees in opposition thereto.

No. 882. Upper Hudson Stone Company, petitioner, *v.* Joseph Leslie White et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. C. C. Calhoun in behalf of Mr. Francis Martin for the petitioner and by Mr. Mark Ash for the respondents.

No. 907. L. B. Beard et al., petitioners, *v.* Horace L. Payne et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Alexander Brit-

ton in behalf of Mr. Nathan A. Gibson and Mr. Joseph L. Hull for the petitioners and by Mr. George S. Ramsey, Mr. Edgar A. de Meules, Mr. Malcolm E. Rosser, Mr. Villard Martin. and Mr. J. Berry King for the respondents.

No. 914. West End Street Railway Company, petitioner, *v.* John F. Malley, collector of internal revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Alex Britton and Mr. Evans Browne for the petitioner.

No. 911. Ed Spear, 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. Levi Cooke in behalf of Mr. S. W. Fordyce, jr., and Mr. Truman Post Young for the petitioner and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Fitts for the respondent.

No. 853. Tatum Brothers Real Estate & Investment Company, petitioner, *v.* W. E. Shenk. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick de Courcy Faust in behalf of Mr. William P. Smith and Mr. Frank B. Schutts for the petitioner, and by Mr. Frederick M. Hudson for the respondent.

No. 27, original. *Ex parte* In the matter of Frank M. Slater, public administrator, etc., petitioner. Motion for leave to withdraw certain original papers submitted by Mr. Jacob Chasnoff for the respondent.

No. 889. James Allen, petitioner, *v.* Chicago & Alton Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. George C. Otto for the petitioner, and by Mr. Silas H. Strawn and Mr. Edward W. Everett for the respondent.

No. 880. John Paterlini and Mary Paterlini, petitioners, *v.* Memorial Hospital Association of Monongahela City, Pennsylvania, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Arthur O. Fording for the petitioners.

No. 176. The Dalton Adding Machine Company, plaintiff in error, *v.* The Commonwealth of Virginia at the relation of the State Corporation Commission. Argued by Mr. J. D. Hank, jr., for the defendant in error, and submitted by Mr. Thomas A. Banning for the plaintiff in error.

No. 177. General Railway Signal Company, plaintiff in error, *v.* Commonwealth of Virginia at the relation of The State Corporation

Commission. Argued by Mr. Hugh Satterlee for the plaintiff in error, and by Mr. J. D. Hank. jr., for the defendant in error.

No. 178. Fields S. Pendleton, petitioner, *v.* Benner Line. Argument commenced by Mr. Harvey D. Goulder for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 12, will be as follows: 178, 184, 185, 186, 187, 188, 189, 70, 190, and 191.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 12, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

B. F. Welty, of Lima, Ohio; Orel J. Myers, of Celina, Ohio; Henry J. Bigham, of New York City; Rodger M. Trump, of Milwaukee, Wis.; Chauncey P. Fairman, of Cristobal, Canal Zone; and Harry L. Butler, of Madison, Wis., were admitted to practice.

No. 914. West End Street Railway Company, petitioner, *v.* John F. Malley, collector, etc. Leave granted to file brief for respondent within 10 days on motion of Mr. Assistant Attorney General Thompson for the respondent.

No. 178. Fields S. Pendleton, petitioner, *v.* Benner Line. Argument continued by Mr. Harvey D. Goulder for the petitioner, by Mr. D. Roger Englar for the respondent, and concluded by Mr. Avery F. Cushman for the petitioner.

No. 184. Robert H. Thompson, administrator, etc., appellant, *v.* The United States. Argument commenced by Mr. William B. King for the appellant. The court declined to hear counsel for the appellee.

No. 185. Great Northern Railway Company et al., plaintiffs in error, *v.* The State of Minnesota ex rel. Village of Clara City. Submitted by Mr. E. C. Lindley, Mr. M. L. Countryman, and Mr. Thomas R. Benton for the plaintiffs in error, and by Mr. C. A. Fosnes for the defendant in error.

No. 186. United Drug Company, petitioner and appellant, *v.* Theodore Rectanus Company. Argument commenced by Mr. L. A. Janney for the petitioner and appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 13, will be as follows: Nos. 186, 187, 188, 189, 70, 190, 191, 193, 196, and 198.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 13, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Edgar J. Oliver, of Savannah, Ga., and Lauritz Miller, of Mitchell, S. Dak., were admitted to practice.

No. 204. The United States, plaintiff in error, *v.* Whited & Wheless, Limited, et al. Leave to file brief of Mr. Henry McAllister, jr., for Exploration Company, Limited, as amicus curiæ granted on motion of Mr. C. F. R. Ogilby in that behalf.

No. 193. Pittsburgh Melting Company, appellant, *v.* G. E. Totten, inspector of the Bureau of Animal Industry, etc. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Assistant Attorney General Warren for the appellee.

No. 186. United Drug Company, petitioner and appellant, *v.* Theodore Rectanus Company. Argument continued by Mr. L. A. Janney for the petitioner and appellant and concluded by Mr. Clayton B. Blakey for the respondent and appellee.

No. 187. John Gund Brewing Company, appellant, *v.* The Great Northern Railway Company et al. Argued by Mr. Frederick W. Zollman and Mr. Levi Cooke for the appellant and by Mr. Assistant Attorney General Warren for the appellee.

No. 188. Oliver H. Smith, jr., plaintiff in error, *v.* Washington Southern Railway Company. Argued by Mr. Ralph B. Fleharty for the plaintiff in error. The court declined to hear counsel for the defendant in error.

No. 189. The Philippine Sugar Estates Development Company, Limited, plaintiff in error and appellant, *v.* The Government of the Philippine Islands. Argued by Mr. Antonio M. Opisso for the plaintiff in error and appellant ~~and continued~~ by Mr. Edward S. Bailey for the defendant in error and appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 14, will be as follows: Nos. 70, 190, 191, 196, 198, 200, 203, 204, 205 (and 206), and 208.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 14, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Victor L. Dodge, of Davenport, Iowa; Virgil H. Clymer, of Syracuse, N. Y.; J. D. Wilkinson, of Shreveport, La.; and John J. Finnegan, of Seward, Alaska, were admitted to practice.

No. 208. Boston & Maine Railroad, plaintiff in error, *v.* E. G. Piper. Submitted by Mr. Edwin W. Lawrence for the plaintiff in error and by Mr. Marvelle C. Webber for the defendant in error.

No. 70. The United States *ex rel* Louisville Cement Company, plaintiff in error, *v.* Interstate Commerce Commission. Argued by Mr. J. Van Dyke Norman for the plaintiff in error and by Mr. Charles W. Needham for the defendant in error.

No. 190. Sernetta J. McCoy et al., executors, etc., plaintiffs in error, *v.* The Union Elevated Railroad Company et al. Argument commenced by Mr. Harry S. Mecartney for the plaintiffs in error and continued by Mr. Francis W. Walker for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 15, will be as follows: Nos. 190, 191, 196, 198, 200, 203, 204, 205 (and 206), 209, and 210.

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## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 15, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Ambrose Kennedy, of Woonsocket, R. I.; Lawrence Bealle Smith, of Portland, Oreg.; John R. Selby, of San Francisco, Cal.; William E. Colby, of San Francisco, Cal.; Webster W. Holloway, of Kansas City, Kans.; Charles Recht, of New York City; Richard B. Leach, of Washington, D. C.; J. W. Morrow, of Forrest City, Ark.; Corinne L. Rice, of Chicago, Ill.; Alonzo Harrison Ranes, of Chicago, Ill.; and Silas Lee Gladish, of Osceola, Ark., were admitted to practice.

No. 209. Louisville & Nashville Railroad Company, plaintiff in error, *v.* E. S. Holloway, as administrator, etc. Submitted by Mr. B. D. Warfield for the plaintiff in error and by Mr. James W. and Mr. J. F. Clay for the defendant in error.

No. 210. Metropolitan State Bank, plaintiff in error, *v.* The People of the State of Illinois. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Levi H. David in behalf of counsel.

No. 190. Sernetta J. McCoy et al., executors, etc., plaintiffs in error, *v.* The Union Elevated Railroad Company et al. Argument continued by Mr. Francis W. Walker and Mr. Roger L. Foote for the defendants in error and concluded by Mr. Harry S. Mecartney for the plaintiffs in error.

No. 191. Bethlehem Steel Company, appellant, *v.* The United States. Argued by Mr. James H. Hayden for the appellant and by Mr. Assistant Attorney General Thompson for the appellee.

No. 196. Anna Martin, administratrix, etc., plaintiff in error, *v.* Chicago, Milwaukee & St. Paul Railway Company. Argued by Mr. Henry Mahoney for the plaintiff in error and by Mr. Rodger M. Trump for the defendant in error.

No. 198. The City of Mitchell, appellant, *v.* Dakota Central Telephone Company. Argument commenced by Mr. Lauritz Miller for the appellant and continued by Mr. T. H. Null for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 18, will be as follows: Nos. 198, 200, 203, 204, 205 (and 206), 211 (to 224), 225-227, 228, and 229.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 18, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Olin Bryan, of Philadelphia, Pa.; John Read Voight, of Chattanooga, Tenn.; James B. Diggs, of Tulsa, Okla.; Alva M. Lumpkin, of Columbia, S. C.; Henry C. Warner, of Dixon, Ill.; Edwin O. Clark, of Stigler, Okla.; Henry S. Dixon, of Dixon, Ill.; Harry Edwards, of Dixon, Ill.; William J. Emerson, of Oregon, Ill.; Alfred G. Chaffee, of Providence, R. I.; C. O. Thompson, of Roswell, N. Mex.; and Erwin G. Guthery, of Cleveland, Ohio, were admitted to practice.

No. 102. Secundino Omaechevarria, plaintiff in error, *v.* State of Idaho. In error to the Supreme Court of the State of Idaho. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice Van Devanter and Mr. Justice McReynolds.

No. 103. Joseph Wells, appellant, *v.* Daniel C. Roper, First Assistant Postmaster General of the United States. Appeal from the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. ~~114~~<sup>113</sup>. Helen C. Sheckels, surviving executrix of Theodore Sheckels, deceased, appellant, *v.* The District of Columbia. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 174. Union Pacific Railroad Company, plaintiff in error, *v.* Charles M. Hadley, as administrator of the estate of Charles M. Cradit, deceased. In error to the Supreme Court of the State of Nebraska. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 58. Rock Spring Distilling Company et al., petitioners, *v.* W. A. Gaines & Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree of circuit court of appeals reversed with costs, and decree of District

Court of the United States for the Western District of Kentucky affirmed with costs, and cause remanded to said district court. Opinion by Mr. Justice McKenna.

No. 611. John D. Ireland, plaintiff in error, *v.* Arthur Woods, police commissioner of the city of New York. In error to the Court of Appeals of the State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McKenna.

No. 644. Minnie Evvia Stadelman et al., plaintiffs in error, *v.* W. H. Miner and Charles Worden. In error to the Supreme Court of the State of Oregon. Judgment of dismissal of January 7, 1918, vacated and set aside, the case to stand for consideration under prior submission. Opinion by Mr. Chief Justice White.

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

No. 196. Anna Martin, administratrix, etc., plaintiff in error, *v.* Chicago, Milwaukee & St. Paul Railway Company. In error to the Supreme Court of the State of Wisconsin. Per curiam: Judgment affirmed with costs upon the authority of *Chicago Junction Ry. Co. v. King*, 222 U. S. 222; *Seaboard Air Line Ry. v. Padgett*, 236 U. S. 668, 673; *Seaboard Air Line Ry. v. Koennecke*, 239 U. S. 352, 355; *Great Northern Ry. Co. v. Knapp*, 240 U. S. 464, 466; *Baltimore & Ohio R. R. Co. v. Whitacre*, 242 U. S. 169.

No. 858. Rhodes E. Cave et al., plaintiffs in error, *v.* State of Missouri ex rel. James P. Newell. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of: (1) Section 237, Judicial Code, as amended by the act of Congress of September 6, 1916 (c. 448, 39 Stat. 728); *Philadelphia & Reading Coal & Iron Co. v. Gilbert*, 245 U. S. —. (2) *Wilson v. North Carolina*, 169 U. S. 586, 592; *Taylor & Marshall v. Beckham*, 178 U. S. 548, 576.

No. 188. Oliver H. Smith, jr., plaintiff in error, *v.* Washington-Southern Railway Company. In error to the Court of Appeals of the District of Columbia. Per curiam: Dismissed for want of jurisdiction upon the authority of *Macfarland v. Brown*, 187 U. S., 239, 246; *Macfarland v. Byrnes*, 187 U. S., 246; *Earle v. Myers*, 207 U. S., 244; *Coe v. Armour Fertilizer Works*, 237 U. S., 413, 418-419.

No. 187. John Gund Brewing Company, appellant, *v.* The Great Northern Railway Company et al. Appeal from the District Court of the United States for the District of Minnesota. Per curiam: Judgment affirmed upon the authority of: 1. *The Cherokee Tobacco*, 11 Wall., 616, 624; *Whitney v. Robertson*, 124 U. S., 190, 194; *Ward v. Race Horse*, 163 U. S., 504, 511. 2. *United States v. 43 Gallons of Whiskey*, 93 U. S., 188; See *Perrin v. United States*, 232 U. S., 478, 483-485. 3. *Johnson v. Gearlds*, 234 U. S., 422.

No. 810. Edward Jefferson Bryan, plaintiff in error, *v.* Louisville & Nashville 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 *Bagley v. General Fire Extinguisher Co.*, 212 U. S., 477; *Merriam Co. v. Syndicate Publishing Co.*, 237 U. S., 618; *Shultis v. McDougal*, 225 U. S., 561; *Hull v. Burr*, 234 U. S., 712, 720; *Norton v. Whiteside*, 239 U. S., 144, 146-147. Petition for writ of certiorari denied.

No. 320. Illinois Central Railroad Company, plaintiff in error, *v.* Mrs. Marshal Lanis, administratrix of Marshal Lanis, deceased. In error to the Supreme Court of the State of Louisiana. Per curiam: Judgment affirmed with costs upon the authority of *Missouri, Kansas & Texas Ry. Co. v. Wulf*, 226 U. S., 570, 576; *Illinois Surety Co. v. United States*, 240 U. S., 214, 221; *Seaboard Air Line Ry. v. Remm*, 241 U. S., 290, 293-294.

No. —, original. Ex parte in the matter of William H. Blymyer, petitioner. Motion for leave to file a petition for writ of mandamus denied.

No. 27, original. Ex parte in the matter of Frank M. Slater, public administrator, etc., petitioner. Motion for leave to withdraw from the files of this court certain original papers belonging on the files of the District Court of the United States for the Eastern District of Missouri granted.

No. 180. Watts, Watts & Company, Limited, petitioner, *v.* Unione Austriaca di Navigazione, etc. Motion to restore to call granted, and case assigned for Monday, April 15, next, after the cases heretofore assigned for that day.

No. 257. J. F. Shepard et al., appellants, *v.* James M. Barkley, moderator of the general assembly, etc., et al. Further consideration of the motion to dismiss postponed to the hearing on the merits. Motion to amend the title of the case and to issue a new citation granted, without prejudice to the right of the appellees to renew their objections to the motion at the hearing on the merits.

No. 614. The United States of America, plaintiff in error, *v.* The Federal Publishing Company:

No. 615. The United States of America, plaintiff in error, *v.* The Butterick Company;

No. 781. Gulf Oil Corporation, petitioner, *v.* C. G. Llewellyn, collector of internal revenue, etc.; and

No. 722. Louis H. Orr, appellant, *v.* Henry M. Allen et al. Cases reassigned for argument on Monday, October 14, next, at the head of the call for that day.

Nos. 463, 464, and 465. The United States of America et al., appellants, *v.* New Orleans Pacific Railway Company et al.;

No. 543. Alaska Pacific Fisheries, appellant, *v.* The United States of America; and

No. 613. The United States of America, plaintiff in error, *v.* Edward M. Comyns and Charles L. Byron. Motions to advance granted, and cases assigned for argument on Monday, October 14, next, after the cases heretofore assigned for that day.

No. 848. Albert G. Dickinson, petitioner, *v.* The O. & W. Thum Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 849. The A. K. Ackerman Company, petitioner, *v.* The O. & W. Thum Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 845. The Viavi Company, petitioner, *v.* The Vimedia Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for Eighth Circuit denied.

No. 853. Tatum Brothers Real Estate & Investment Company, petitioner, *v.* W. E. Shenk. Petition for a writ of certiorari to the United States Circuit of Appeals for the Fifth Circuit denied.

No. 857. John Fair New, 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. 879. H. P. Meikleham, petitioner, *v.* Mrs. Virginia A. Grafton. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 880. John Paterlini et al., petitioners, *v.* Memorial Hospital Association of Monongahela City, Pa., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 882. Upper Hudson Stone Company, petitioner, *v.* Joseph Leslie White et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 884. Judson Harmon et al., receivers, etc., petitioners, *v.* Lucinda Barber, administratrix. Petition for a writ certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 888. Armanis F. Knotts, petitioner, *v.* Clark Construction Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 889. James Allen, petitioner, *v.* Chicago & Alton Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 907. L. B. Beard et al., petitioners, *v.* Horace L. Payne et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 911. Ed Spear, 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. 767. Hugo Yanyar, plaintiff in error, *v.* The United States of America; and

No. 768. Otto Yanyar, plaintiff in error, *v.* The United States of America. Mandates granted on motion of Mr. Solicitor General Davis for the defendant in error.

No. 890. Supreme Conclave, Improved Order of Heptasophs, plaintiff in error, *v.* William Marshall Wilson. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. John W. Davis in behalf of Mr. H. Larue Brown and Mr. Olin Bryan for the plaintiff in error in support of the petition, and by Mr. Thaddeus A. Adams for the defendant in error in opposition thereto.

No. 650. Clarence F. Birdseye, appellant, *v.* Arthur Woods, police commissioner, etc.; and

No. 651. Kellogg Birdseye, appellant, *v.* Arthur Woods, police commissioner, etc. Motion to advance submitted by Mr. Don Carlos Buell in behalf of Mr. Robert S. Johnstone for the appellee.

No. 902. The City of Cleveland, petitioner, *v.* Viola M. Nichols. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Alfred Clum for the petitioner and by Mr. E. G. Guthery for the respondent.

No. 917. Cooper Hewitt Electric Company, petitioner, *v.* General Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Parker W. Page and Mr. Thomas B. Kerr for the petitioner and by Mr. John C. Pennie for the respondent.

No. 871. Grand Lodge of Free and Accepted Masons of the State of Mississippi et al., petitioners, *v.* Vicksburg Lodge, No. 26, of Free and Accepted Masons, et al. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Robert B. Mayes for the petitioners and by Mr. J. C. Bryson for the respondents.

No. 892. Charles B. Shaffer, appellant, *v.* E. B. Howard, State auditor, etc., et al. Motion to advance submitted by Mr. J. Berry King in behalf of counsel for the appellant.

No. 870. Frederic W. Goudy, petitioner, *v.* Henry Alfred Hansen, executor, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. E. W. Bradford and Mr. Charles E. Hughes for the petitioner and by Mr. Nathan Heard for the respondent.

No. 900. Cincinnati Northern Railroad Company, petitioner, *v.* Leo Guy. Petition for a writ of certiorari to the Supreme Court of the State of Michigan, submitted by Mr. Harry N. Quigley for the petitioner, and by Miss Corinne L. Rice and Mr. Alonzo H. Raney for the respondent.

No. 227. W. A. Marin, as receiver, etc., plaintiff in error, *v.* Ole J. Augedahl. Submitted by Mr. Edward Engerud and Mr. Arthur A. Miller for the plaintiff in error, and by Mr. Emerson H. Smith for the defendant in error.

No. 229. Peter Marshall, plaintiff in error, *v.* Chicago, Rock Island & Pacific Railway Company. In error to the Supreme Court of the State of Minnesota. Dismissed with costs pursuant to the tenth rule.

No. 198. The city of Mitchell, appellant, *v.* Dakota Central Telephone Company. Argument continued by Mr. T. H. Null for the appellee, and concluded by Mr. Lauritz Miller for the appellant.

No. 200. York Manufacturing Company, plaintiff in error, *v.* V. B. Colley et al. Argued by Mr. N. C. Abbott for the plaintiff in error. No appearance for the defendants in error.

No. 203. Baltimore & Ohio Railroad Company, plaintiff in error, *v.* James H. Smith. Argument commenced by Mr. William W. Crawford for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 19, will be as follows: Nos. 203, 204, 205 (and 206), 211 (to 224), 225, 228, 230 (and 231), 232, 233, and 235.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 19, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice VanDevanter, Mr. Justice Pitney, Mr. McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Orron Wilson, of Cape Girardeau, Mo.; Harvey L. Cavender, of Chicago, Ill.; Nathan Rabinowitz, of Paterson, N. J.; Frederick W. Pringle, of Chicago, Ill.; and Joseph P. Streuber, of Highland, Ill., were admitted to practice.

No. 235. Francis A. Churchill et al., plaintiffs in error, *v.* James F. Rafferty, as collector of internal revenue, etc. Continued per stipulation.

No. 203. Baltimore and Ohio Railroad Company, plaintiff in error, *v.* James H. Smith. Argument continued by Mr. Eugene Hubbard for the defendant in error and concluded by Mr. William W. Crawford for the plaintiff in error.

No. 204. The United States, plaintiff in error, *v.* Whited and Wheless, Limited, et al. Submitted by Mr. Assistant Attorney General Kearful for the plaintiff in error and by Mr. T. Alexander and Mr. J. D. Wilkinson for the defendants in error.

No. 526. The Northern Pacific Railway Company, plaintiff in error, *v.* Duluth Elevator Company. Advanced to be heard with Nos. 205 and 206 on motion of Mr. Charles Donnelly in that behalf.

No. 205. Northern Pacific Railway Company, plaintiff in error, *v.* M. J. Solum;

No. 206. Northern Pacific Railway Company, plaintiff in error, *v.* Monarch Elevator Company; and

No. 526. Northern Pacific Railway Company, plaintiff in error, *v.* Duluth Elevator Company. Argued by Mr. Charles Donnelly for the Northern Pacific Railway Company, by Mr. Henry C. Flannery for the defendant in error in No. 205, and submitted by Mr. Ernest E. Watson for the defendants in error in Nos. 206 and 526.

Nos. 211 to 224, inclusive. Spring Valley Water Company, appellant, *v.* City and County of San Francisco et al. Argued by Mr. Ira

A. Campbell for the appellant and by Mr. Robert M. Searls for the appellees.

No. 225. City of Covington, appellant, *v.* South Covington & Cincinnati Street Railway Co. Argument commenced by Mr. A. E. Stricklett for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 20, will be as follows: Nos. 225, 228, 230 (and 231), 232, 233, 115, 237, 238, 239, and 240.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 20, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Frank F. Gentsch, of Cleveland, Ohio; George W. Sutton, of Fayetteville, Tenn.; John E. Madigan, of Chicago, Ill.; and Richard Bertram Thurman, of Salt Lake City, Utah, were admitted to practice.

No. 833. Robert Cox, appellant, *v.* Major General Leonard Wood, commandant of Camp Funston, in the State of Kansas. Motion to advance submitted by Mr. Hannis Taylor for the appellant.

No. 863. Luis Huller et al., plaintiffs in error, *v.* The State of New Mexico on the relation of the Northwestern Colonization and Improvement Company of Chihuahua. Petition for writ of certiorari to the Supreme Court of the State of New Mexico submitted by Mr. Jo. V. Morgan, Mr. Walter D. Hawk, Mr. Samuel S. Holmes, Mr. A. B. Renehan, and Mr. Charles A. Douglas for the plaintiffs in error and by Mr. James R. Garfield, Mr. D. J. Cable, Mr. Harry L. Patton, and Mr. Francis C. Wilson for the defendant in error in opposition thereto.

No. 779. Oregon-Washington Railroad and Navigation Company, plaintiff in error, *v.* Thurston County, State of Washington, et al. In error to the Supreme Court of the State of Washington. Dismissed with costs on motion of counsel for the plaintiff in error.

No. 237. Clarence W. Turner, appellant, *v.* The United States and Creek Nation of Indians. Continued per stipulation.

No. 238. The United States, appellant, *v.* Walter Ferguson et al. Passed temporarily on motion of Mr. Assistant Attorney General Kearful for the appellant.

No. 239. James F. Taylor et al., appellants, *v.* The United States. Submitted by Mr. E. H. Randolph and Mr. R. E. Milling for the appellants. Leave granted to the appellee to file brief within two weeks on motion of Mr. Assistant Attorney General Kearful for the appellee.

No. 225. City of Covington, appellant, *v.* South Covington and Cincinnati Street Railway Company. Argument continued by Mr. A. E. Stricklett for the appellant, by Mr. Alfred C. Cassatt for the appellee, and concluded by Mr. A. E. Stricklett for the appellant.

No. 228. Frank McKnight, plaintiff in error, *v.* The State of New Mexico. Argued by Mr. C. O. Thompson for the plaintiff in error and submitted by Mr. Harry L. Patton for the defendant in error.

No. 230. Zoilo Ibanez de Aldecoa y Palet et al., appellants, *v.* The Hongkong and Shanghai Banking Corporation et al.; and

No. 231. Joaquin Ibanez de Aldecoa y Palet et al., appellants, *v.* The Hongkong and Shanghai Banking Corporation. Argument commenced by Mr. Antonio M. Opisso for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 21, will be as follows: Nos. 230 (and 231), 232, 233, 115, 240, 242, 243, 244, 245 (and 246, 247, and 248), and 249.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 21, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John H. Miller, of Seattle, Wash.; Howard M. Findley, of Seattle, Wash.; Sam. H. Conè, of St. Paul, Minn.; Cary L. Burdick, of Stillwater, Okla.; and Louis Wilson, of Dallas, Tex., were admitted to practice.

No. 806. Navy Yard Route, plaintiff in error, *v.* H. E. Devlin. In error to the District Court of the United States for the Western District of Washington. Dismissed, per stipulation.

No. 244. The Southwestern Telegraph & Telephone Company, plaintiff in error, *v.* The City of Dallas, Tex. Continued, per stipulation.

No. 230. Zoilo Ibanez de Aldecoa y Palet et al., appellants, *v.* The Hongkong and Shanghai Banking Corporation et al.; and

No. 231. Joaquin Ibanez de Aldecoa y Palet et al., appellants, *v.* The Hongkong and Shanghai Banking Corporation. Argument continued by Mr. Antonio M. Opisso for the appellants and concluded by Mr. Charles Cowles Tucker for the appellees. Leave granted to Mr. Tucker to file brief within four days and to Mr. Opisso to file reply brief within four days thereafter.

No. 232. H. A. Moss and J. F. Bradford, plaintiffs in error, *v.* C. C. Moore et al. Argued by Mr. John R. Selby for the defendants in error and submitted by Mr. A. E. Shaw for the plaintiffs in error.

No. 233. United States Glue Company, plaintiff in error, *v.* The Town of Oak Creek. Argument commenced by Mr. George Lines for the plaintiff in error, continued by Mr. H. J. Killilea and Mr. Walter Drew for the defendant in error, and concluded by Mr. George Lines for the plaintiff in error.

No. 115. The Grand Trunk Western Railway Company, appellant, *v.* The United States. Argued by Mr. L. T. Michener for the appellant and by Mr. Assistant Attorney General Thompson for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 22, will be as follows: Nos. 240, 242, 243, 245 (and 246, 247, and 248), 249, 101, 250, 254, 255, and 256.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 22, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Howard Webster Adams, of Indianapolis, Ind.; Frank Branch Riley, of Portland, Oreg.; John W. Sebrell, jr., of Norfolk, Va.; A. B. Lovett, of Sylvania, Ga.; Frank D. Beaulieu, of White Earth, Minn.; and Francis M. Oliver, of Savannah, Ga., were admitted to practice.

No. 746. James Hallagan et al., plaintiffs in error, *v.* Simeon A. Dowell. In error to the Supreme Court of the State of Iowa. Dismissed with costs, on motion of counsel for the plaintiffs in error.

No. 240. The Northwestern Mutual Life Insurance Company, plaintiff in error, *v.* The State of Wisconsin. Argued by Mr. Harry L. Butler for the plaintiff in error and by Mr. Walter Drew for the defendant in error.

No. 242. Grant N. Jefferson et al., plaintiffs in error, *v.* William J. Cook et al., as administrators, etc. Argument commenced by Mr. John T. Hays for the plaintiffs in error, and continued by Mr. George S. Ramsey for the defendants in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 25, will be as follows: Nos. 242, 243, 245 (and 246, 247, and 248), 249, 101, 250, 254, 255, 256, and 257.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 25, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Alex. T. Howard, of Mobile, Ala.; George Huddleston, of Birmingham, Ala.; Ellis Levin, of Baltimore, Md.; Spier Whitaker, of Birmingham, Ala.; Laurence B. Evans, of Boston, Mass.; Thomas B. Gay, of Richmond, Va.; George E. Reeves, of Tulsa, Okla.; Miles Q. Reeves, of Palestine, Tex.; R. C. Sewell, of Palestine, Tex.; William Watson Smith, of Pittsburgh, Pa.; William Buchholz, of Kansas City, Mo.; Edmund H. Dryer, of Birmingham, Ala.; and A. B. Dickinson, of Richmond, Va., were admitted to practice.

No. 178. Fields S. Pendleton, petitioner, *v.* Benner Line. 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 Holmes.

The Chief Justice announced the following orders of the court:

No. 115. The Grand Trunk Western Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Per curiam: Dismissed for want of jurisdiction upon the authority of, section 242, Judicial Code.

No. 728. Valentine T. Collard, administrator of the estate of Samuel T. Collard, deceased, plaintiff in error, *v.* Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company. In error to the Court of Appeals of the State of Kentucky. Per curiam: Dismissed for want of jurisdiction upon the authority of: (1) Section 237, Judicial Code, as amended by the act of Congress of September 6, 1916 (39 Stat., 728, c. 448, sec. 6). (2) *Schlosser v. Hemphill*, 198 U. S., 173; *Missouri & Kansas Interurban Ry. Co. v. Olathe*, 222 U. S., 185; *Louisiana Navigation Co. v. Oyster Commission of Louisiana*, 226 U. S., 99.

No. 203. Baltimore & Ohio Railroad Company, plaintiff in error, *v.* James H. Smith. In error to the Court of Appeals of the State

of Kentucky. Per curiam: Judgment affirmed with costs upon the authority of: 1. Missouri, Kansas & Texas Ry. Co. *v.* Wulf, 226 U. S., 570, 576; Illinois Surety Co. *v.* The United States, 240 U. S., 214, 221; Seaboard Air Line Ry. *v.* Renn, 241 U. S., 290, 293-294. 2. Chicago Junction Ry. Co. *v.* King, 222 U. S., 222; Seaboard Air Line Ry. Co. *v.* Padgett, 236 U. S., 668, 673; Seaboard Air Line Ry. *v.* Koennecke, 239 U. S., 352, 355; Great Northern Ry. Co. *v.* Knapp, 240 U. S., 464, 466; B. & O. R. R. Co. *v.* Whitacre, 242 U. S., 169.

No. 228. Frank McKnight, 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 want of jurisdiction upon the authority of *McCorquodale v. Texas*, 211 U. S., 432, 437; *Forbes v. State Council of Virginia*, 216 U. S., 396, 399; *St. Louis & San Francisco R. R. Co. v. Shepherd*, 240 U. S., 240, 241; *Bilby et al. v. Stewart et al.* (decided March 4, 1918), — U. S., —.

No. 232. H. A. Moss and J. F. Bradford, plaintiffs in error, *v.* C. C. Moore, Peter Martin, and H. D. Pillsbury. In error to the Supreme Court of the State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of *Thomas v. Iowa*, 209 U. S., 258; *Appleby v. Buffalo*, 221 U. S., 524, 529; *Manhattan Life Ins. Co. v. Cohen*, 234 U. S., 123, 134.

No. 650. Clarence F. Birdseye, appellant, *v.* Arthur Woods, Police Commissioner, etc.; and

No. 651. Kellogg Birdseye, appellant, *v.* Arthur Woods, Police Commissioner, etc. Ordered that these cases be placed on the summary docket.

No. 833. Robert Cox, appellant, *v.* Major General Leonard Wood, Commandant, etc. Motion to advance granted, and case assigned for argument on Monday, April 15 next, after the cases heretofore assigned for that day.

No. 892. Charles B. Shaffer, appellant, *v.* E. B. Howard, State Auditor, etc., et al. Motion to advance granted, and case assigned for argument on Monday, October 14 next, after the cases heretofore assigned for that day.

No. 890. Supreme Conclave, Improved Order of Heptasophs, plaintiff in error, *v.* William Marshall Wilson. Further consideration of the petition for writ of certiorari postponed to the hearing of the case on the writ of error.

No. 897. Craig Mountain Lumber Company, Limited, petitioner, *v.* James Sumey. Petition for a writ of certiorari to the Supreme Court of the State of Idaho denied.

No. 863. Luis Huller et al., plaintiffs in error, *v.* The State of New Mexico on the relation of the Northwestern Colonization & Improve-

ment Company, of Chihuahua. Petition for a writ of certiorari to the Supreme Court of the State of New Mexico denied.

No. 870. Frederic W. Goudy, petitioner, *v.* Henry Alfred Hansen, executor, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 871. Grand Lodge of Free and Accepted Masons of the State of Mississippi et al., petitioners, *v.* Vicksburg Lodge, No. 26, of Free and Accepted Masons et al. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 900. Cincinnati Northern Railroad Company, petitioner, *v.* Leo Guy. Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 902. The City of Cleveland, petitioner, *v.* Viola M. Nichols. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 917. Cooper Hewitt Electric Company, petitioner, *v.* General Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

The Chief Justice also announced that there will be no session of the court on the 29th instant, that day being Good Friday.

The Chief Justice also announced that the court will take a recess from Monday, April 1, to Monday, April 15 next.

The Chief Justice also announced the following order: It is ordered that the cases heretofore placed on the summary docket—viz, Nos. 623, 657, 640, 752, 735, 739, 799, 650, and 651—be, and they are hereby, assigned for argument on Monday April 15 next.

No. 144. Helen C. Sheckels, surviving executrix of Theodore Sheckels, deceased, appellant, *v.* The District of Columbia. Mandate granted on motion of Mr. Solicitor General Davis for the appellee.

No. 20, original. State of Minnesota, complainant, *v.* Franklin K. Lane, Secretary of the Interior, et al. Leave granted to file brief herein on motion of Mr. Solicitor General Davis for the defendants.

No. 858. Rhodes E. Cave et al., plaintiffs in error, *v.* The State of Missouri ex rel. James P. Newell. Mandate granted on motion of Mr. E. A. Krauthoff in behalf of counsel for the defendant in error.

No. 901. W. C. Sterrett, as receiver, etc., petitioner, *v.* Second National Bank of Cincinnati, Ohio. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Edmund H. Dryer and Mr. Forney Johnston for the petitioner.

No. 916. Thomas J. Evans, sole surviving receiver, etc., petitioner, *v.* National Bank of Savannah. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia submitted by Mr. R. A.

Ford in behalf of Mr. Frederick T. Saussy for the petitioner and by Mr. William Garrard and Mr. Edward S. Elliott for the respondent.

No. 893. Consolidation Coal Company, petitioner, *v.* Carrie Salyer, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George H. Lamar in behalf of Mr. Edward C. O'Rear for the petitioner.

No. 20, original. State of Minnesota, complainant, *v.* Franklin K. Lane, Secretary of the Interior, et al. Leave granted to file brief for complainant on motion of Mr. Charles R. Pierce for the complainant. Motion to set down motion to dismiss for oral argument submitted by Mr. Charles R. Pierce for the complainant.

No. 868. John Dillon *v.* Strathearn Steamship Company, claimant, etc. Motion to advance submitted by Mr. Charles A. Conlon in behalf of counsel. Motion for leave to intervene and file brief as amicus curiæ and make oral argument submitted by Mr. Charles A. Conlon in behalf of Mr. Frederic R. Coudert, counsel for the British Embassy.

No. 915. Compania Palomas de Terrenos y Granados et al., petitioners, *v.* Sigmund Lindauer et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James R. Garfield, Mr. D. J. Cable, and Mr. Francis C. Wilson for the petitioners and by Mr. Walter D. Hawk, Mr. Samuel D. Holmes, Mr. A. B. Renehan, and Mr. Charles A. Douglas for the respondents.

No. 906. The Cooper Grocery Company, petitioner, *v.* G. H. Penland, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Levi Cooke in behalf of Mr. B. Y. Cummings for the petitioner and by Mr. Charles A. Boynton and Mr. James D. Williamson for the respondent.

No. 908. Maryland Casualty Company, petitioner, *v.* First National Bank of Montgomery, Alabama. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William C. Prentiss, Mr. Walter L. Clark, and Mr. F. S. Ball for the petitioner, and by Mr. Horace Stringfellow, Mr. B. P. Crum, and Mr. Leon Weil for the respondent.

No. 598. James S. Hopkins, as receiver, etc., plaintiff in error, *v.* The United States of America for use and benefit of Ellington & Guy (Inc.) et al. Motion to dismiss or affirm submitted by Mr. A. B. Dickinson for the defendants in error in support of the motion, and by Mr. Mark W. Brown and Mr. Albert J. Hopkins for the plaintiffs in error in opposition thereto.

No. 846. Erie Railroad Company, petitioner, *v.* Edwin J. Hilt, jr., an infant, etc. Motion to place on the summary docket submitted by Mr. Raymond Dawson and Mr. James J. Murphy for the respondent in support of the motion.

No. 242. Grant N. Jefferson et al., plaintiffs in error, *v.* D. N. Fink et al., as administrators, etc. Argument continued by Mr. George S. Ramsey for the defendants in error, and concluded by Mr. James M. Hays for the plaintiffs in error.

No. 243. International & Great Northern Railway Company et al., plaintiffs in error, *v.* Anderson County et al. Argument commenced by Mr. H. M. Garwood for the plaintiffs in error, and continued by Mr. F. D. McKenney and Mr. T. B. Greenwood for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 26, will be as follows: Nos. 243, 245 (and 246, 247, and 248), 249, 101, 250, 254, 255, 256, 257, and 259.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 26, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Clement Brumbaugh, of Columbus, Ohio; William D. Brumbaugh, of Greenville, Ohio; George W. Mannix, jr., of Greenville, Ohio; and Albert D. Fetterman, of Hyannis, Nebr., were admitted to practice.

No. 936. Paul Neilsen et al., petitioners, *v.* The Rhine Shipping Company, claimant of the sailing ship *Rhine*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Fayette B. Dow in behalf of Mr. Silas Blake Axtell for the petitioners and by Mr. Roscoe H. Hupper for the respondent.

No. 937. John Hardy et al., petitioners. *v.* Shepard and Morse Lumber Company, claimant of the barkentine *Windrush*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Fayette B. Dow in behalf of Mr. Silas Blake Axtell for the petitioners and by Mr. Roscoe H. Hupper for the respondent.

No. —, Original. *Ex parte* In the matter of Hassan Abdu et al., petitioners. Motion for leave to file a petition for a writ of mandamus submitted by Mr. Fayette B. Dow in behalf of Mr. Silas Blake Axtell for the petitioners.

No. 935. Erik Sanberg et al., petitioners, *v.* John McDonald, claimant of the British ship *Talus*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alex T. Howard and Mr. W. J. Waguespack for the petitioners.

No. 243. International and Great Northern Railway Company et al., plaintiffs in error, *v.* Anderson County et al. Argument continued by Mr. T. B. Greenwood for the defendants in error and concluded by Mr. Samuel B. Dabney for the plaintiffs in error.

No. 245. E. B. Howard, as auditor, etc., et al., appellants, *v.* Gipsy Oil Company;

No. 246. E. B. Howard, as auditor, etc., et al., appellants, *v.* Indian Territory Illuminating Oil Co.;

No. 247. E. B. Howard, as auditor, etc., et al., appellants, *v.* The Okla Oil Co.; and

No. 248. E. B. Howard, as auditor, etc., et al., appellants, *v.* Barnsdall Oil Co. Argued by Mr. James B. Diggs for appellee in No. 245 and by Mr. John H. Burford for appellees in Nos. 246 and 248, with leave to counsel for the appellants to file briefs within twenty days and to counsel for the appellees to file reply thereto within fifteen days thereafter.

No. 249. Jim Butler Tonopah Mining Company, plaintiff in error, *v.* West End Consolidated Mining Co. Argument commenced by Mr. Curtis H. Lindley for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 27, will be as follows: Nos. 249, 101, 250, 254, 255, 256, 257, 259, 260, and 261.

# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 27, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Samuel A. Ammon, of Pittsburgh, Pa.; William Wright Moore, of Houston, Tex.; Wirt E. Humphrey, of Chicago, Ill.; Brodie Gilman Higley, of New York City, N. Y.; and Morris G. Michaels, of New York City, N. Y., were admitted to practice.

No. 265. B. M. Aikins, plaintiff in error, *v.* W. S. Kingsbury, as register of the State land office. Leave granted to file brief of Fred W. Lake, as amicus curiæ, on motion of Mr. J. F. Peck in that behalf.

No. 756. B. F. Looney, attorney general of the State of Texas, et al., appellants, *v.* Eastern Texas Railway Company. Motion to dismiss submitted by Mr. William R. Harr in behalf of Mr. J. W. Terry, Mr. Hiram Glass, and Mr. H. M. Garwood for the appellees in support of the motion and by Mr. B. F. Looney and Mr. Luther Nickels for the appellants in opposition thereto.

No. —, Original. *Ex parte* In the matter of Hyman L. Sigelschifer, petitioner. Motion for leave to file a petition for a writ of mandamus submitted by Mr. Morris G. Michaels for the petitioner.

No. 260. The Bank of Oxford et al., plaintiffs in error, *v.* J. S. Love et al., bank examiners of the State of Mississippi. Submitted by Mr. George D. Lancaster for the plaintiffs in error and by Mr. Robert H. Thompson for the defendants in error.

No. 249. Jim Butler Tonopah Mining Company, plaintiff in error, *v.* West End Consolidated Mining Company. Argument continued by Mr. Curtis H. Lindley for the plaintiff in error, by Mr. W. H. Dickson for the defendant in error, and concluded by Mr. Curtis H. Lindley for the plaintiff in error.

No. 101. Oliver B. Saalfield, administrator, etc., appellant, *v.* The United States. Argument commenced by Mr. George A. King for

the appellant, continued by Mr. Assistant Attorney General Thompson for the appellee, and concluded by Mr. George H. Lamar for the appellant.

No. 250. Chicago and Northwestern Railway Co. et al., petitioner, *v.* The United States. Argument commenced by Mr. Charles A. Vilas for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 28, will be as follows: Nos. 250, 254, 255, 256, 257, 259, 261, 262, 263, and 264.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 28, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Oren Britt Brown, of Dayton, Ohio, Charles C. Kearns, of Batavia, Ohio, and Eli H. Speidel, of Batavia, Ohio, were admitted to practice.

No. 568. International News Service, petitioner, *v.* The Associated Press. Reassigned for argument on April 29 next, at the head of the call for that day, on motion of Mr. Samuel Untermyer for the petitioner.

No. 262. Chicago, Burlington & Quincy Railroad Company et al., plaintiffs in error, *v.* St. Paul Association of Commerce et al. In error to the Supreme Court of the State of Minnesota. Dismissed with costs on motion of counsel for the plaintiffs in error.

No. 264. The Hardin-Wyandot Lighting Company, plaintiff in error, *v.* The Village of Upper Sandusky. Continued per stipulation.

No. 250. Chicago & Northwestern Railway Company, petitioner, *v.* The United States. Argument continued by Mr. Charles A. Vilas for the petitioner, by Mr. Assistant Attorney General Frierson for the respondent, and concluded by Mr. Charles A. Vilas for the petitioner.

No. 254. Central of Georgia Railway Company, plaintiff in error, *v.* Birdie V. Deloach. Argued by Mr. T. M. Cunningham, jr., for the plaintiff in error, and by Mr. Francis M. Oliver for the defendant in error.

No. 255. Byron S. Waite et al., as The Board of Tea Appeals, appellants, *v.* George H. Macy et al. Argued by Mr. Assistant Attorney General Warren for the appellants, and by Mr. Joseph H. Choate, jr., for the appellees.

Adjourned until Monday next at 12 o'clock.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 1, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Henry G. Miller, of East St. Louis, Ill.; Mrs. Effie King Hance, of Salem, Oreg.; White E. Gibson, of Birmingham, Ala.; August H. Baer, of Belleville, Ill.; John F. McCarron, of Washington, D. C.; and Mabry C. Van Fleet, of Washington, D. C., were admitted to practice.

No. 378. New York Life Insurance Company, plaintiff in error, *v.* Leo F. Dodge. In error to the Springfield Court of Appeals of the State of Missouri. Judgment 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, Mr. Justice Day, Mr. Justice Pitney, and Mr. Justice Clarke.

The Chief Justice announced the following orders of the court:

No. —, Original. *Ex parte* In the matter of Hassan Abdu et al., petitioners. Motion for leave to file a petition for a writ of mandamus granted, and a rule to show cause awarded returnable Monday, April 29th.

No. —, Original. *Ex parte* In the matter of Hyman L. Sigelschiffer, petitioner. Motion for leave to file petition for a writ of mandamus denied.

No. 20, original. State of Minnesota, complainant, *v.* Franklin K. Lane, Secretary of the Interior, et al. Ordered that the motion to dismiss herein be set down for oral argument on Monday, the 15th instant.

No. 846. Erie Railroad Company, petitioner, *v.* Edwin J. Hilt, jr., an infant, by his next friend, and Edwin J. Hilt, sr. Ordered that this case be placed on the summary docket.

No. 868. John Dillon *v.* Strathearn Steamship Company, claimant of the Steamship "Strathearn." Motion to advance granted, and

case assigned for argument on Monday, October 14th next, after the cases heretofore assigned for that day. Motion on behalf of the British Embassy for leave to intervene herein as *amicus curiae* and to file brief and take part in the oral argument granted.

No. 756. B. F. Looney, Attorney General, et al., appellants, *v.* Eastern Texas Railroad Company et al. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 901. W. C. Sterrett, as receiver, etc., petitioner, *v.* Second National Bank, of Cincinnati, Ohio. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 935. Erik Sandberg et al., petitioners, *v.* John McDonald, claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 936. Paul Nielsen et al., petitioners, *v.* Rhine Shipping Company, claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 937. John Hardy et al., petitioners, *v.* Shepard & Morse Lumber Company, claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 893. Consolidation Coal Company, petitioner, *v.* Carrie Salyer, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 906. The Cooper Grocery Company, petitioner, *v.* G. H. Penland, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 908. Maryland Casualty Company, petitioner, *v.* First National Bank of Montgomery, Ala. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 915. Compania Palomas de Terrenos y Ganados et al., petitioners, *v.* Sigmund Lindauer et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 912. Tom Hollis, petitioner, *v.* The United States of America; and

No. 913. Simp Patterson, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John Stone Hoskins for the petitioners, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Fitts for the respondent.

No. 941. Rensselaer & Saratoga Railroad Company, petitioner, *v.* Roscoe Irwin, Collector of Internal Revenue. Petition for a writ of

certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. G. B. Wellington for the petitioner and by Mr. Solicitor General Davis for the respondent.

No. 894. White Gulch Mining Company, petitioner, *v.* Industrial Accident Commission of the State of California et al. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. Charles F. Consaul, Mr. Charles C. Heltman, and Mr. W. E. F. Deal for the petitioner and by Mr. Christopher M. Bradley for the respondents.

No. 574. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Clark H. Rice. Advanced pursuant to the thirty-second rule, on motion of Mr. Frederick S. Tyler in behalf of counsel, and cause submitted by Mr. George Denegre, Mr. Victor Leovy, Mr. Henry H. Chaffe, and Mr. Henry L. Stone for the plaintiff in error, and by Mr. T. M. Miller for the defendant in error.

No. 899. Franklin Shaw and John F. Palmer, appellants, *v.* Franklin K. Lane, Secretary of the Interior. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia herein submitted by Mr. Duane E. Fox and Mr. Charles A. Towne for the appellants in support of the petition.

No. 923. J. C. Harker, substituted by Charles O. Harker, administrator, etc., et al., petitioners, *v.* Board of Supervisors of Greene County, Iowa, et al. Petition for a writ of certiorari to the Supreme Court of the State of Iowa submitted by Mr. C. T. Milans in behalf of Mr. O. M. Brockett for the petitioners.

No. 895. William B. Bales, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Harry Weinberger for the plaintiff in error.

No. 918. The Denver & Rio Grande Railroad Company, petitioner, *v.* The Equitable Trust Company of New York, as trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William Wallace, jr., Mr. John G. Milburn, and Mr. Arthur J. Shores for the petitioner and by Mr. George Wellwood Murray, Mr. J. F. Bowie, and Mr. W. R. Begg for the respondent.

No. 919. South Coast Steamship Company, petitioner, *v.* J. C. Rudbach. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. C. L. Sturtevant in behalf of Mr. Oliver Dibble for the petitioner.

No. 243. International & Great Northern Railway Company et al., plaintiffs in error, *v.* Anderson County et al. Leave granted to file additional brief for the plaintiffs in error on motion of Mr. Samuel B. Dabney for the plaintiffs in error.

No. 287. Pedro Gutierrez, plaintiff in error, *v.* Walter B. Grant, sole surviving executor of the will and estate of Frank B. Cotton, deceased. In error to the District Court of the United States for the Western District of Texas. Dismissed per stipulation.

Adjourned until Monday, April 15, at 12 o'clock.

The day call for Monday, April 15, 1918, will be as follows: Nos. 3 Original, 704, 756, 180, 833, 623, 657, 640, 752, 735, 739, 799, and 650 (and 651).

## SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 15, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Arthur W. Parry, of Fort Wayne, Ind.; Harry A. Willson, of St. Louis, Mo.; John C. Vivian, of Denver, Colo.; Clarence M. McCutchen, of Denver, Colo.; William M. Hendren, of Winston-Salem, N. C.; John S. Severson, of Broken Arrow, Okla.; Fred J. Coxe, of Wadesboro, N. C.; William Tallman, Englewood, N. J.; James F. McCabe, of Washington, D. C.; Arthur L. Burchell, of New York City; Edward S. Stringer, of St. Paul, Minn.; Glen E. Smith, of Chicago, Ill.; Edmund K. Trent, of Pittsburgh, Pa.; Percy W. Metz, of Basin, Wyo.; Frank A. Whiteley, of Minneapolis, Minn.; Dwight S. Marfield, of Cincinnati, Ohio; Egbert S. Oakley, of Duluth, Minn.; Alexander E. Horn, of St. Paul, Minn.; and Samuel A. King, of Salt Lake City, Utah, were admitted to practice.

No. 184. Robert H. Thompson, administrator, etc., appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 204. The United States, plaintiff in error, *v.* Whited & Wheless, Limited, et al. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed, and cause remanded to the District Court of the United States for the Western District of Louisiana for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Clarke.

No. 191. Bethlehem Steel Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McKenna.

No. 209. Louisville & Nashville Railroad Company, plaintiff in error, *v.* E. S. Holloway, as administrator of the estate of John G. Holloway, deceased. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 325. The United States, plaintiff in error, *v.* Thomas Soldana and Francisco Herrera. In error to the District Court of the United States, for the District of Montana. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 567. The United States, plaintiff in error, *v.* Fred W. Weitzel. In error to the District Court of the United States for the Eastern District of Kentucky. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 644. Minnie Evvia Stadelman et al., plaintiffs in error, *v.* W. H. Miner et al. In error to the Supreme Court of the State of Oregon. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 176. The Dalton Adding Machine Company, plaintiff in error, *v.* The Commonwealth of Virginia at the relation of the State Corporation Commission. In error to the Supreme Court of Appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 177. General Railway Signal Company, plaintiff in error, *v.* The Commonwealth of Virginia at the relation of the State Corporation Commission. In error to the Supreme Court of Appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 250. Chicago & Northwestern Railway Company, petitioner, *v.* The United States. 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 Northern District of Illinois for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 468. The United States, plaintiff in error, *v.* Joseph L. Schider, trading as Jos. L. Schider & Company. In error to the District Court of the United States for the Southern District of New York. Judgment reversed; and cause remanded for further proceedings in accordance with the opinion of this court. Opinion by Mr. Justice McReynolds.

Nos. 24 and 25. Manufacturers Railway Company et al., appellants, *v.* The United States et al. Appeals from the District Court of the United States for the Eastern District of Missouri. Decrees affirmed. Opinion by Mr. Justice Pitney. (Mr. Justice Holmes took no part in the consideration or decision of this case.)

No. 29. The Salt Lake Investment Company, plaintiff in error, *v.* Oregon Short Line Railroad Company. In error to the Supreme Court of the State of Utah. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 32. The Cudahy Packing Company, plaintiff in error, *v.* The State of Minnesota. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 185. Great Northern Railway Company et al., plaintiffs in error, *v.* The State of Minnesota ex rel. Village of Clara City. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 208. Boston & Maine Railroad, plaintiff in error, *v.* E. G. Piper. In error to the Supreme Court of the State of Vermont. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 225. City of Covington, appellant, *v.* South Covington & Cincinnati Street Railway Company. Appeal from the District Court of the United States for the Eastern District of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Clarke and Mr. Justice Brandeis.

No. 243. International & Great Northern Railway Company et al., plaintiffs in error, *v.* Anderson County et al. In error to the Court of Civil Appeals, Sixth Supreme Judicial District of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 198. The City of Michell, appellant, *v.* Dakota Central Telephone Company. Appeal from the District Court of the United States for the District of South Dakota. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 457. H. A. A. Smith, auditor of the Panama Canal, plaintiff in error, *v.* William H. Jackson. 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 Canal Zone. Opinion by Mr. Chief Justice White.

Nos. 211 to 224. Spring Valley Water Company, appellant, *v.* City and County of San Francisco et al. Appeals from the United States Circuit Court of Appeals for the Ninth Circuit. Decrees affirmed with costs, and causes remanded to the District Court of the United States for the Northern District of California. Opinion by Mr. Chief Justice White.

No. 239. James F. Taylor et al., appellants, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: Judgment affirmed upon the authority of *Washington Securities Co. v. United States*, 234 U. S., 76, 78; *Wright-Blodgett Co. v. United States*, 236 U. S., 397, 402-405; *Linn & Lane Timber Co. v. The United States*, 236 U. S., 574, 575, 576.

No. 254. Central of Georgia Railway Company, plaintiff in error, *v.* Birdie V. Deloach. In error to the Court of Appeals of the State of Georgia. *Per curiam*: Judgment reversed with costs upon the authority of *Pennsylvania Co. v. Donat*, 239 U. S., 50; *New York Central & Hudson River R. R. Co. v. Carr*, 238 U. S., 260.

No. 598. James S. Hopkins, as receiver, etc., plaintiff in error, *v.* The United States of America, suing for the use and benefit of Ellington & Guy (Inc.), et al. In error to the District Court of the United States for the Eastern District of North Carolina. *Per curiam*: Judgment affirmed with costs upon the authority of *United States v. Congress Construction Co.*, 222 U. S., 199.

No. 895. William B. Bales, plaintiff in error, *v.* The United States of America. Motion to advance granted, and case assigned for argument on Monday, October 14 next, after the cases heretofore assigned for that day.

No. 916. Thomas J. Evans, sole surviving receiver, etc., petitioner, *v.* National Bank of Savannah. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia granted.

No. 919. South Coast Steamship Company, petitioner, *v.* J. C. Rudbach. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 914. West End Street Railway Company, petitioner, *v.* John F. Malley. Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 941. Rensselaer & Saratoga Railroad Company, petitioner, *v.* Roscoe Irwin, Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 894. White Gulch Mining Company, petitioner, *v.* Industrial Accident Commission of the State of California et al. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. 899. Franklin Shaw et al., appellants, *v.* Franklin K. Lane, Secretary of the Interior. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 912. Tom Hollis, 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. 913. Simp Patterson, 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. 918. The Denver & Rio Grande Railroad Company, petitioner, *v.* The Equitable Trust Company of New York, as Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 923. J. C. Harker, substituted by Charles O. Harker, Administrator, etc., et al., petitioners, *v.* Board of Supervisors of Greene County, Iowa, et al. Petition for a writ of certiorari to the Supreme Court of the State of Iowa denied.

No. 862. The United States of America, plaintiff in error, *v.* Dan Hill. Motion to advance submitted by Mr. Solicitor General Davis for the plaintiff in error.

No. 877. The United States of America, plaintiff in error, *v.* C. T. Doremus; and

No. 883. W. S. Webb et al. *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Davis for The United States.

No.—, Original. *Ex parte* In the matter of The United States, petitioner. Motion for leave to file information for contempt discontinued, on motion of Mr. Solicitor General Davis for the petitioner.

No.—, Original. *In re* Albert Herschel de Propper. Petition for appointment of committee of the bar submitted by Mr. Solicitor General Davis in support of the petition.

No. 963. James O. Harris, 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. Daniel W. Baker and by Mr. Alva A. Andrews for the petitioner.

No. 905. The Portsmouth Harbor Land & Hotel Company et al., appellants, *v.* The United States. Motion to remand to the Court of Claims for further findings submitted by Mr. Frank W. Hackett and Mr. John Lowell for the appellants in support of the motion, with leave to the Solicitor General to file opposition within one week.

No. 610. Citizens Bank of Michigan City, Indiana, plaintiff in error, *v.* Mary Opperman. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mr. Jeremiah B. Collins and Mr. Worth W. Pepple for the plaintiff in error in support of the motion, and by Mr. Samuel Parker for the defendant in error in opposition thereto. Petition for a writ of certiorari to the Supreme Court of Indiana submitted by Mr. Jeremiah B. Collins and Mr. Worth W. Pepple for the plaintiff in error in support of the petition, and by Mr. Samuel Parker for the defendant in error in opposition thereto.

No. 372. Candelaria Cordova, plaintiff in error, *v.* Walter B. Grant, sole executor, etc. Motion to dismiss submitted by Mr. Walter B. Grant and Mr. T. J. Beall for the defendant in error in support of the motion, and by Mr. F. G. Morris for the plaintiff in error in opposition thereto.

No. 922. Fairbanks, Morse & Company et al., petitioners, *v.* American Valve & Meter Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William S. Hodges and Mr. Fred L. Chappell for the petitioners, and by Mr. Charles M. Cist and Mr. Dwight S. Marfield for the respondents.

Mr. 949. Rederiaktiebolaget Amie, petitioner, *v.* Universal Transportation 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. Conlen for the petitioner, and by Mr. J. Parker Kirilin for the respondent.

No. 962. Commonwealth Trust Company of Pittsburgh, petitioner, *v.* First-Second National Bank of Pittsburgh et al. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. H. F. Stambaugh and Mr. John M. Freeman for the petitioner, and by Mr. Alexander J. Barron for the respondents.

No. 957. W. Gordon McCabe, jr., and William F. Gray, petitioners, *v.* Guaranty Trust Company of New York, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. David Hunter Miller and Mr. Gordon Auchincloss for the petitioners, and by Mr. Emanuel J. Myers and Mr. Gordon S. P. Kleeberg for the respondents.

No. 495. Edward B. Pryor et al., receivers, etc., plaintiffs in error, *v.* Laura Christy, administratrix, etc. Motion to dismiss submitted by Mr. L. T. Michener in behalf of Mr. Bruce Barnett for defendant in error in support of the motion, and by Mr. James L. Minnis for the plaintiffs in error in opposition thereto.

No. 933. Mariano Lim, petitioner, *v.* The United States. Petition for a writ of certiorari to the Supreme Court of the Philippine Island submitted by Mr. Alex. Britton and Mr. Evans Browne for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Warren for the respondent.

No. 693. The Public Utilities Commission for the State of Kansas et al., appellants, *v.* John M. Landon, as receiver, etc.;

No. 816. Kansas City, Missouri, et al., appellants, *v.* John M. Landon, receiver, etc., et al.;

No. 817. Kansas City Gas Company et al., appellants, *v.* Kansas Natural Gas Company et al.; and

No. 856. The Public Utilities Commission for the State of Kansas et al., appellants, *v.* John M. Landon, as receiver, etc., et al. Motion to consolidate and advance submitted by Mr. Barry Mohun in behalf of counsel.

No. 964. Liverpool, Brazil & River Plate Steam Navigation Company, petitioner, *v.* Brooklyn Eastern District Terminal. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Norman B. Beecher in behalf of Mr. Roscoe H. Hupper for the petitioner, and by Mr. Samuel Park and Mr. Henry E. Mattison for the respondent.

No. 927. Sam Sanger et al., surviving members, etc., et al., petitioners, *v.* Sarah Catharine Woodward. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Levi Cooke in behalf of Mr. Charles A. Boynton for the petitioners.

No. 936. Paul Nielsen et al., petitioners, *v.* Rhine Shipping Company, claimant, etc.; and

No. 937. John Hardy et al., petitioners, *v.* Shepard & Morse Lumber Company, claimant, etc. Motion to advance submitted by Mr. Silas B. Axtell for the petitioners.

No. 935. Erik Sandberg et al., petitioners, *v.* John McDonald, claimant, etc. Motion to advance submitted by Mr. Silas B. Axtell in behalf of counsel for the petitioners.

No. 921. New York Central Railroad Company et al., petitioners, *v.* The City of Chicago. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Sidney F. Taliaferro, Mr. Robert J. Cary, Mr. F. Harold Schmidt, Mr. M. L. Bell, and Mr. Thomas P. Littlepage for the petitioners.

No. 3, Original. The people of the State of New York, complainants, *v.* State of New Jersey et al. Reassigned for argument on Monday, October 14th next, on motion of Mr. Frederick S. Tyler in behalf of counsel.

No. 335. Donald A. Curran, plaintiff in error, *v.* The Chicago Short Line Railway Company. Motion to dismiss submitted by Mr. William Rothmann for the defendant in error in support of the motion and by Mr. Morse Ives for the plaintiff in error in opposition thereto.

No. 353. The Arkadelphia Milling Company, appellant, *v.* St. Louis Southwestern Railway Company et al.;

No. 354. Joseph F. Hasty et al., etc., appellants, *v.* St. Louis Southwestern Railway Company et al.;

No. 355. St. Louis, Iron Mountain & Southern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company; and

No. 356. St. Louis Southwestern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company. Motions to dismiss submitted by Mr. J. M. Moore for the appellees in Nos. 353 and 354 in support of the motion and by Mr. J. F. Loughborough for the appellants in opposition thereto. Motions to dismiss submitted by Mr. J. F. Loughborough for the appellee in Nos. 355 and 356 in support of the motion and by Mr. J. M. Moore for the appellants in opposition thereto.

No. 296. Mississippi Central Railroad Company, plaintiff in error, *v.* Wade Lott. In error to the Supreme Court of the State of Mississippi. Dismissed with costs on motion of counsel for the plaintiff in error.

No. 446. J. B. Showalter et al., appellants, *v.* Trustees of the Internal Improvement Fund of the State of Florida et al. Appeal from the District Court of the United States for the Southern District of Florida. Dismissed with costs on motion of counsel for the appellants.

No. —. Original. State of Iowa, complainant, *v.* Abraham Slimmer, jr., et al. Motion for leave to file bill of complaint argued by Mr. H. M. Havner for the complainant in support of the motion and by Mr. Thomas D. O'Brien for the defendants in opposition thereto.

No. 20, Original. State of Minnesota, complainant, *v.* Franklin K. Lane, Secretary of the Interior, et al. Motion to dismiss argued by Mr. Assistant Attorney General Kearful for the defendants in support of the motion and by Mr. Charles R. Pierce for the complainants in opposition thereto.

No. 704. W. C. Hammer, United States Attorney, etc., appellant, *v.* Roland H. Dagenhart et al. Argument commenced by Mr. Solicitor General Davis for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 16, will be as follows: Nos. 704, 756, 180, 833, 623, 657, 640, 752, 735, 739, 799, and 650 (and 651).

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 16, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Frank J. Keelty, of Scipio, Ind.; William E. Krupp, of Wheeling, W. Va.; Robert Tandler Mack, of Chicago, Ill.; William H. Delaney, of Washington, D. C.; James B. Flynn, of Washington, D. C.; George D. Parkinson, of Salt Lake City, Utah; and William C. Hall, of Oklahoma City, Okla., were admitted to practice.

No. 939. C. S. Dashiell, trustee, etc., et al., petitioners, *v.* Lewis T. Fitzhugh, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, submitted as of the 15th instant by Mr. Edwin A. Krauthoff in behalf of Mr. Walter C. Chandler for the petitioners.

No. 704. W. C. Hammer, United States attorney for the Western District of North Carolina, appellant, *v.* Roland H. Dagenhart et al. Argument continued by Mr. Solicitor General Davis for appellant, continued by Mr. Morgan J. O'Brien and Mr. W. M. Hendren for appellees, and concluded by Mr. Solicitor General Davis for appellant.

No. 756. B. F. Looney, attorney general of the State of Texas, et al., appellants, *v.* Eastern Texas Railway Company. Argument commenced by Mr. Luther Nickels for appellants and continued by Mr. J. W. Terry for appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 17, will be as follows: Nos. 756, 180, 833, 623, 657, 640, 752, 735, 739, 799, and 650 (and 651).

15897—18—90

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 17, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice VanDevanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

George Carlton Comstock, of New York City, N. Y.; Abraham A. Silberberg, of New York City, N. Y.; Seymour Stedman, of Chicago, Ill.; Edward E. Alexander, of Blytheville, Ark.; Thomas E. Toler, of Sheridan, Ark.; and George W. Hays, of Little Rock, Ark., were admitted to practice.

No. 756. B. F. Looney, Attorney General of the State of Texas, et al., appellants, *v.* Eastern Texas Railway Company. Argument continued by Mr. J. W. Terry for the appellee and concluded by Mr. Luther Nickels for the appellants.

No. 180. Watts, Watts and Company, Limited, petitioner, *v.* Unione Austriaca Di Navigazione, etc. Argument commenced by Mr. John M. Woolsey for petitioner, continued by Mr. Charles S. Haight for respondent, and concluded by Mr. John M. Woolsey for the petitioner.

No. 833. Robert Cox, appellant, *v.* Major General Leonard Wood, Commandant of Camp Funston, in the State of Kansas. Argument commenced by Mr. Hannis Taylor for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 18, will be as follows: Nos. 833, 623, 657, 640, 752, 735, 739, 799, 650 (and 651), and 170.

15897—18—91

# SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 18, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Arthur S. Dayton, of Philippi, W. Va.; Alexander R. Baldwin, of San Francisco, Cal.; John Jensen, of Salt Lake City, Utah; George J. Steiger, jr., of San Francisco, Cal.; and James A. Foley, of New York City, were admitted to practice.

No. 833. Robert Cox, appellant, *v.* Major General Leonard Wood, commandant of Camp Funston, in the State of Kansas. Argument continued by Mr. Hannis Taylor for the appellant, by Mr. Solicitor General Davis for the appellee, and concluded by Mr. Hannis Taylor for the appellant.

No. 623. Union Pacific Railroad Company, plaintiff in error, *v.* L. A. Laughlin. Argued by Mr. Edwin A. Krauthoff for the defendant in error, and submitted by Mr. N. H. Loomis, Mr. I. N. Watson, and Mr. R. W. Blair for the plaintiff in error.

No. 657. Peter Chelentis, petitioner, *v.* Luckenbach Steamship Company, etc. Argued by Mr. Silas Blake Axtell for the petitioner, and submitted by Mr. Peter A. Carter for the respondent.

No. 640. Chicago & Alton Railroad Company, petitioner, *v.* The United States of America. Submitted by Mr. Silas H. Strawn and Mr. William L. Patton for the petitioner, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 752. Louis H. Perlman, appellant and plaintiff in error, *v.* The United States. Argued by Mr. Louis Marshall for the appellant and plaintiff in error, and by Mr. Assistant Attorney General Fitts for the appellee and defendant in error.

No. 735. Jacob M. Dickinson, as receiver, etc., plaintiff in error, *v.* George C. Stiles. Argument commenced by Mr. Edward S. Stringer

for the plaintiff in error, and continued by Mr. George H. Lamar for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 19, will be as follows: Nos. 735, 739, 799 (and 650 and 651), 170 (and 226), 193, 256, 257, 259, 261, and 263.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 19, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John H. Crooker, of Houston, Tex.; Edward Hohfeld, of San Francisco, Cal.; Lester B. Donahue, of New York City, N. Y.; Henry W. Pollock, of New York City, N. Y.; Ogle Marbury, of Baltimore, Md.; and Clarence D. Kerr, of New York City, N. Y., were admitted to practice.

No. 952. The United States of America, petitioner, *v.* Henry Vee-der. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Solicitor General Davis for the petitioner, and by Mr. John J. Healy and Mr. George P. McCabe for the respondent.

No. 735. Jacob M. Dickinson, as receiver, etc., plaintiff in error, *v.* George C. Stiles. Argument concluded by Mr. George H. Lamar for the defendant in error.

No. 739. E. H. Emery & Company, appellant, *v.* American Refrigerator Transit Company. Argued by Mr. C. W. Whitmore for the appellant, and submitted by Mr. Fred. W. Lehmann, jr., for the appellee.

No. 799. George F. Montgomery, appellant, *v.* Arthur Woods, police commissioner of the city of New York,

No. 650. Clarence F. Birdseye, appellant, *v.* Arthur Woods, police commissioner of the city of New York, and

No. 651. Kellogg Birdseye, appellant, *v.* Arthur Woods, police commissioner of the city of New York. Argument commenced by Mr. Charles L. Craig for appellants in Nos. 650 and 651, continued by Mr. Herbert Noble for appellant in No. 799, and Mr. Robert S. Johnstone and Mr. Edmund K. Trent for appellee, and concluded by Mr. Herbert Noble for the appellant in No. 799.

No. 170. William H. Miner, petitioner, *v.* The T. H. Symington Company, and

No. 226. The T. H. Symington Company, petitioner, *v.* The National Malleable Castings Company et al. Argument commenced by Mr. George I. Haight for petitioner in No. 170, and continued by Mr. Melville Church and Mr. Gilbert P. Ritter for the respondent in No. 170 and the petitioner in No. 226.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 22, will be as follows: Nos. 170 (and 226), 193, 256, 257, 259, 261, 263, 265, 266, and 267.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 22, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William J. Graham, of Aledo, Ill.; Ray N. Van Doren, of Milwaukee, Wis.; Neils Juul, of Chicago, Ill.; Albert A. Baker, of Providence, R. I.; William S. Moorhead, of Pittsburgh, Pa.; William M. Robinson, of Pittsburgh, Pa.; Andrew M. Morrissey, of Lincoln, Nebr.; Lawrence N. Turrentine, of Escondido, Cal.; William C. Rigby, of Chicago, Ill.; Eben R. Minahan, of Green Bay, Wis.; W. C. Duncan, of Ada, Okla.; Jesse F. Holt, of Sherman, Tex.; John J. Swearingen, of Bartow, Fla.; Van C. Swearingen, of Tallahassee, Fla.; William F. Bruell, of Redfield, S. Dak.; W. Stuart Symington, jr., of Baltimore, Md.; and J. C. Marshall, of Little Rock, Ark., were admitted to practice.

No. 101. Oliver B. Saalfield, administrator of John Hamilton Brown, deceased, etc., appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 255. Byron S. Waite et al., as general appraisers, etc., appellants, *v.* George H. Macy et al., doing business as copartners under the firm name of Carter, Macy & Company. 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 Holmes.

No. 2, Original. Commonwealth of Virginia, complainant, *v.* State of West Virginia et al. On petition for a writ of mandamus.

*Ordered,* That this case be restored to the docket to be heard at the next term, after the February recess, on the questions indicated in the closing paragraph of the opinion this day delivered, subject to all the limitations and restrictions in the opinion contained. Opinion by Mr. Chief Justice White.

The Chief Justice announced the following orders of the court:

No. 335. Donald A. Curran, plaintiff in error, *v.* The Chicago Short Line Railway Company. In error to the Appellate Court, First District of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of *Miedreich v. Lauenstein* (232 U. S., 236, 243; *Interstate Amusement Co. v. Albert*, 239 U. S., 560, 566-567).

No. 495. Edward B. Pryor and Edward F. Kearney, receivers of the Wabash Railroad Company, plaintiffs in error, *v.* Laura Christy, administratrix of the estate of Edward F. Christy, deceased. In error to the Kansas City Court of Appeals of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237, Judicial Code, as amended by the act of September 6, 1916 (c. 448, 39 Stat., 726).

No. 799. George F. Montgomery, appellant, *v.* Arthur Woods, police commissioner of the city of New York. Appeal from the District Court of the United States for the Southern District of New York. Per curiam: Judgment affirmed with costs upon the authority of: 1. *Munsey v. Clough* (196 U. S., 364, 373-374), *Appleyard v. Massachusetts* (203 U. S., 222), *McNichols v. Pease* (207 U. S., 100), *Biddinger v. Commissioner of Police* (245 U. S., 128). 2. *Munsey v. Clough* (196 U. S., 364, 373), *Pierce v. Creecy* (210 U. S., 387, 401, 402, 404-405), *Drew v. Thaw* (235 U. S., 432, 439-440).

No. 650. Clarence F. Birdseye, appellant, *v.* Arthur Woods, police commissioner of the city of New York; and

No. 651. Kellogg Birdseye, appellant, *v.* Arthur Woods, police commissioner of the city of New York. Appeals from the District Court of the United States for the Southern District of New York. Per curiam: Judgments affirmed with costs upon the authority of *Munsey v. Clough* (196 U. S., 364, 373), *Pierce v. Creecy* (210 U. S., 387, 401, 402, 404, 405), *Drew v. Thaw* (235 U. S., 432, 439-440).

No. 610. Citizens Bank of Michigan City, Ind., plaintiff in error, *v.* Mary Opperman. Motion for a writ of certiorari herein under rule 14 denied.

No. 862. The United States of America, plaintiff in error, *v.* Dan Hill. Motion to advance granted, and case assigned for argument on Monday, October 14, next, after the cases heretofore assigned for that day.

No. 877. The United States of America, plaintiff in error. *v.* C. T. Doremus; and

No. 883. W. S. Webb et al. *v.* The United States of America. Motion to advance granted, and cases assigned for argument on Monday, October 14, next, after the cases heretofore assigned for that day.

No. 693. The Public Utilities Commission of the State of Kansas et al., appellants, *v.* John M. Landon, as receiver, etc.;

No. 816. Kansas City, Mo., et al., appellants, *v.* John M. Landon, receiver, etc., et al.;

No. 817. Kansas City Gas Company et al., appellants, *v.* Kansas Natural Gas Company et al.; and

No. 856. The Public Utilities Commission for the State of Kansas, et al., appellants, *v.* John M. Landon, receiver, etc., et al. Motion to advance granted, and cases assigned for argument on Monday, October 14, next, after the cases heretofore assigned for that day.

No. 935. Erik Sandberg et al., petitioners, *v.* John McDonald, claimant, etc. Motion to advance granted, and case assigned for argument on Monday, October 14, next, with case No. 868.

No. 964. Liverpool, Brazil & River Plate Steam Navigation Company, petitioner, *v.* Brooklyn Eastern District Terminal. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 610. Citizens Bank of Michigan City, Ind., plaintiff in error. *v.* Mary Opperman. Petition for a writ of certiorari to the Supreme Court of the State of Indiana denied.

No. 921. New York Central Railroad Company et al., petitioners, *v.* The City of Chicago. Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 922. Fairbanks, Morse & Company et al., petitioners, *v.* American Valve & Meter Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 927. Sam Sanger et al., surviving members, etc., et al., petitioners, *v.* Sarah Catharine Woodward. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 933. Mariano Lim, petitioner, *v.* The United States. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 939. C. S. Dashiell, trustee, et al., petitioners, *v.* Lewis T. Fitzhugh, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 949. Rederiaktiebolaget Amie, petitioner, *v.* Universal Transportation Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 952. The United States of America, petitioner. *v.* Henry Veeder. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 962. Commonwealth Trust Company of Pittsburgh, petitioner, *v.* The First-Second National Bank of Pittsburgh et al. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 963. James O. Harris, 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. 353. The Arkadelphia Milling Company, appellant, *v.* St. Louis Southwestern Railway Company et al.;

No. 354. Joseph F. Hasty et al., etc., appellants, *v.* St. Louis Southwestern Railway Company et al.;

No. 355. St. Louis, Iron Mountain & Southern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company; and

No. 356. St. Louis Southwestern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 372. Candelaria Cordova, plaintiff in error, *v.* Walter B. Grant, sole executor, etc. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 387. Alaska Pacific Fisheries, plaintiff in error, *v.* The Territory of Alaska;

No. 388. Alaska Pacific Fisheries, plaintiff in error, *v.* The Territory of Alaska; and

No. 442. Alaska Salmon Company, plaintiff in error, *v.* The Territory of Alaska. Further consideration of the motions to dismiss postponed to the hearing on the merits.

No. 260. The Bank of Oxford et al., plaintiffs in error, *v.* J. S. Love et al., bank examiners of the State of Mississippi. Case restored to the docket for oral argument.

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No. 797. Emanuel Baltzer et al., plaintiffs in error, *v.* The United States of America; and

No. 798. William J. Head, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Assistant to the Attorney General Todd for the defendant in error.

No. 954. General Electric Company, petitioner, *v.* Cooper Hewitt Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Clarence E. Mehlhope in behalf of Mr. John C. Pennie for the petitioner and by Mr. Thomas B. Kerr and Mr. Parker W. Page for the respondent.

No. 11. Hitchman Coal & Coke Company, petitioner, *v.* John Mitchell, individually, et al. Leave granted to withdraw contempt proceedings herein on motion of Mr. Hannis Taylor for the petitioner.

No. 932. The Filer & Stowell Company, petitioner, *v.* Diamond Iron Works. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William G. Henderson for the petitioner and by Mr. Frank A. Whiteley for the respondent.

No. 890. Supreme Conclave, Improved Order of Heptasophs, plaintiff in error, *v.* William Marshall Wilson. Motion to dismiss or affirm or place on summary docket submitted by Mr. Thaddeus A. Adams for the defendant in error in support of the motion, with leave to counsel for the plaintiff in error to file brief in opposition within three weeks.

No. 965. George Stuart, as trustee, etc., petitioner, *v.* Estelle Manegold Beaven. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William M. Williams in behalf of Mr. Gustave F. Mertens and Mr. Benjamin P. Crum for the petitioner.

No. 950. The Birge-Forbes Company, petitioner, *v.* Carl R. Heye. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph W. Bailey in behalf of Mr. Henry O. Head for the petitioner, and by Mr. Newton Hance Lassiter for the respondent.

No. 28, Original. *Ex parte* In the matter of Southwestern Surety Insurance Company, petitioner. Submitted by Mr. C. F. Colladay in behalf of Mr. Hayden Johnson and Mr. Thomas M. Fields for the petitioner, and by Mr. R. Randolph Hicks for the respondent.

No. 987. Redpath Lyceum Bureau, petitioner, *v.* John L. Pickering, collector of internal revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Victor Elting and Mr. Albert M. Kales for the petitioner, with leave to counsel for the respondent to file brief on or before Friday.

No. 960. Compagnia de Commerce et de Navigation d'Extreme Orient, petitioner, *v.* The Hamburg-Amerika Packetfahrt Actiengesellschaft. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Alexander Britton, Mr. Evans Browne, and Mr. W. A. Kincaid for the petitioner.

No. 544. Jennie Lathrop Rand, appellant, *v.* The United States. Suggestion of diminution of the record and motion for a writ of certiorari and motion to remand for additional findings of fact

submitted by Mr. F. L. Fishback and Mr. H. T. Newcomb for the appellant.

No. 170. William H. Miner. petitioner, *v.* The T. H. Symington Company; and

No. 226. The T. H. Symington Company, petitioner, *v.* The National Malleable Castings Company et al. Argument continued by Mr. Gilbert P. Ritter for the respondent in No. 170 and the petitioner in No. 226. and concluded by Mr. Charles Neave for the respondents in No. 226.

No. 193. Pittsburgh Melting Company. appellant. *v.* G. E. Totten. inspector of the Bureau of Animal Industry, etc. Argument commenced by Mr. Samuel McClay for the appellant, continued by Mr. Assistant Attorney General Frierson for the appellee. and concluded by Mr. Samuel McClay for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 23, will be as follows: Nos. 256. 257. 259. 261. 263. 265. 266. 267. 270, and 271.

## SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 23, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Ralph Orwig, of Des Moines, Iowa. W. D. Milligan, of Guthrie Center, Iowa, John Arthur Elston, of Berkeley, Cal., John R. Waller, of Dubuque, Iowa. Stuart E. Knappen, of Grand Rapids, Mich., William Sea, jr., of San Francisco, Cal., Charles F. Hext, of Grand Rapids, Mich., and Louis P. Donovan, of Butte, Mont., were admitted to practice.

No. 846. Erie Railroad Company, petitioner, *v.* Edwin J. Hilt, jr., an infant, by his next friend, etc. Ordered that this case be assigned for argument on Monday, the 29th instant.

No. 266. Abe Danciger et al., doing business as Danciger Brothers, plaintiffs in error, *v.* D. G. Cooley. Continued on motion of Mr. Edwin C. Krauthoff for the plaintiffs in error.

No. 271. Associated Billposters and Distributors of the United States and Canada, et al., appellants, *v.* The United States. Continued per stipulation.

No. 256. Mrs. Laura L. Bunch, petitioner, *v.* J. S. Maloney, as trustee, etc. Argued by Mr. William E. Hemingway for the petitioner and by Mr. R. S. Wimberly for the respondent.

No. 257. J. F. Shepard et al., appellants, *v.* James M. Barkley, moderator of the general assembly, etc., et al. Argued by Mr. Charles E. Morrow for the appellants and by Mr. Frank Hagerman for the appellees.

No. 259. D. E. Foote and Company, Incorporated, et al., plaintiffs in error, *v.* Emerson C. Harrington, governor of the State of Maryland, et al. Argument commenced by Mr. George Whitelock for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 24, will be as follows. Nos. 259, 261, 263, 265, 267, 270, 133 (and 134), 272, 274 (and 275, 419, and 420), and 276.

# SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 24, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Robert N. Miller, of Louisville, Ky.; Arthur A. Ballantine, of Boston, Mass.; Herman S. Tay, of Boston, Mass.; James M. Oliver, of San Francisco, Cal.; Edward C. Plummer, of Bath, Maine; Sam R. Marks, of Jacksonville, Fla.; and H. Ware Barnum, of Boston, Mass., were admitted to practice.

No. 478. Mary A. Parmelee, as administratrix, etc., plaintiff in error, *v.* Chicago, Milwaukee & St. Paul Railway Company. Motion to affirm or transfer to the summary docket submitted by Mr. O. W. Dines in behalf of Mr. Herman H. Field for the defendant in error, and by Mr. Arthur E. Griffin and Mr. Thomas B. McMartin for the plaintiff in error in opposition thereto.

No. 904. Louisville & Nashville Railroad Company, plaintiff in error, *v.* The State of Alabama. Motion to advance submitted by Mr. William M. Williams in behalf of counsel for the defendant in error.

No. 259. D. E. Foote & Company, Inc., et al., plaintiffs in error, *v.* Emerson C. Harrington, governor of the State of Maryland, et al. Argument continued by Mr. George Whitelock for the plaintiffs in error, by Mr. Ogle Marbury for the defendants in error, and concluded by Mr. George Whitelock for the plaintiffs in error.

No. 261. Fernand Vaughan Gasquet, appellant, *v.* Charles Payne Fenner, testamentary executor, et al. Argument commenced by Mr. William Winans Wall for the appellant, continued by Mr. George Denegre for the appellees, and concluded by Mr. G. T. Fitzhugh for the appellant.

No. 263. The Chicago, Kalamazoo and Saginaw Railway Company, plaintiff in error, *v.* Gale Kindlesparker. Argument com-

menced by Mr. Stuart E. Knappen for the plaintiff in error and continued by Mr. Charles F. Hext for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 25, will be as follows: Nos. 263, 265, 267, 270, 133 (and 134), 272, 274 (and 275, 419, and 420), 276, 277, and 278.

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 25, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice VanDevanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Wood B. Carrington, of Waco, Tex.; Edwin D. Worcester, of New York City, N. Y.; O. R. Hood, of Gadsden, Ala.; Albert Bettcher, of Chicago, Ill.; and Samuel M. Chambliss, of Chattanooga, Tenn., were admitted to practice.

No. 833. Robert Cox, appellant, *v.* Major General Leonard Wood, Commandant of Camp Funston in the State of Kansas. Motion for rule to punish for contempt submitted by Mr. Hannis Taylor for the appellant.

No. 278. Joseph Holt et al., appellants, *v.* Supreme Lodge, Knights of Pythias. Continued per stipulation.

No. 263. The Chicago, Kalamazoo and Saginaw Railway Company, plaintiff in error, *v.* Gale Kindlesparker. Argument continued by Mr. Charles F. Hext for the defendant in error and concluded by Mr. Stuart E. Knappen for the plaintiff in error.

No. 265. B. M. Aikins, plaintiff in error, *v.* W. S. Kingsbury, as Register of the State Land Office. Submitted by Mr. R. P. Henshall for the plaintiff in error and by Mr. U. S. Webb for the defendant in error.

No. 267. Supreme Council of the Royal Arcanum, petitioner, *v.* Sue B. Behrend. Argued by Mr. Howard C. Wiggins for the petitioner and by Mr. W. Gwynn Gardiner for the respondent.

No. 270. John H. Friedrichsen, petitioner, *v.* G. H. Renard, as executor, etc., et al. Argument commenced by Mr. William V. Allen for the petitioner and continued by Mr. R. E. Evans for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 26, will be as follows: Nos. 270, 133 (and 134), 272, 274 (and 275, 419, and 420), 276, 277, 279, 281, 282, and 283.

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 26, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John H. Lechleiter, of Nashville, Tenn.; Asa V. Call, of Los Angeles, Cal.; and B. I. Litowich, of Salina, Kans., were admitted to practice.

No. 544. Jennie Lathrop Rand, appellant, *v.* The United States. Leave granted to file brief in opposition to motion for writ of certiorari and motion to remand for additional findings of facts, on motion of Mr. Assistant Attorney General Thompson for the appellee.

No. 279. Wells Fargo & Company, plaintiff in error, *v.* The State of Nevada. Continued, per stipulation.

No. 282. G. L. Henderson et al., plaintiffs in error, *v.* Helen R. Ressor, or Helen R. Henderson, et al. Continued, per stipulation.

No. 270. John H. Friedrichsen, petitioner, *v.* G. H. Renard, as executor, etc., et al. Argument continued by Mr. R. E. Evans for the respondents, and concluded by Mr. William V. Allen for the petitioner.

No. 133. C. F. McGinis et al., plaintiffs in error, *v.* The People of the State of California; and

No. 134. C. F. McGinis et al., plaintiffs in error, *v.* The People of the State of California. Argued by Mr. William Sea, jr., for the plaintiffs in error, and by Mr. James M. Oliver for the defendant in error.

No. 272. Grinnell Washing Machine Company, petitioner, *v.* E. E. Johnson Company. Argument commenced by Mr. Melville Church for the petitioner.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, April 29, will be as follows: Nos. 272, 274 (and 275, 419, and 420), 276, 277, 281, 283, 568, 846, 285, and 286.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 29, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Barton L. Parker, of Green Bay, Wis.; Joseph Martin, of Green Bay, Wis.; Edward J. Yockey, of Milwaukee, Wis.; Daniel Ney Dougherty, of Denver, Colo.; Michael J. Doyle, of Menominee, Mich.; Morton K. Yonts, of Louisville, Ky.; Harry R. Goldman, of Marinette, Wis.; George W. Manierre, of Chicago, Ill.; Richard Kelly, of New York City; Frank Evans, of Salt Lake City, Utah; Robert S. Erskine, of New York City; James W. Carmalt, of Washington, D. C.; Henry Johns Gibbons, of Philadelphia, Pa.; and Henry John Nelson, of Philadelphia, Pa., were admitted to practice.

No. 70. The United States of America *ex rel.* Louisville Cement Company, plaintiff in error, *v.* Interstate Commerce Commission. In error to 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 with direction that a writ of mandamus issue to the commission directing that it proceed to dispose of the claim in controversy under the construction placed upon its jurisdiction by the opinion of this Court. Opinion by Mr. Justice Clarke.

No. 735. Jacob M. Dickinson, as receiver of the Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* George C. Stiles. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Chief Justice White.

No. 739. E. H. Emery & Company, appellant, *v.* American Refrigerator Transit Company. Appeal from the District Court of the United States for the Southern District of Iowa. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 230. Zoilo Ibanez de Aldecoa y Palet and Joaquin Ibanez de Aldecoa y Palet, appellants, *v.* The Hongkong & Shanghai Banking

Corporation et al. Appeal from the Supreme Court of the Philippine Islands. Decree affirmed with costs. Opinion by Mr. Justice McKenna.

No. 231. Joaquin Ibanez de Aldecoa y Palet, Zoila Ibanez de Aldecoa y Palet, and Isabel Palet y Gabarot, appellants, *v.* Hongkong & Shanghai Banking Corporation. Appeal from the Supreme Court of the Philippine Islands. Decree modified and affirmed with costs. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 259. D. E. Foote & Company, Inc., et al., plaintiffs in error, *v.* Emerson C. Harrington, Governor of the State of Maryland, et al. In error to the Court of Appeals of the State of Maryland. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Eustis v. Bolles*, 150 U. S., 361; *Leathe v. Thomas*, 207 U. S., 93; *Holden Land Co. v. Inter-State Trading Co.*, 233 U. S., 536, 541; *Bilby v. Stewart* (decided March 4, 1918); 246 U. S., —.

No. 263. The Chicago, Kalamazoo & Saginaw Railway Company, plaintiff in error, *v.* Gale Kindlesparker. In error to the United States Circuit Court of Appeals for the Sixth Circuit. *Per curiam*: Judgment reversed with costs, and case remanded to the District Court of the United States for the Western District of Michigan for further proceedings, upon the authority of *Minneapolis & St. Louis R. R. Co. v. Winters*, 242 U. S., 353.

No. 256. Mrs. Laura L. Bunch, petitioner, *v.* J. S. Maloney, as Trustee in Bankruptcy for the T. H. Bunch Commission Company, bankrupt. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: Judgment reversed with costs, and case remanded to the District Court of the United States for the Eastern District of Arkansas for further proceedings, upon the authority of *Martin v. Commercial National Bank of Macon, Ga.*, (decided January 14, 1918), 246 U. S., —.

No. 478. Mary A. Parmelee, as administratrix of the estate of David Parmelee, deceased, plaintiff in error, *v.* Chicago, Milwaukee & St. Paul Railway Company. In error to the Supreme Court of the State of Washington. *Per curiam*: Judgment affirmed with costs upon the authority of *Chicago Junction Ry. Co. v. King*, 222 U. S. 222; *Seaboard Air Line Ry. Co. v. Padgett*, 236 U. S. 668, 673; *Seaboard Air Line Ry. v. Koennecke*, 239 U. S. 352, 355; *Great Northern Ry. Co. v. Knapp*, 240 U. S. 464, 466; *B. & O. R. R. Co. v. Whitacre*, 242 U. S. 169.

No. —. *In re Albert Herschel de Propper*. Ordered that Charles W. Needham, Frederic D. McKenney, and Melville Church, Esquires, be appointed a Committee of the Bar to investigate, and, if so advised, to prepare and file charges against Albert Herschel de Propper

with the view to striking his name from the roll of attorneys permitted to practice before this court.

No. 905. The Portsmouth Harbor Land & Hotel Company et al., appellants, *v.* The United States. Motion to remand for further findings postponed to the hearing on the merits.

No. 544. Jennie Lathrop Rand, appellant, *v.* The United States. Motion for writ of certiorari on suggestion of diminution of record and motion to remand for further findings postponed to the hearing on the merits.

No. 936. Paul Nielsen et al., petitioners, *v.* Rhine Shipping Company, claimant, etc.; and

No. 937. John Hardy et al., petitioners, *v.* Shepard & Morse Lumber Company, claimant, etc. Motion to advance granted and cases assigned for argument with cases Nos. 868 and 935 on Monday, October 14 next.

No. 797. Emanuel Baltzer et al., plaintiffs in error, *v.* The United States of America; and

No. 798. William J. Head, plaintiff in error, *v.* The United States of America. Motion to advance granted and cases assigned for Monday, October 14 next, after the the cases heretofore assigned for that day.

No. 904. Louisville & Nashville Railroad Company, plaintiff in error, *v.* The State of Alabama. Motion to advance granted, and case assigned for Monday, October 14 next, after the cases heretofore assigned for that day.

No. 950. The Birge-Forbes Company, petitioner, *v.* Carl R. Heye. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 932. The Filer & Stowell Company, petitioner, *v.* Diamond Iron Works. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 954. General Electric Company, petitioner, *v.* Cooper Hewitt Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 960. Compagnia de Commerce et de Navigation d'Extreme Orient, petitioner, *v.* The Hamburg-Amerika Packetfahrt Actiengesellschaft. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 965. George Stuart, as trustee, etc., petitioner, *v.* Estelle Mane-gold Beaven. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 987. Redpath Lyceum Bureau, petitioner, *v.* John L. Pickering, collector of internal revenue. Petition for a writ of certiorari

to the United States Circuit Court of Appeals for the Seventh Circuit denied.

The Chief Justice also announced that the call of the docket will be suspended for the term on Friday, May 3, and that the court will take a recess from Monday, May 6, to Monday, May 20. No petitions for writs of certiorari or motions, except motions for admission to practice, will be received after Monday, June 3.

No. 1002. *Ex parte* Cloyd H. Duncan, petitioner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Cloyd H. Duncan, *pro se*.

No. 752. Louis H. Perlman, appellant and plaintiff in error, *v.* The United States of America. Leave granted to file supplemental brief for the appellant and plaintiff in error, on motion of Mr. Fulton M. Brylawski in behalf of counsel.

No. 970. Julian H. Evrard, claimant, etc., petitioner, *v.* Eugene Higgins. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Stewart Davison for the petitioner, and by Mr. Selden Bacon for the respondent.

No. 948. Fifth National Bank of the City of New York, petitioner, *v.* John L. Lytle, as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William C. Beecher for the petitioner, and by Mr. Irving L. Ernst for the respondent.

No. 924. Great Bear Spring Company, petitioner, *v.* Bear Lithia Springs Company; and

No. 925. Fulton Water Works Company, petitioner, *v.* Bear Lithia Springs Company. Petitions for writs of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Edward S. Beach for the petitioner, and by Mr. Fritz V. Briesen for the respondent.

No. 974. W. J. Carrell, 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. F. B. Brock in behalf of Mr. William H. Atwell for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Fitts for the respondent.

No. 469. Postal Telegraph-Cable Company, appellant, *v.* City of Richmond. Motion to dismiss or affirm submitted by Mr. George Wayne Anderson in behalf of Mr. H. R. Pollard for the appellee in support of the motion, and by Mr. John M. Sebrell, jr., for the appellant in opposition thereto.

No. 966. Vulcan Metals Company, Inc., and Albert Freeman, petitioners, *v.* Simmons Manufacturing Company. Petition for a writ

of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John M. Coleman in behalf of Mr. Wilson B. Brice for the petitioners, and by Mr. Clarke M. Rosecrantz for the respondent.

No. 975. Jared Flagg, petitioner, *v.* Ellsworth E. Cook. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John M. Coleman for the petitioner, and by Mr. Gilbert E. Roe for the respondent.

No. 951. National Bank of Bakersfield, petitioner, *v.* William H. Moore, jr., as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Alexander Britton in behalf of Mr. William J. Hunsaker and Mr. E. W. Britt for the petitioner, and by Mr. Lynn Helm for the respondent.

No. 972. Cherokee Oil & Gas Company, petitioner, *v.* Charles L. Melton et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Alexander Britton in behalf of Mr. C. B. Ames, Mr. Russell G. Lowe, Mr. W. P. Thompson, and Mr. W. C. Franklin for the petitioner.

No. 956. R. A. Graham, petitioner, *v.* J. D. Spreckels & Brothers Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frederic D. McKenney and Mr. Lindley M. Garrison for the petitioner, and by Mr. P. F. Dunne for the respondent.

No. 471. Rust Land & Lumber Company, plaintiff in error, *v.* Ed. Jackson et al. Motion to dismiss or affirm submitted by Mr. C. D. Drayton in behalf of Mr. Marcellus Green and Mr. Gerald Fitz Gerald for the defendants in error in support of the motion, and by Mr. Herbert Pope for the plaintiff in error in opposition thereto.

No. 942. Isabella Garwood, petitioner, *v.* Joseph Scheiber et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frederick S. Tyler and Mr. Jeremiah F. Sullivan for the petitioner, and by Mr. William B. Bosley for the respondents.

No. 1000. The Delaware, Lackawanna & Western Railroad Company, petitioner, *v.* Ignatz Petrowsky, an infant, etc. Petition for a writ of certiorari to the United States Court of Appeals for the Second Circuit submitted by Mr. Austin J. McMahan and Mr. W. S. Jenney for the petitioner, and by Mr. Baltrus S. Yankaus for the respondent.

No. 943. Gould Mines Company, petitioner, *v.* Bertha D. Bauer, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William C. Rigby, Mr. John S. Miller, and Mr. Benjamin F.

Ninde for the petitioner, and by Mr. Horace Kent Tenney and Mr. Roger Sherman for the respondent.

No. 938. James C. Chupco et al., petitioners, *v.* James A. Chapman et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. C. Edward Wright in behalf of Mr. Lewis C. Lawson and Mr. James C. Davis for the petitioners, and by Mr. Harry H. Rogers for the respondent.

No. 863. Luis Huller et al., plaintiffs in error, *v.* The State of New Mexico on the relation of The Northwestern Colonization & Improvement Company of Chihuahua. Motion to dismiss submitted by Mr. James R. Garfield, Mr. D. J. Cable, Mr. Harry L. Patton, and Mr. Francis C. Wilson for the defendant in error in support of the motion, and by Mr. Walter D. Hawk, Mr. Samuel S. Holmes, Mr. A. B. Renehan, and Mr. Charles A. Douglas for the plaintiffs in error in opposition thereto.

No. 988. Camp Bird, Limited, petitioner, *v.* Frank W. Howbert, as Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. A. A. Hoehling, jr., in behalf of Mr. William V. Hodges and Mr. George L. Nye for the petitioners.

No. 272. Grinnell Washing Machine Company, petitioner, *v.* E. E. Johnson Company. Argument continued by Mr. Melville Church for the petitioner, and Mr. Clarence E. Mehlhope for the respondent, and concluded by Mr. Melville Church for the petitioner.

No. 31, Original. *Ex parte* In the matter of Hassan Abdu et al., petitioners. Argued by Mr. Silas B. Axtell for the petitioners and by Mr. Robert S. Erskine for the respondent.

No. 274. Western Union Telegraph Company et al., plaintiffs in error, *v.* Calvin H. Foster et al., etc.;

No. 275. Western Union Telegraph Company et al., plaintiffs in error, *v.* Frederick J. Macleod et al., etc.;

No. 419. Henry G. S. Noble, as President of the New York Stock Exchange, appellant, *v.* The Western Union Telegraph Company et al.; and

No. 420. Henry G. S. Noble, as President of the New York Stock Exchange, appellant, *v.* The United Telegram Company et al. One hour additional time granted. Argument commenced by Mr. Henry S. Robbins for the appellant in Nos. 419 and 420.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 30, will be as follows: Nos. 274 (and 275, 419, and 420), 276, 277, 281, 283, 568, 846, 285, 286, and 288 (and 289).

# SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 30, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Arthur M. FitzGerald, of Springfield, Ill., and John G. Price, of Columbus, Ohio, were admitted to practice.

No. 1009. Chicago Bonding and Surety Company, petitioner, *v.* Augusta-Savannah Navigation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles B. Stafford for the petitioner and by Mr. Harrison Musgrave and Mr. William S. Oppenheim for the respondent.

No. 274. Western Union Telegraph Company et al., plaintiffs in error, *v.* Calvin H. Foster et al., etc.;

No. 275. Western Union Telegraph Company et al., plaintiffs in error, *v.* Frederick J. Macleod et al., etc.;

No. 419. Henry G. S. Noble, as president of the New York Stock Exchange, appellant, *v.* The Western Union Telegraph Company et al.; and

No. 420. Henry G. S. Noble, as president of the New York Stock Exchange, appellant, *v.* The United Telegram Company et al. Argument continued by Mr. Henry S. Robbins for the appellant in Nos. 419 and 420; by Mr. Rush Taggart for the plaintiffs in error in Nos. 274 and 275; by Mr. Patrick Henry Kelley for Calvin H. Foster; by Mr. H. Ware Barnum for the Public Service Commission of Massachusetts; and concluded by Mr. John G. Milburn for the plaintiffs in error in Nos. 274 and 275.

No. 276. The New Orleans and Northeastern Railroad Company et al., plaintiffs in error, *v.* Cheney Harris, administratrix, etc. Argued by Mr. J. Blanc Monroe for the plaintiffs in error, and submitted by Mr. Thomas G. Fewell for defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, May 1, will be as follows: Nos. 277, 281, 283, 568, 846, 285, 286, 288 (and 289), 238, and 290.

## SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MAY 1, 1918.

Present: The Chief Justice. Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds. Mr. Justice Brandeis, and Mr. Justice Clarke.

T. F. Railsback, of Kansas City, Kans.; Ernest G. Clewe, of San Francisco, Cal.; and Edward A. Biggs, of Chicago, Ill., were admitted to practice.

No. 238. The United States, appellant *v.* Walter Ferguson et al. Submitted by Mr. Assistant Attorney General Kearful for the appellant and by Mr. Harry H. Rogers, Mr. Joseph L. Hull, and Mr. Nathan A. Gibson for the appellee.

No. 277. Exploration Company, Limited, et al., appellant, *v.* The United States. Argued by Mr. Henry McAllister, jr., for the appellant and by Mr. Assistant Attorney General Kearful for the appellee.

No. 281. Lottie Carney, plaintiff in error, *v.* J. C. Chapman et al. Argued by Mr. Kirby Fitzpatrick for the plaintiff in error and by Mr. W. C. Duncan for the defendant in error.

No. 283. Chicago, Milwaukee and St. Paul Railway Company et al., plaintiffs in error, *v.* Minneapolis Civic and Commerce Association. Argument commenced by Mr. James B. Sheean for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 2, will be as follows: Nos. 283, 568, 846, 285, 286, 288 (and 289), 290, 291, 292, and 297.

15897—18—101

## SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 2, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis. and Mr. Justice Clarke.

Joseph Parson, of Philadelphia, Pa.; Robert L. Luce, of New York City, N. Y.; Dorathea E. S. Schunck, of San Francisco, Cal.; and Joseph E. Fleming, of Poteau, Okla., were admitted to practice.

No. 283. Chicago, Milwaukee & St. Paul Railway Company et al., plaintiffs in error, *v.* Minneapolis Civic and Commerce Association. Argument continued by Mr. James B. Sheean for the plaintiffs in error, by Mr. Frank J. Morley for the defendant in error, and concluded by Mr. O. W. Dynes for the plaintiffs in error.

No. 568. International News Service, petitioner, *v.* The Associated Press. Argument commenced by Mr. Samuel Untermeyer for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 3, will be as follows: Nos. 568, 846, 285, 286, 288 (and 289), 290, 291, 292, 297, and 298.

15897—18—102

## SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 3, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

A. R. Burnam, jr., of Richmond, Ky.; John O. Bailey, of Portland, Oreg.; Charles A. Reynolds, of Seattle, Wash.; Charles S. Aronstam, of New York City, N. Y.; W. F. Garver, of Millersburg, Ohio; Leonard O. Lytle, of Sapulpa, Okla.; Louis S. Irvin, of Glacier Park, Mont.; and John P. Hartigan, of Providence, R. I., were admitted to practice.

No. 568. International News Service, petitioner, *v.* The Associated Press. Argument continued by Mr. Samuel Untermyer for the petitioner, by Mr. Frederick W. Lehmann for the respondent, and concluded by Mr. Hiram W. Johnson for the petitioner.

No. 846. Erie Railroad Company, petitioner, *v.* Edwin J. Hilt, jr., and infant, etc. Argued by Mr. George S. Hobart for the petitioner and by Mr. Raymond Dawson for the respondent.

Adjourned until Monday next at 12 o'clock.

15897—18—103

# SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 6, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

George B. Francis, of New York City; Edmond John Jacquet, of New Orleans, La.; Jacob Wasserman, of Boston, Mass.; Clyde D. Garrett, of Washington, D. C.; Thornton M. Pratt, of Chicago, Ill.; George R. Shields, of Washington, D. C.; William Ellis, of Washington, D. C.; Wilbur D. Grommon, of Hillsdale, Mich.; Edward M. Hammond, of Baltimore, Md.; and Wesley E. Disney, of Muskogee, Okla., were admitted to practice.

No. 261. Fernand Vaughan Gasquet, appellant, *v.* Charles Payne Fanner, testamentary executor, et al. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice Holmes. (Mr. Chief Justice White took no part in the consideration or decision of this case.)

No. 752. Louis H. Perlman, appellant and plaintiff in error, *v.* The United States of America. Appeal from and in error to the District Court of the United States for the Southern District of New York. Order affirmed. Opinion by Mr. Justice McKenna.

No. 257. J. F. Shepard et al., appellants, *v.* James M. Barkley, Moderator of the General Assembly and Chairman of the Executive Commission of the General Assembly of the Presbyterian Church in the United States of America, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decrees affirmed with costs; and cases remanded to the District Court of the United States for the Western District of Missouri. Opinion by Mr. Chief Justice White.

No. 833. Robert Cox, appellant, *v.* Major General Leonard Wood, Commandant of Camp Funston, in the State of Kansas. Appeal from the District Court of the United States for the District of Kansas. Final order affirmed with costs. Opinion by Mr. Chief Justice White.

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

No. 863. Luis Huller et al., plaintiffs in error, *v.* The State of New Mexico on the relation of the Northwestern Colonization & Improvement Company of Chihuahua. In error to the Supreme Court of the State of New Mexico. Per curiam: Dismissed for want of jurisdiction upon the authority of: 1. Equitable Assurance Society *v.* Brown, 187 U. S., 308, 311, 314; Delmar Jockey Club *v.* Missouri, 210 U. S., 324; Consolidated Turnpike *v.* Norfolk, etc., Ry. Co., 228 U. S., 596, 599-600. 2. Section 237 Judicial Code as amended by the act of Congress of September 6, 1916, c. 448, 39 Stat., 726; Philadelphia & Reading Coal & Iron Co. *v.* Gilbert, 245 U. S., 162.

No. 245. E. B. Howard, as Auditor of the State of Oklahoma, et al., appellants, *v.* Gipsy Oil Company;

No. 246. E. B. Howard, as Auditor of the State of Oklahoma, et al., appellants, *v.* Indian Territory Illuminating Oil Company;

No. 247. E. B. Howard, as Auditor of the State of Oklahoma, et al., appellants, *v.* The Okla Oil Company; and

No. 248. E. B. Howard, as Auditor of the State of Oklahoma, et al., appellants, *v.* Barnsdall Oil Company. Appeals from the District Court of the United States for the Western District of Oklahoma. Per curiam: Judgments affirmed with costs upon the authority of Choctaw & Gulf R. R. Co. *v.* Harrison, 235 U. S., 292; Indian Territory Illuminating Oil Company *v.* State of Oklahoma, 240 U. S., 522.

No. 469. Postal Telegraph-Cable Company, appellant, *v.* City of Richmond. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits.

No. 471. Rust Land & Lumber Company, plaintiff in error, *v.* Ed Jackson et al. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits.

No. 833. Robert Cox, appellant, *v.* Major General Leonard Wood, Commandant, etc. Motion for leave to file petition for a rule to show cause denied.

No. 957. W. Gordon McCabe, jr., and William F. Gray, petitioners, *v.* Guaranty Trust Company of New York, as substituted trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 924. Great Bear Spring Company, petitioner, *v.* Bear Lithia Springs Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 925. Fulton Water Works Company, petitioner, *v.* Bear Lithia Springs Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 938. James C. Chupco et al., petitioners, *v.* James A. Chapman et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 942. Isabella Garwood, petitioner, *v.* Joseph Scheiber et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 943. Gould Mines Company, petitioner, *v.* Bertha D. Baur, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 948. Fifth National Bank of the City of New York, petitioner, *v.* John L. Lyttle, as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 951. National Bank of Bakersfield, petitioner, *v.* William H. Moore, jr., as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 956. R. A. Graham, petitioner, *v.* The J. D. Spreckels & Brothers' Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 966. Vulcan Metals Company, Inc., and Albert Freeman, petitioners, *v.* Simmons Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 972. Cherokee Oil & Gas Company, petitioner, *v.* Charles L. Melton et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 974. W. J. Carrell, 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. 975. Jared Flagg, petitioner, *v.* Ellsworth E. Cook. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1000. The Delaware, Lackawanna & Western Railroad Company, petitioner, *v.* Ignatz Petrowsky, an infant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1002. Ex parte: Cloyd H. Duncan, petitioner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1009. Chicago Bonding & Surety Company, petitioner, *v.* Augusta-Savannah Navigation Company. Petition for a writ of

certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

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*Order.* The Reporter having represented that, owing to the number of decisions at the present term, it would be impracticable to put the Reports in one volume, It is, therefore, now here ordered that he publish an additional volume in this year pursuant to section 226 of the Judicial Code, approved March 3, 1911.

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No. 1022. Clinton H. Pierce, Angelo Creo, Charles Z. Zeilman, and Charles Nelson, plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of New York. Docketed and dismissed, on motion of Mr. Solicitor General Davis for the defendant in error.

No. 1010. Minnie A. Rankin and Alexander C. Rankin, petitioners, *v.* Charles Frederick Graff and Emily B. Graff. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William J. Graham for the petitioners.

No. 1007. Joseph L. Lackner, administrator, etc., petitioner, *v.* John S. Miller and Merritt Starr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. Charles H. Aldrich and Mr. Lawrence Maxwell for the petitioner, and by Mr. George W. Manierre for the respondent.

No. 990. Chicago & Northwestern Railway Company, petitioner, *v.* F. E. Curtice. Petition for a writ of certiorari to the Supreme Court of the State of Wisconsin submitted by Mr. R. N. Van Doren and Mr. William G. Wheeler for the petitioner.

No. 976. William Schall, jr., et al., petitioners, *v.* Frederick Camors et al., trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Henry P. Blair in behalf of Mr. Ralph S. Rounds for the petitioners.

No. 70. The United States ex rel. Louisville Cement Company, plaintiff in error, *v.* Interstate Commerce Commission. Mandate granted, on motion of Mr. George H. Lamar for the plaintiff in error.

Adjourned until Monday, May 20, 1918, at 12 o'clock.

The day call has been suspended for the term.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 20, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Royall R. Watkins, of Dallas Tex.; B. F. Shipman, of Washington, D. C.; Francis C. Adler, of Philadelphia, Pa.; Robert F. Spragins, of Jackson, Tenn.; Joseph A. Herbert, jr., of Washington, D. C.; Delger Trowbridge, of San Francisco, Cal.; W. Martin Jones, jr., of Rochester, N. Y.; James R. Jones, of Washington, D. C.; Courtland Palmer, of New York City; J. S. Utley, of Benton, Ark.; John W. Newman, of Little Rock, Ark.; George F. Welch, of San Francisco, Cal.; Richard E. Babcock, of Washington, D. C.; B. R. Davidson, of Fayetteville, Ark.; Felix E. Porter, of Ancon, Canal Zone; Edward E. Sapp, of Galena, Kans.; John F. Davis, of San Francisco, Cal.; George Vaux, jr., of Philadelphia, Pa.; Francis S. McIlhenny, of Philadelphia, Pa.; Evan J. Foulds, of San Francisco, Cal.; Richard F. Ralph, of Clayton, Mo.; Theodore P. Wittschen, of Oakland, Cal.; W. B. Rinehart, of Oakland, Cal.; Frank T. Boesel, of Milwaukee, Wis.; C. W. Milton, of Dodge City, Kans.; James R. Armstrong, of Hugo, Okla.; and David D. Brunson, of Coalgate, Okla., were admitted to practice.

No. 270. John H. Friederichsen, petitioner, *v.* G. H. Renard, as executor of the estate of Edward Renard, deceased, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed with costs and cause remanded to the District Court of the United States for the District of Nebraska for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Clarke.

No. 756. B. F. Looney, Attorney General, et al., appellants, *v.* Eastern Texas Railroad Company et al. Appeal from the District Court of the United States for the Western District of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Clarke.

No. 623. Union Pacific Railroad Company, plaintiff in error, *v.* L. A. Laughlin. In error to the Kansas City Court of Appeals of

the State of Missouri. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 640. Chicago & Alton Railroad Company, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment affirmed; and cause remanded to the District Court of the United States for the Southern District of Illinois. Opinion by Mr. Justice McReynolds.

No. 574. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Clark H. Rice. In error to the District Court of the United States for the Eastern District of Louisiana. Judgment reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 492. Emanuel J. Doyle, collector of internal revenue, petitioner, *v.* Mitchell Brothers Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Western District of Michigan. Opinion by Mr. Justice Pitney.

No. 327. S. A. Hays, collector of internal revenue for the District of West Virginia, petitioner, *v.* The Gauley Mountain Coal Company. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment of the Circuit Court of Appeals reversed, and judgment of the District Court of the United States for the Southern District of West Virginia affirmed; and cause remanded to the said District Court. Opinion by Mr. Justice Pitney.

No. 593. The United States of America, petitioner, *v.* The Cleveland, Cincinnati, Chicago & St. Louis Railway Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed; and cause remanded to the District Court of the United States for the Southern District of Ohio. Opinion by Mr. Justice Pitney. (Mr. Justice Holmes took no part in the consideration or decision of this case.)

No. 227. W. A. Marin, as receiver of the American Biscuit Company of Crookston, plaintiff in error, *v.* Ole J. Augedahl. In error to the District Court of Cass County, State of North Dakota. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter. Dissenting: Mr. Justice Clarke, Mr. Justice Pitney, and Mr. Justice Brandeis.

No. 234. William E. Peck & Company (Inc.), plaintiff in error, *v.* John Z. Lowe, jr., collector of internal revenue, second district of New York. 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 Van Devanter.

No. 238. The United States, appellant, *v.* Walter Ferguson et al. 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 Van Devanter.

No. 594. The United States of America, petitioner, *v.* Biwabik Mining Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment of Circuit Court of Appeals reversed, and judgment of the District Court of the United States for the Northern District of Ohio affirmed, and cause remanded to the said district court. Opinion by Mr. Justice Day. (Mr. Justice Clarke took no part in the consideration or decision of this case.)

No. 334. The Goldfield Consolidated Mines Company *v.* Joseph J. Scott, as collector of United States internal revenue, fourth California district. On a certificate from the United States Circuit Court of Appeals from the Ninth Circuit. First and second questions answered in the negative. Opinion by Mr. Justice Day.

No. 240. The Northwestern Mutual Life Insurance Company, plaintiff in error, *v.* The State of Wisconsin. In error to the Supreme Court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice Day. (Mr. Justice Clarke took no part in the consideration or decision of this case.)

No. 846. Erie Railroad Company, petitioner, *v.* Edwin J. Hilt, jr., an infant, etc. 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 District of New Jersey for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Day and Mr. Justice Clarke.

No. 281. Lottie Carney, plaintiff in error, *v.* J. C. Chapman et al. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 274. Western Union Telegraph Company et al., plaintiffs in error, *v.* Calvin H. Foster et al., members of the Public Service Commission of Massachusetts; and

No. 275. Western Union Telegraph Company et al., plaintiffs in error, *v.* Frederick J. Macleod et al., constituting the Public Service Commission of Massachusetts. In error to the Supreme Judicial Court of the State of Massachusetts. Judgments reversed with costs,

and causes remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 419. Henry G. S. Noble, as president of the New York Stock Exchange, appellant, *v.* The Western Union Telegraph Company et al.; and

No. 420. Henry G. S. Noble, as president of the New York Stock Exchange, appellant, *v.* The United Telegram Company et al. Appeals from the District Court of the United States for the District of Massachusetts. Decrees reversed with costs; and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Appeal from the District Court of the United States for the District of Massachusetts. Decree affirmed. Opinion by Mr. Justice McKenna. Dissenting: Mr. Justice Day, Mr. Justice Pitney, and Mr. Justice Clarke. (Mr. Justice McReynolds and Mr. Justice Brandeis took no part in the consideration or decision of this case.)

No. 133. C. F. McGinis et al., plaintiffs in error, *v.* The People of the State of California. In error to the Superior Court of Imperial County, State of California. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 134. C. F. McGinis et al., plaintiffs in error, *v.* The People of the State of California. In error to the Superior Court of Imperial County, State of California. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 28. Original. *Ex parte* In the matter of Southwestern Surety Insurance Company, petitioner. Rule discharged and petition dismissed. Opinion by Mr. Chief Justice White.

No. 200. York Manufacturing Company, plaintiff in error, *v.* V. B. Colley et al. In error to the Court of Civil Appeals of the Fourth Supreme Judicial District, State of Texas. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White. Dissenting: Mr. Justice Pitney.

No. 31, original. *Ex parte* In the matter of Hassan Abdu et al., petitioners. Rule discharged and petition dismissed. Opinion by Mr. Chief Justice White. Dissenting: Mr. Justice Brandeis and Mr. Justice Clarke.

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

No. 626. Fort Smith & Western Railroad Company et al., appellants, *v.* Arthur L. Mills, receiver of the Fort Smith & Western Railroad Company, et al. Appeal from the District Court of the United States for the Western District of Arkansas. The attention of counsel is directed (a) to the clause of the Army appropriation bill of August 29, 1916 (39 Stat. 645), authorizing the President in time of war to take possession and assume control of railroads; (b) to the proclamation of the President of December 26, 1917, exerting the power conferred; (c) to the act of March 21, 1918 (Public No. 107, Sixty-fifth Congress), providing "for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes"; (d) to the proclamation of the President of March 29, 1918, authorizing the Director General of Railroads to agree with carriers as to the amount of compensation to be paid. And they are requested to submit on or before the first day of the next term arguments upon the subject of how far, if at all, the legislation referred to and the action taken under it leave no issue in this case for judicial consideration; in other words, have caused the case to become wholly moot.

No. 890. Supreme Conclave, Improved Order of Heptasophs, plaintiff in error, *v.* William Marshall Wilson. Ordered that this case be placed on the summary docket.

No. 175. Lucy O. Ayres, executrix, etc., petitioner, *v.* Benjamin F. Graham et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit dismissed for the want of prosecution.

No. 988. Camp Bird, Limited, petitioner, *v.* Frank W. Howbert, as collector of internal revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 976. William Schall, jr., et al., petitioners. *v.* Frederick Camors et al., trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 970. Julian H. Evrard, claimant, etc., petitioner, *v.* Eugene Higgins. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 990. Chicago & Northwestern Railway Company, petitioner, *v.* F. E. Curtice. Petition for a writ of certiorari to the Supreme Court of the State of Wisconsin denied.

No. 1007. Joseph L. Lackney, administrator, etc., petitioner, *v.* John S. Miller et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1010. Minnie A. Rankin et al., petitioners, *v.* Charles Frederick Graff et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

The Chief Justice also announced that the court will adjourn for the term on Monday, June 10 next.

No. 1, Original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Petition of the Ducktown Sulphur, Copper & Iron Company for modification of injunction submitted by Mr. Solicitor General Davis in behalf of Mr. W. B. Miller for the complainant. Leave granted to file brief on petition in behalf of the United States as *amicus curiæ*, on motion of Mr. Solicitor General Davis for the United States. Leave granted to the Attorney General of Georgia to file opposition to the petition.

No. 1054. William C. Sandberg, plaintiff in error, *v.* The United States;

No. 1055. George E. Leuser, plaintiff in error, *v.* The United States;

No. 1056. Axel C. Mattson, plaintiff in error, *v.* The United States;

No. 1057. Ben Anderson, plaintiff in error, *v.* The United States; and

No. 1058. Alfred Tiala, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the District of Minnesota. Docketed and dismissed and mandates granted, on motion of Mr. Solicitor General Davis for the defendant in error.

No. 813. Donald Stephens, plaintiff in error, *v.* The United States. Motion to dismiss or affirm submitted by Mr. Solicitor General Davis for the defendant in error in support of the motion and by Mr. Henry Budd for the plaintiff in error in opposition thereto.

No. 1013. The First National Bank of San Francisco et al., petitioners, *v.* Detroit Trust Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Jackson H. Ralston, Mr. O. K. Cushing, and Mr. Charles S. Cushing for the petitioners and by Mr. W. Lair Thompson for the respondents.

No. 1001. C. L. Wood, as trustee etc., petitioner, *v.* Kirk Brothers et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Hannis Taylor in behalf of Mr. Allan D. Cole for the petitioner.

No. 1005. John A. Jesson et al., petitioners, *v.* F. G. Noyes, as receiver etc.; and

No. 1006. R. C. Wood, petitioner, *v.* F. G. Noyes, as receiver etc. Petitions for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles F. Consaul in behalf of Mr. W. H. Metson for the petitioners and by Mr. Orion L. Rider for the respondent.

No. 1027. D. W. Ryan Towboat Company (Inc.), claimant etc., petitioner, *v.* Bowers Southern Dredging Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by John Charles Harris for the petitioner.

No. 409. L. Cass Miller et al, appellants, *v.* John Wiethaupt et al. Motion to dismiss submitted by Mr. Richard F. Ralph in behalf of Mr. Charles A. Houts for the appellees in support of the motion and by Mr. Thomas K. Skinker for the appellants in opposition thereto.

No. 1041. Compagnie Generale Transatlantique, owner and claimant etc., petitioner, *v.* A. J. & J. J. McCollum (Inc.), et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. Joseph P. Nolan for the petitioner and by Mr. Nelson Zabriskie for the respondents.

No. 920. Ben J. Tillar, petitioner, *v.* Cole Motor Car Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. M. M. Crane for the petitioner, and by Mr. Francis Marion Etheridge and Mr. Joseph Manson McCormick for the respondent.

No. 989. Harry Wronkow Keatley, petitioner, *v.* United States Trust Company et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joe V. Morgan in behalf of Mr. W. Bourke Cockran for the petitioner.

No. 1030. Cornelius O'Sullivan, 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. S. B. Sutton for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. —, Original. Ex parte In the matter of George O. Kitzerow, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Frank T. Boesel for the petitioner.

No. 1034. Sun Company et al., petitioners, *v.* Vinton Petroleum Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Francis S. McIlhenny in behalf of Mr. Alexander W. Smith and Mr. Victor Lamar Smith for the petitioner, and by Mr. William D. Gordon and Mr. Arsene P. Pujo for the respondent.

No. 660. The Bank of California National Association, plaintiff in error, *v.* Friend William Richardson, as Treasurer of the State of California. Motion to advance submitted by Mr. Julius Kahn in behalf of counsel for the plaintiff in error.

No. 1039. The Union Pacific Coal Company, petitioner, *v.* Mark A. Skinner, Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. A. A. Hoehling, jr., in behalf of Mr. Henry W. Clark for the petitioner.

No. 657. Peter Chelentis, petitioner, *v.* Luckenbach Steamship Company (Inc.). Leave granted to file an additional brief for the respondent.

No. 986. Pennsylvania Railroad Company, petitioner, *v.* Minnie Rosenfeld. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph H. Hayes for the petitioner, and by Mr. W. J. Hughes for the respondent.

No. 1019. W. S. Raydure, petitioner, *v.* John W. Lindley et al., and

No. 1020. Thomas Tipton, petitioner, *v.* John W. Lindley et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. J. E. Thomas in behalf of Mr. Edward C. O'Rear for the petitioner, and by Mr. A. R. Burnam, jr., for the respondents.

No. 991. B. S. Parker et al., petitioners, *v.* The State of Arkansas ex rel. Miles Thompson. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Julian C. Wilson and Mr. Walter P. Armstrong for the petitioner, and by Mr. Edward L. Westbrook for the respondent.

No. 985. Postal Telegraph-Cable Company, petitioner, *v.* Warren-Goodwin Lumber Company. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Bynum E. Hinton in behalf of Mr. James N. Flowers for the petitioner.

No. 1021. The Equitable Trust Company of New York, as sole trustee, etc., et al., petitioners, *v.* Great Shoshone & Twin Falls Water Power Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Alexander Britton in behalf of Mr. Oliver O. Haga, Mr. James H. Richards, and Mr. Henry H. Pierce for the petitioners, and by Mr. T. A. Walters for the respondents.

No. 1025. Sun Company, petitioners, *v.* D. W. Ryan Towboat Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. Frank Staley in behalf of Mr. John F. Lewis for the petitioner.

No. 973. Atlantic Coast Line Railroad Company, petitioner, *v.* W. M. Steele. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. J. S. Flannery in

behalf of Mr. P. A. Willcox, Mr. F. D. McKenney, and Mr. H. E. Davis for the petitioner, and by Mr. J. W. Ragsdale for the respondent.

No. 1031. Chicago House Wrecking Company, petitioner, *v.* West India Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. J. S. Flannery in behalf of Mr. Henry B. Gayley for the petitioner, and by Mr. Ferdinand E. M. Bullowa and Mr. Ralph James M. Bullowa for the respondent.

No. 1040. Ajax Rail Anchor Company, petitioner, *v.* The P. & M. Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. J. S. Flannery in behalf of Mr. Thomas F. Sheridan, Mr. Frederic D. McKenney, and Mr. Glen E. Smith for the petitioner, and by Mr. Edward Rector for the respondent. Leave granted to file statement of George S. Payson on behalf of the railroads on motion of Mr. George H. Howard in that behalf.

No. 1003. Butte & Superior Copper Company, Limited, petitioner, *v.* Clark-Montana Realty Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Thomas J. Walsh in behalf of Mr. W. H. Dickson, Mr. J. Bruce Kremer, and Mr. William Scallon for the petitioner, and by Mr. John P. Gray for the respondents.

No. 23, original. The State of Georgia, complainant, *v.* The Trustees of the Cincinnati Southern Railway and the Cincinnati, New Orleans & Texas Pacific Railway Company. Motion for an order to open and print the evidence for directing the filing of briefs and for assignment of the cause for oral argument submitted by Mr. Challen B. Ellis in behalf of counsel.

Adjourned until Monday, June 3, at 12 o'clock.

# SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 3, 1918.

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Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Edward Marshall Surber, of Charleston, W. Va.; Frank M. Swacker, of Washington, D. C.; J. L. Smith, of Cleveland, Tenn.; Adam B. Littlepage, of Charleston, W. Va.; S. C. Littlepage, of Charleston, W. Va.; Charles J. Searle, of Rock Island, Ill.; Owens Johnson, of Atlanta, Ga.; August L. Fournier, of San Francisco, Cal.; Clement E. Sutton, of Washington, Ga.; G. C. Nolte, of Tacoma, Wash.; Ellis Lewis Garretson, of Tacoma, Wash.; Antonio A. Sedillo, of Albuquerque, N. Mex.; Charles E. Gault, of Topeka, Kans.; Henry Ayres Uterhart, of New York City; Alfred M. Schaffer, of New York City; A. Hall Johnston, of Asheville, N. C.; Thomas Philip Newbold, of Washington, D. C.; Joseph Fairbanks, of St. Johnsbury, Vt.; Timothy J. Mahoney, of Boone, Iowa; John L. Burnette, of Gadsden, Ala.; Buckner Clay, of Charleston, W. Va.; and Robert James Hall, of Detroit, Mich., were admitted to practice.

No. 189. The Philippine Sugar Estates Development Company, Limited, plaintiff in error and appellant, *v.* The Government of the Philippine Islands. In Error to and Appeal from the Supreme Court of the Philippine Islands. Writ of error dismissed. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis.

No. 267. Supreme Council of the Royal Arcanum, petitioner, *v.* Sue B. Behrend. On writ of certiorari to 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 Brandeis.

No. 38. The Sunday Lake Iron Company, plaintiff in error, *v.* The Township of Wakefield. In error to the Supreme Court of

the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 190. Sernetta J. McCoy and John R. Caverly, as Executors of the Estate of William A. McCoy, deceased, plaintiffs in error, *v.* The Union Elevated Railroad Company et al. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 276. The New Orleans & Northeastern Railroad Company and United States Fidelity & Guaranty Company, plaintiffs in error, *v.* Cheney Harris, Administratrix of the Estate of Van Harris, deceased. In error to the Supreme Court of the State of Mississippi. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 657. Peter Chelentis, petitioner, *v.* Luckenbach Steamship Company (Inc.). On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment 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 McReynolds (Mr. Justice Holmes concurs in the result). Dissenting: Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 19. William A. Hartranft, plaintiff in error, *v.* Alexander R. Mullowny, Judge of the Police Court of the District of Columbia. In error to the Court of Appeals of the District of Columbia. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 48. San Pedro, Los Angeles & Salt Lake Railroad Company, plaintiff in error *v.* The United States. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Writ of error dismissed for want of jurisdiction. Petition for writ of certiorari denied. Opinion by Mr. Justice Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 75. The United States, appellant, *v.* St. Paul, Minneapolis & Manitoba Railway Company et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree 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 Pitney. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 233. United States Glue Company, plaintiff in error, *v.* The Town of Oak Creek. In error to the Circuit Court of Milwaukee

County, State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Justice Pitney. (Mr. Chief Justice White concurs in the result.) -

No. 452. Southern Pacific Company, plaintiff in error, *v.* John Z. Lowe, jr., United States 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. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Clarke.

No. 422. E. J. Lynch, collector of internal revenue for the District of Minnesota, petitioner, *v.* H. C. Hornby. 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 District of Minnesota for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 705. Charles A. Peabody, plaintiff in error, *v.* Mark Eisner, collector of internal revenue. 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 Pitney.

No. 22. Union Pacific Railroad Company, appellant, *v.* The Board of County Commissioners of the County of Weld, State of Colorado, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Appeal dismissed for want of jurisdiction. Writ of certiorari granted, the record on appeal to stand as a return to said writ. Decrees reversed with costs, and cause remanded to the District Court of the United States for the District of Colorado for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 242. Grant N. Jefferson et al., plaintiffs in error, *v.* D. N. Fink et al., as administrators etc., et al. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 20, Original. State of Minnesota, complainant, *v.* Franklin K. Lane, Secretary of the Interior of the United States, et al. Bill of complaint dismissed with costs. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 704. W. C. Hammer, United States Attorney for the Western District of North Carolina, appellant, *v.* Roland H. Dagenhart et al. Appeal from the District Court of the United States for the Western

District of North Carolina. Decree affirmed with costs. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Holmes, Mr. Justice McKenna, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 26, Original. Ex parte in the matter of Annie S. Simons, petitioner. Rule to show cause made absolute and writ of mandamus awarded. Opinion by Mr. Justice Holmes.

No. 154. Alice State Bank et al., petitioners, *v.* Houston Pasture Company. 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 Southern District of Texas for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 421. E. J. Lynch, collector of internal revenue for the district of Minnesota, petitioner, *v.* Henry Turrish. 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 McKenna. (Mr. Justice Brandeis and Mr. Justice Clarke concur in the result.)

The Chief Justice announced the following orders of the Court:

No. 813. Donald Stephens, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Delaware. *Per curiam*: Judgment affirmed upon the authority of Selective Draft Law Cases, 245 U. S. 366; *Yanyar v. United States* (decided March 11, 1918), ——— U. S., ———.

No. 5. Atlantic, Gulf & Pacific Company, appellant, *v.* The United States; and

No. 6. The United States of America, appellant, *v.* Atlantic, Gulf & Pacific Company. Appeals from the Court of Claims. *Per curiam*: Judgment affirmed with costs by an equally divided court. (Mr. Justice McReynolds took no part in the consideration and decision of these cases.)

No. —, Original. Ex parte In the matter of George O. Kitzerow, petitioner. Motion for leave to file petition for writ of mandamus denied.

No. 23, Original. State of Georgia, complainant, *v.* The Trustees of the Cincinnati Southern Railway et al. Joint motion of counsel for the respective parties to open and publish the testimony, to fix dates for the filing of the respective briefs, and assign the case for argument granted, and the case assigned for October 14th next after the cases heretofore assigned for that day.

No. 660. The Bank of California, National Association, plaintiff in error, *v.* Friend William Richardson, as Treasurer of the State of California. Motion to advance granted and case assigned for argument on Monday, October 14th next, after the cases heretofore assigned for that day.

No. 985. Postal Telegraph-Cable Company, petitioner, *v.* Warren-Godwin Lumber Company. Petition for a writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 989. Harry Wronkow Keatley, petitioner, *v.* United States Trust Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1039. The Union Pacific Coal Company, petitioner, *v.* Mark A. Skinner, collector of internal revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 920. Ben J. Tillar, petitioner, *v.* Cole Motor Car Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 973. Atlantic Coast Line Railroad Company, petitioner, *v.* W. M. Steele. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina denied.

No. 986. Pennsylvania Railroad Company, petitioner, *v.* Minnie Rosenfeld. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 991. B. S. Parker et al., petitioners, *v.* The State of Arkansas ex rel. Miles Thompson. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 1001. C. L. Wood, as trustee, etc., petitioner, *v.* Kirk Brothers et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1005. John A. Jesson et al., petitioners, *v.* F. G. Noyes, as receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1006. R. C. Wood, petitioner, *v.* F. G. Noyes, as receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1013. The First National Bank of San Francisco et al., petitioners, *v.* Detroit Trust Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1019. W. S. Raydure, petitioner, *v.* John W. Lindley et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1020. Thomas Tipton, petitioner, *v.* John W. Lindley et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1021. The Equitable Trust Company of New York, as sole trustee, etc., et al., petitioners, *v.* Great Shoshone & Twin Falls Water Power Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1025. Sun Company, petitioner, *v.* D. W. Ryan Towboat Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1027. D. W. Ryan Towboat Company, Inc., Claimant, etc., petitioner, *v.* Bowers Southern Dredging Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1030. Cornelius O'Sullivan, 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. 1031. Chicago House Wrecking Company, petitioner, *v.* West India Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1034. Sun Company et al., petitioners, *v.* Vinton Petroleum Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1040. Ajax Rail Anchor Company, petitioner, *v.* The P and M Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1041. Compagnie Generale Transatlantique, Owner and Claimant, etc., petitioner, *v.* A. J. and J. J. McCollum, Inc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1062. George T. Charlton and John L. Crone, Local Inspectors, etc., et al., petitioners, *v.* New York & Porto Rico Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Davis for the petitioners and by Mr. Roscoe H. Hupper for the respondent.

No. 1100. The United States of America, petitioner, *v.* George W. Heim. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Solicitor General Davis for the petitioner and by Mr. Matthew E. O'Brien for the respondent.

No. 868. John Dillon *v.* Strathearn Steamship Company, claimant, etc.;

No. 935. Erik Sandberg et al., petitioners, *v.* John McDonald, claimant, etc.;

No. 936. Paul Nielsen et al., petitioners, *v.* Rhine Shipping Company, claimant, etc.; and

No. 937. John Hardy et al., petitioners, *v.* Shepard & Morse Lumber Company, claimant, etc. Leave granted to file briefs herein as *amicus curiae*, on motion of Mr. Solicitor General Davis in behalf of The United States.

No. 1033. American Trading Company (Pacific coast), petitioner, *v.* North Alaska Salmon Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frederick E. Chapin in behalf of Mr. Samuel Knight for the petitioner, and by Mr. Walter D. Mansfield for the respondent.

No. 19. William A. Hartranft, plaintiff in error, *v.* Alexander R. Mulloony, Judge of the Police Court of the District of Columbia. Motion for leave to present a petition for rehearing within 60 days submitted by Mr. Matthew E. O'Brien for the plaintiff in error.

No. 1049. E. Kirby-Smith, petitioner, *v.* John O. Sheatz, receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Fred H. Atwood and Mr. Henry J. Scott for the petitioner, and by Mr. Owen J. Roberts for the respondent.

No. 1008. The Thomas Manufacturing Company, petitioner, *v.* The Aeolian Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Howard S. Smith for the petitioner, and by Mr. James L. Norris for the respondent.

No. 1060. The Chesapeake & Ohio Railway Company of Indiana, petitioner, *v.* National Bank of Commerce of Norfolk. 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.

No. 1050. Lee Mow Lin and Lee Bing, 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. H. J. Gerrity in behalf of Mr. Chester H. Krum for the petitioners, and by Mr. Solicitor General Davis for the respondent.

No. 1094. Philadelphia & Reading Coal & Iron Company, petitioner, *v.* Carmine Saccripante. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. H. J. Gerrity in behalf of Mr. Pierre M. Brown for the petitioner, and by Mr. Samuel Seabury and Mr. William M. Seabury for the respondent.

No. 1052. O. T. Peeples, Trustee etc., petitioner, *v.* Georgia Iron & Coal Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. L. Burnett in behalf of Mr. O. R. Hood and Mr. S. M. Chambliss for the petitioner, and by Mr. Alex. C. King and Mr. Clifford L. Anderson for the respondents.

No. 19, Original. State of Minnesota, complainant, *v.* State of Wisconsin. Motion to dispense with reproduction of maps and for leave to temporarily withdraw same for use by counsel in preparation of briefs submitted by Mr. Frank B. Kellogg for the complainant, and motion granted.

No. 770. Hartford Beaumont, Assignee etc., appellant and plaintiff in error, *v.* Mauro Prieto et al., Administrators, etc., et al. Motion to dismiss submitted by Mr. Henry W. Van Dyke for the appellees and defendants in error in support of the motion, and by Mr. Joseph D. Sullivan and Mr. T. T. Ansberry for the appellant and plaintiff in error in opposition thereto.

No. 901. W. C. Sterrett, as Receiver etc., petitioner, *v.* Second National Bank of Cincinnati, Ohio. Motion to advance submitted by Mr. George Huddleston in behalf of counsel.

No. 1090. Midland Linseed Products Company, petitioner, *v.* The Steamship "Saturnus," her tackle etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alexander S. Steuart in behalf of Mr. Herman S. Hertwig for the petitioner, and by Mr. Chauncey I. Clark for the respondents.

No. 155. Motion Picture Patents Company et al., appellants, *v.* The United States. Appeal from the District Court of the United States for the Eastern District of Pennsylvania. Dismissed per stipulation, on motion of Mr. Alexander S. Steuart in behalf of counsel.

No. 1042. Wells Fargo & Company, petitioner, *v.* Oscar G. Taylor. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. H. S. Marx in behalf of Mr. Branch P. Kerfoot, Mr. E. O. Sykes, and Mr. Charles W. Stockton for the petitioner.

No. 1012. The Cuyahoga River Power Company, appellant, *v.* The Northern Ohio Traction and Light Company et al. Motion to advance submitted by Mr. George A. King in behalf of counsel for the appellant.

No. 5. Atlantic, Gulf & Pacific Company, appellant, *v.* The United States; and

No. 6. The United States, appellant, *v.* Atlantic, Gulf & Pacific Company. Leave granted to present petition for rehearing within thirty days, on motion of Mr. George A. King for the Atlantic, Gulf & Pacific Company.

No. 1026. Margaret Corwin Radcliffe Gooch, petitioner, *v.* Annie Wayne Suhor et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Frederic D. McKenney, Mr. J. S. Flannery, and Mr. Edward P. Buford for the petitioner, and by Mr. S. S. P. Patteson for the respondent.

No. 557. Guerini Stone Company, petitioner, *v.* P. J. Carlin Construction Company. Motion to advance submitted by Mr. Henry P. Blair in behalf of counsel for the petitioner.

No. 1051. Southern Railway Company, petitioner, *v.* John C. Webb, individually and for use of Queen Insurance 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 K. Graves for the petitioner, and by Mr. Alex. C. King and Mr. A. M. Garber for the respondent.

No. 1088. Coal & Coke Railway Company, petitioner, *v.* Oscar V. Ewing. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. Buckner Clay and Mr. George E. Price for the petitioner, and by Mr. Edward M. Surber for the respondent.

Nos. 909 and 910. Southern Pacific Company, plaintiff in error, *v.* J. V. Terry. Motions to dismiss submitted by Mr. Frederick S. Tyler for the defendant in error in support of the motions, and by Mr. Henry T. Gage and Mr. William I. Gilbert for the plaintiff in error in opposition thereto.

No. 1095. International Paper Company, petitioner, *v.* The Schooner "Gracie D. Chambers," her tackle, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. William C. Cannon for the petitioner.

No. 1096. Erie Railroad Company, petitioner, *v.* John Downs. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. William C. Cannon for the petitioner, and by Mr. Sydney A. Syme for the respondent.

No. 1082. Alexander Gladstone, alias William Vines, 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. Frederick S. Tyler and Mr. Benjamin L. McKinley for the petitioner.

No. 1091. John W. Roberts, 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. Frederick S. Tyler and Mr. Benjamin L. McKinley for the petitioner.

No. 1083. Dan A. Ward and W. A. Greenwood, petitioners, *v.* Thomas W. Morgan, Warden, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. Edwin A. Krauthoff for the petitioner.

No. 1066. Southern Pacific Company, petitioner, *v.* Industrial Accident Commission of the State of California et al. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. Charles H. Bates in behalf of Mr. William F. Herrin and Mr. Henley C. Booth for the petitioner.

No. 1086. The B. F. Goodrich Company, petitioner, *v.* Consolidated Rubber Tire Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. C. D. Kerr in behalf of Mr. Charles Neave and Mr. Samuel E. Hibben for the petitioner, and by Mr. Charles W. Stapleton for the respondents.

No. 514. Marcel Akalitis, petitioner, *v.* Philadelphia & Reading Coal & Iron Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. A. H. Johnston in behalf of Mr. Alvin Cushing Cass for the petitioner and by Mr. Pierre M. Brown for the respondent.

No. 1061. Matthew T. Chapman and Mark C. Chapman, petitioners, *v.* John A. Winthroath. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. A. V. Cushman, Mr. John L. Jackson, and Mr. Albert H. Adams for the petitioners.

No. 1067. Dud Moore, 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. J. B. King in behalf of Mr. James C. Denton and Mr. Frank Lee for the petitioner and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Brown for the respondent.

No. 1101. Logan Billingsley and Fred Billingsley, 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. John A. Kratz in behalf of Mr. Charles A. Spirk for the petitioners.

No. 1059. Republic Rubber Company, petitioner, *v.* Consolidated Rubber Tire Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Francis M. Phelps, Mr. William H. Dyrenforth, and Mr. George A. Chritton for the petitioner and by Mr. Charles W. Stapleton for the respondents.

No. 1087. Charles A. Hitchcock, petitioner, *v.* Alfred G. Scattergood et al. Petition for a writ of certiorari to the United States Cir-

cuit Court of Appeals for the Third Circuit submitted by Mr. Horace L. Cheyney for the petitioner.

No. 1064. Schram Glass Manufacturing Company, petitioner, *v.* Homer Brooke Glass Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James Love Hopkins and Mr. George A. Chritton for the petitioner and by Mr. Charles Neave and Mr. William G. McKnight for the respondent.

No. 1065. Frederick Krafft, petitioner, *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. Seth Shepard in behalf of Mr. Walter Nelles for the petitioner.

No. —. In re Albert Herschel de Propper. Report of Committee of the Bar and request for order to show cause submitted by Mr. Charles W. Needham for the committee.

No. 763. J. A. Gates et al., appellants, *v.* W. O. Berryhill, as tax collector etc. Appeal from the District Court of the United States for the Southern District of Florida. Dismissed with costs, on motion of counsel for the appellants.

No. 336. Lew You, appellant, *v.* Edward White, Commissioner of Immigration etc. Appeal from the District Court of the United States for the Northern District of California. Dismissed with costs pursuant to the tenth rule.

No. 462. Thomas D. Palmer, as administrator etc., plaintiff in error, *v.* Wichita Falls & Northwestern Railway Company et al. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs pursuant to the tenth rule.

No. 479. George D. Farwell et al., plaintiffs in error, *v.* The City of Seattle. In error to the Supreme Court of the State of Washington. Dismissed with costs pursuant to the tenth rule.

No. 648. The National City Bank of Chicago, plaintiff in error, *v.* Mrs. Georgia S. Barringer. In error to the Court of Appeals of the Second Circuit, State of Louisiana. Dismissed with costs pursuant to the tenth rule.

No. 780. William Smith and Elizabeth Smith, plaintiffs in error, *v.* Thomas Elevator Company et al. In error to the Supreme Court of the State of Illinois. Dismissed with costs pursuant to the tenth rule.

No. 841. Nora Herlihy, administratrix etc., plaintiff in error, *v.* New York, New Haven & Hartford Railroad Company. In error to the Superior Court of the State of Massachusetts. Dismissed with costs pursuant to the tenth rule.

Adjourned until Monday next at 12 o'clock.

## SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 10, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

Ivan L. Hyland, of Seattle, Wash.; Thomas M. Askren, of Seattle, Wash.; D. H. Cantrell, of Little Rock, Ark.; John G. Buchanan, of Pittsburgh, Pa.; Ashby C. Dickson, of Portland, Oreg.; J. Elmer Peak, of South Bend, Ind.; Edgar T. Brandenburg, of Washington, D. C.; William R. Vallance, of Herkimer, N. Y.; Arthur P. Hicks, of Detroit, Mich.; Adelbert L. Hubbell, of Kelso, Wash.; Denver S. Church, of Fresno, Cal.; Lee Gebhart, of Sacramento, Cal.; Thomas R. McCreery, of Washington, D. C.; Charles R. Wanner, of Washington, D. C.; Isaac C. Foster, of Hillsville, Va.; Abraham L. Levi, of St. Louis, Mo.; L. Meriwether Smith, of Harrodsburg, Ky.; Philip Greenwald, of Hammond, Ind.; Forrest S. Fisher, of Portland, Oreg.; Fred Holy, of Chicago, Ill.; John L. Kuhn, of Knoxville, Tenn.; William L. Newsom, of Washington, D. C.; Sydney A. Schwartz, of Titusville, Pa.; John Kennedy White, of Buffalo, N. Y.; Grant T. Trent, of Morristown, Tenn.; and Grover C. Gates, of Newport, Ark., were admitted to practice.

No. 265. B. M. Aikins, plaintiff in error, *v.* W. S. Kingsbury, as Register of the State Land Office. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. 283. Chicago, Milwaukee & St. Paul Railway Company et al., plaintiffs in error, *v.* Minneapolis Civic and Commerce Association. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Clarke. Dissenting: Mr. Chief Justice White and Mr. Justice McReynolds.

No. 205. Northern Pacific Railway Company, plaintiff in error, *v.* M. J. Solum.

No. 206. Northern Pacific Railway Company, plaintiff in error, *v.* Monarch Elevator Company. In error to the Supreme Court of the State of Minnesota. Judgments reversed with costs and causes remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 526. The Northern Pacific Railway Company, plaintiff in error, *v. Duluth Elevator Company*. In error to the Supreme Court of the State of Minnesota. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 4, Original. The State of Arkansas, complainant, *v. The State of Tennessee*. Ordered that C. B. Bailey, Horace Van Deventer, and Charles A. Barton be appointed commissioners to run and locate and designate boundary line between the States. Announced by Mr. Justice Pitney.

No. 273. The Postal Telegraph-Cable Company, plaintiff in error, *v. The City of Newport, Kentucky*. In error to the Court of Appeals of the State of Kentucky. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 249. Jim Butler Tonopah Mining Company, plaintiff in error, *v. West End Consolidated Mining Company*. In error to the Supreme Court of the State of Nevada. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 272. Grinnell Washing Machine Company, petitioner, *v. E. E. Johnson Company*. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Southern District of Illinois. Opinion by Mr. Justice Day. Dissenting: Mr. Justice McKenna.

No. 277. Exploration Company, Limited, et al., appellants, *v. The United States*. 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 District of Colorado. Opinion by Mr. Justice Day. Dissenting: Mr. Justice McKenna and Mr. Justice Van Devanter. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 371. The Toledo Newspaper Company et al., plaintiffs in error, *v. The United States of America*. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Writ of error dismissed. Writ of certiorari granted. Judgment affirmed, and cause remanded to the District Court of the United States for the Northern District of Ohio. Opinion by Mr. Chief Justice White. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis. (Mr. Justice Day and Mr. Justice Clarke took no part in the consideration or decision of this case.)

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

No. 557. Guerini Stone Company, petitioner, *v. P. J. Carlin Construction Company*. Motion to advance granted, and case assigned

for argument on Monday, October 14 next, after the cases heretofore assigned for that day.

No. 901. W. C. Sterrett, as receiver of the Alabama Trust & Savings Company, petitioner, *v.* Second National Bank of Cincinnati, Ohio. Motion to advance granted, and case assigned for argument on Monday, October 14 next, after the cases heretofore assigned for that day.

No. 1012. The Cuyahoga River Power Company, appellant, *v.* The Northern Ohio Traction & Light Company et al. Motion to advance denied.

No. 409. L. Cass Miller et al., appellants, *v.* John Wiethaupt et al. Motion to dismiss postponed to the hearing of the case on the merits.

No. 770. Hartford Beaumont, assignee of W. Borck, appellant and plaintiff in error, *v.* Mauro Prieto et al. Motion to dismiss or affirm postponed to the hearing of the case on the merits.

Nos. 909 and 910. Southern Pacific Company, plaintiff in error, *v.* J. V. Terry. Motions to dismiss postponed to the hearing of the cases on the merits.

No. 1042. Wells Fargo & Company, petitioner, *v.* Oscar G. Taylor. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 1061. Matthew T. Chapman et al., petitioners, *v.* John A. Wintroath. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 1066. Southern Pacific Company, petitioner, *v.* Industrial Accident Commission of the State of California et al. Petition for a writ of certiorari to the Supreme Court of the State of California granted.

No. 1087. Charles A. Hitchcock, petitioner, *v.* Alfred G. Scattergood et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 1095. International Paper Company, petitioner, *v.* The Schooner "Gracie D. Chambers," her tackle, etc., Florence G. Payne, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1003. Butte & Superior Copper Company, Limited, petitioner, *v.* Clark-Montana Realty Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 514. Marcel Akalitis, petitioner, *v.* Philadelphia & Reading Coal & Iron Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1008. The Thomas Manufacturing Company, petitioner, *v.* The Aeolian Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1026. Margaret Corwin Radcliffe Gooch, petitioner, *v.* Annie Wayne Suhor et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1038. Western Union Telegraph Company, petitioner, *v.* Detroit, Toledo & Ironton Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 1033. American Trading Company (Pacific Coast), petitioner, *v.* North Alaska Salmon Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1049. E. Kirby-Smith, petitioner, *v.* John O. Sheatz, receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1050. Lee Mow Lin and Lee Bing, 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. 1051. Southern Railway Company, petitioner, *v.* John C. Webb, individually and for the use of Queen Insurance Company and London & Lancashire Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1052. O. T. Peeples, trustee, etc., petitioner, *v.* Georgia Iron & Coal Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1059. Republic Rubber Company, petitioner, *v.* Consolidated Rubber Tire Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1086. The B. F. Goodrich Company, petitioner, *v.* Consolidated Rubber Tire Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1060. The Chesapeake & Ohio Railway Company of Indiana, petitioner, *v.* National Bank of Commerce of Norfolk. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 1062. George T. Charlton and John L. Crone, local inspectors etc., et al., petitioners, *v.* New York & Porto Rico Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1064. Schram Glass Manufacturing Company, petitioner, *v.* Homer Brooke Glass Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1065. Frederick Krafft, petitioner, *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. 1067. Dud Moore, 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. 1082. Alexander Gladstone, alias William Vines, 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. 1083. Dan A. Ward and W. A. Greenwood, petitioners, *v.* Thomas W. Morgan, Warden, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1088. Coal & Coke Railway Company, petitioner, *v.* Oscar V. Ewing. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 1090. Midland Linseed Products Company, petitioner, *v.* The Steamship "Saturnus," her tackle, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1091. John W. Roberts, 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. 1094. Philadelphia & Reading Coal & Iron Company, petitioner, *v.* Carmine Sacripante. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 1096. Erie Railroad Company, petitioner, *v.* John Downs. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1100. The United States of America, petitioner, *v.* George W. Heim. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1101. Logan Billingsley and Fred Billingsley, 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. —, original. In re Albert Herschel de Propper. Ordered that a rule to show cause issue returnable on the 8th day of October next.

No. 17. The United States of America, appellant, *v.* Lehigh Valley Railroad Company et al.;

No. 37. The Buckeye Powder Company, plaintiff in error, *v.* E. I. du Pont de Nemours Powder Company et al.;

No. 68. The United States of America, appellant, *v.* Reading Company et al.; and

No. 80. Reading Company et al., appellants, *v.* The United States of America. Ordered that these cases be restored to the docket for reargument.

No. 207. The United States, appellant, *v.* United Shoe Machinery Company of New Jersey et al. Leave granted to present a petition for rehearing within thirty days on motion of Mr. Solicitor General Davis for the appellant.

No. 704. W. C. Hammer, United States attorney, etc., appellant, *v.* Roland H. Dagenhart et al. Leave granted to present a petition for rehearing within thirty days, on motion of Mr. Solicitor General Davis for the appellant.

No. 190. Sernetta J. McCoy et al., executors, etc., plaintiffs in error, *v.* The Union Elevated Railroad Company et al. Leave granted to present a petition for rehearing within thirty days, on motion of Mr. William C. Sullivan in behalf of counsel for the plaintiffs in error.

No. —, original. *Ex parte* In the matter of Garland Biffle. Motion to strike name of Garland Biffle from the roll of attorneys submitted by Mr. Scott Ferris and rule to show cause ordered returnable on Tuesday, October 8th next.

No. 1029. The Pennsylvania Railroad Company, petitioner, *v.* Alice Frances Brown et al. Motion for an order staying proceedings in lower court submitted by Mr. Frederic D. McKenney for the petitioners, and motion denied without prejudice.

No. 1081. Philadelphia, Baltimore & Washington Railroad Company, petitioner, *v.* Alfred H. Smith. Motion for an order staying proceedings in the lower court submitted by Mr. Frederic D. McKenney for the petitioner, and motion denied without prejudice.

No. 371. The Toledo Newspaper Company et al., plaintiffs in error, *v.* The United States of America. Leave granted to present a petition for rehearing within thirty days on motion of Mr. Joseph S. Graydon for the plaintiffs in error.

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*Order.*—It is now here ordered by the court that all the cases on the docket not decided and all the 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.